

JOURNAL
OF THE
SENATE

OF THE
STATE OF KANSAS

FOR THE

2012 Legislative Session
January 9 through June 1, 2012

HELD AT THE

STATE CAPITOL
TOPEKA, KANSAS

PAT SAVILLE, *Secretary of the Senate*

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Governor

SAM BROWNBACK, Topeka

Lieutenant Governor

JEFF COLYER, Overland Park

OFFICERS OF THE SENATE

2012 Regular Session

Stephen Morris, Hugoton.....President
John Vratil, Leawood.....Vice President
Jay Scott Emler, Lindsborg.....Majority Leader
Anthony Hensley, Topeka.....Minority Leader
Pat Saville, Topeka.....Secretary
Mary Diane Minear, Tonganoxie.....Deputy Secretary of the Senate
Jody Kirkwood, Meriden.....Sergeant at Arms

STATE SENATORS
2012 LEGISLATIVE SESSION
Members Listed Alphabetically

Name and City	Occupation	Party	Dist.
Abrams, Steve , Arkansas City.....	Veterinarian	Rep.	32
Apple, Pat , Louisburg.....	Electrician	Rep.	12
Bruce, Terry , Hutchinson.....	Attorney	Rep.	34
Brungardt, Pete , Salina.....	Optometrist	Rep.	24
Donovan, Les , Wichita.....	Auto Dealer	Rep.	27
Emler, Jay Scott , Lindsborg.....	Attorney	Rep.	35
Faust-Goudeau, Oletha , Wichita.....	Community Activist	Dem.	29
Francisco, Marci , Lawrence.....	Space Analyst	Dem.	2
Haley, David , Kansas City.....	Public Affairs Counsel	Dem.	4
Hensley, Anthony , Topeka.....	Special Education Teacher	Dem.	19
Holland, Tom , Baldwin City.....	Information Technology Consultant	Dem.	3
Huntington, Terrie W. , Fairway.....	Retired Marketing Communication	Rep.	7
Kelly, Laura , Topeka.....	Association Management	Dem.	18
Kelsey, Dick , Goddard.....	Business Owner	Rep.	26
King, Jeff , Independence.....	Attorney	Rep.	15
Kultala, Kelly , Kansas City.....	Director of Community Outreach	Dem.	5
Longbine, Jeff , Emporia.....	Auto Dealer	Rep.	17
Love, Garrett , Montezuma.....	Small Businessman	Rep.	38
Lynn, Julia , Olathe.....	Development Officer, Youth Front	Rep.	9
Marshall, Bob , Fort Scott.....	Retired Airline Pilot	Rep.	13
Masterson, Ty , Andover.....	Real Estate Agent/General Contractor	Rep.	16
McGinn, Carolyn , Sedgwick.....	Ag Producer/Substitute Teacher	Rep.	31
Merrick, Ray , Stilwell.....	Small Business Owner	Rep.	37
Morris, Steve , Hugoton.....	Farmer	Rep.	39
Olson, Robert (Rob) , Olathe.....	Contractor	Rep.	23
Ostmeyer, Ralph , Grinnell.....	Farmer/Rancher	Rep.	40
Owens, Tim , Overland Park.....	Attorney	Rep.	8
Petersen, Mike , Wichita.....	Industrial Electrician	Rep.	28
Pilcher-Cook, Mary , Shawnee.....	Publisher	Rep.	10
Pyle, Dennis , Hiawatha.....	Farmer	Rep.	1
Reitz, Roger , Manhattan.....	Physician	Rep.	22
Schmidt, Allen , Hays.....	Business Development Consultant	Dem.	36
Schmidt, Vicki , Topeka.....	Pharmacist	Rep.	20
Schodorf, Jean , Wichita.....	Speech/Language Pathologist	Rep.	25
Steineger, Chris , Kansas City.....	Real Estate Investments	Rep.	6
Taddiken, Mark , Clifton.....	Farmer/Stockman	Rep.	21
Teichman, Ruth , Stafford.....	Farmer	Rep.	33
Umbarger, Dwayne , Thayer.....	Farmer/Rancher	Rep.	14
Vrtil, John , Leawood.....	Attorney	Rep.	11
Wagle, Susan , Wichita.....	Business/Real Estate Investor	Rep.	30

- On Call** **KPERS Select (10)**
 Morris, *Chairperson*; King, *Vice Chairperson*; Huntington, Longbine, Marshall, Masterson, Teichman, Vratil.
 Kelly, *Ranking Minority Member*; Hensley.
- 9:30 a.m. Mon/Tues** **Local Government (9)** **Room 159-S**
 Reitz, *Chairperson*; Kelsey, *Vice Chairperson*; Brungardt, Huntington, Love, Marshall, Ostmeyer.
 Faust-Goudeau, *Ranking Minority Member*; Kultala.
- 8:30 a.m. Thur/Fri** **Natural Resources (11)** **Room 159-S**
 Ostmeyer, *Chairperson*; McGinn, *Vice Chairperson*; Abrams. Bruce, Love, Morris, Pilcher-Cook, Taddiken, Teichman.
 Francisco, *Ranking Minority*; A. Schmidt.
- On Call** **Organization, Calendar and Rules (9)**
 Morris, *Chairperson*; Emler, *Vice Chairperson*; Apple, Brungardt, Kelsey, McGinn, Teichman, Umbarger, Vratil.
- 1:30 p.m.** **Public Health and Welfare (9)** **Room 546-S**
 V. Schmidt, *Chairperson*; Brungardt, *Vice Chairperson*; Huntington, Kelsey, Pilcher-Cook, Reitz, Steineger.
 Kelly, *Ranking Minority Member*; Haley.
- On Call** **Reapportionment (13)**
 Owens, *Chairperson*; Umbarger, *Vice Chairperson*; Brungardt, Kelsey, McGinn, Ostmeyer, Petersen, Teichman, Vratil, Wagle.
 Hensley, *Ranking Minority Member*; Haley, Holland.
- 8:30 a.m. Tues through Fri** **Transportation (9)** **Room 152-S**
 Umbarger, *Chairperson*; Marshall, *Vice Chairperson*; Donovan, Huntington, Petersen, Reitz, V. Schmidt.
 Kultala, *Ranking Minority Member*; Hensley.
- 1:30 p.m.** **Utilities (11)** **Room 548-S**
 Apple, *Chairperson*; Petersen, *Vice Chairperson*; Bruce, Emler, Love, Masterson, Merrick, Pyle, Taddiken.
 Kultala, *Ranking Minority Member*; Francisco.
- 10:30 a.m.** **Ways and Means (13)** **Room 548-S**
 McGinn, *Chairperson*; Vratil, *Vice Chairperson*; Emler, Huntington, Masterson, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger.
 Kelly, *Ranking Minority Member*; Francisco, Kultala.

JOINT COMMITTEES OF THE SENATE AND HOUSE

Administrative Rules and Regulations

On Call (5 Senate—7 House)

V. Schmidt, *Chairperson*; Faust-Goudeau, Ostmeyer, Owens, A. Schmidt.
House Members: C. Holmes, *Vice Chairperson*; Huebert, Patton, Pauls, Trimmer, Tyson, Winn.

Arts and Cultural Resources

On Call (5 Senate—5 House)

Schodorf, *Chairperson*; Faust-Goudeau, Francisco, Lynn, Umbarger.
House Members: Gordon, *Vice Chairperson*; Carlin, Rubin, Spalding, Swanson.

Children's Issues

On Call (5 Senate—5 House)

Lynn, *Chairperson*; Faust-Goudeau, Haley, Pyle, Reitz.
House Members: Kiegerl, *Vice Chairperson*; DeGraaf, S. Gatewood, Gregory, McCray-Miller.

Corrections and Juvenile Justice Oversight

On Call (7 Senate—7 House)

Brungardt, *Chairperson*; Bruce, Haley, Kelsey, Kultala, Longbine, Owens.
House Members: Colloton, *Vice Chairperson*; Denning, D. Gatewood, Goodman, Henry, Peck, Ward.

Economic Development

On Call (5 Senate—8 House)

Wagle, *Chairperson*; Faust-Goudeau, Kelly, Lynn, Marshall.
House Members: Brown, *Vice Chairperson*; Garber, Kerschen, Schwab, Slattery, Suellentrop, Tietze, Winn.

Energy and Environmental Policy

On Call (5 Senate—6 House)

McGinn, *Vice Chairperson*; Francisco, Ostmeyer, Petersen, Taddiken.
House Members: C. Holmes, *Chairperson*; M. Holmes, Knox, Kuether, Sloan, Wetta.

Health Policy Oversight

On Call (6 Senate—6 House)

V. Schmidt, *Vice Chairperson*; Brungardt, Haley, Kelly, Reitz, Teichman.
House Members: Landwehr, *Chairperson*; Hill, Mast, Meigs, Ruiz, Ward.

Home and Community Based Services Oversight

On Call (4 Senate—5 House)

McGinn, *Vice Chairperson*; Kelly, Kultala, Umbarger.
House Members: Bethell, *Chairperson*; Ballard, Crum, Henry, Landwehr.

Information Technology

On Call (5 Senate—5 House)

Petersen, *Chairperson*; Francisco, Holland, Love, V. Schmidt.
House Members: Burgess, *Vice Chairperson*; Calloway, Dillmore, Lane, McLeland.

Kansas Security

On Call (5 Senate—5 House)

Emler, *Chairperson*; Hensley, McGinn, Owens, A. Schmidt.
House Members: Goico, *Vice Chairperson*; Frownfelter, Loganbill, Mast, O'Brien.

Legislative Budget**On Call (3 Senate—4 House)**

McGinn, *Chairperson*; Kelly, Vratil.

House Members: Rhoades, *Vice-Chairperson*, Denning, Feuerborn, Kelley.

Legislative Coordinating Council**On Call (3 Senate—4 House)**

Morris, *Vice Chairperson*; Emler, Hensley.

House Members: O'Neal, *Chairperson*, Davis, Siegfried, Vickrey.

Legislative Educational Planning**On Call (6 Senate—7 House)**

Schodorf, *Vice Chairperson*; Francisco, Huntington, Marshall, Teichman, Vratil.

House Members: Huebert, *Chairperson*, Ballard, Colloton, Donohoe, Gordon, Phelps, Pottorff.

Legislative Post Audit**On Call (5 Senate—5 House)**

Pilcher-Cook, *Chairperson*; Bruce, Hensley, Kelly, Umbarger.

House Members: Mast, *Vice Chairperson*; Burroughs, Grange, Mah, Peck.

Pensions, Investments, and Benefits**On Call (5 Senate—8 House)**

Morris, *Chairperson*; Emler, Hensley, Kelly, Teichman.

House Members: Schwartz, *Vice Chairperson*; Carlson, Flaharty, M. Holmes, Johnson, Proehl, Ruiz, Williams.

Special Claims Against the State**On Call (5 Senate—8 House)**

Owens, *Vice Chairperson*; Bruce, Kultala, Masterson, Pyle.

House Members: Patton, *Chairperson*; Bruchman, Feuerborn, Grant, Hermanson, M. Holmes, Huebert, Smith.

State Building Construction**On Call (5 Senate—5 House)**

Umbarger, *Chairperson*; Francisco, Kelly, Longbine, McGinn.

House Members: Pottorff, *Vice Chairperson*; Brunk, Feuerborn, Grant, K. Wolf.

State-Tribal Relations**On Call (5 Senate—5 House)**

Brungardt, *Vice Chairperson*; Haley, Kultala, Pyle, Vratil.

House Members: Knox, *Chairperson*; Burroughs, Hermanson, Kinzer, Victors.

**SENATE MEMBERS SHOWING COMMITTEE ASSIGNMENTS,
RANK, TIME AND COMMITTEE ROOM, PARTY AND
DISTRICT NUMBER, OFFICE ROOM AND TELEPHONE**

Abrams, Steve

Republican, District 32
Room 541-E
(785) 296-7381

Committee	Rank	Time	Room
Agriculture	Member	8:30 am Tues/Wed	159-S
Education	Member	1:30 pm	152-S
Federal and State Affairs	Member	10:30 am	144-S
Natural Resources	Member	8:30 am Thur/Fri	159-S

Apple, Pat

Republican, District 12
Room 224-E
(785) 296-7368

Committee	Rank	Time	Room
Utilities	Chair	1:30 pm	548-S
Assessment and Taxation	Vice Chair	10:30 am	152-S
Ethics and Elections	Member	9:30 am Wed/Thur	159-S
Organization, Calendar and Rules	Member	On Call	

Bruce, Terry

Republican, District 34
Room 135-E
(785) 296-7300

Committee	Rank	Time	Room
Agriculture	Member	8:30 am Tues/Wed	159-S
Assessment and Taxation	Member	10:30 am	152-S
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	
Judiciary	Member	9:30 am	548-S
Legislative Post Audit (Joint)	Member	On Call	
Natural Resources	Member	8:30 am Thur/Fri	159-S
Special Claims Against the State (Joint)	Member	On Call	
Utilities	Member	1:30 pm	548-S

Brungardt, Pete

Republican, District 24
 Room 136-E
 (785) 296-7390

Committee	Rank	Time	Room
Corrections and Juvenile Justice Oversight (Joint)	Chair	On Call	
Federal and State Affairs	Chair	10:30:00 AM	144-S
Public Health and Welfare	Vice Chair	01:30:00 PM	546-S
State-Tribal Relations (Joint)	Vice Chair	On Call	
Ethics and Elections	Member	9:30 am Wed/Thur	159-S
Health Policy Oversight (Joint)	Member	On Call	
Local Government	Member	9:30 am Mon/Tues	159-S
Organization, Calendar and Rules	Member	On Call	
Reapportionment	Member	On Call	

Donovan, Les

Republican, District 27
 Room 123-E
 (785) 296-7385

Committee	Rank	Time	Room
Assessment and Taxation	Chair	10:30 am	152-S
Judiciary	Member	9:30 am	548-S
Transportation	Member	8:30 am Tues thru Fri	152-S

Emler, Jay Scott

Republican, District 35
 Room 330-E
 (785) 296-2497

Majority Leader

Committee	Rank	Time	Room
Confirmation Oversight	Chair	On Call	
Kansas Security (Joint)	Chair	On Call	
Organization, Calendar and Rules	Vice Chair	On Call	
Commerce	Member	8:30 am	548-S
Interstate Cooperation	Member	On Call	
Legislative Coordinating Council (Joint)	Member	On Call	
Pensions, Investments, and Benefits (Joint)	Member	On Call	
Utilities	Member	1:30 pm	548-S
Ways and Means	Member	10:30 am	548-S

Faust-Goudeau, Oletha

Democrat, District 29
Room 124-E
(785) 296-7387

Committee	Rank	Time	Room
Ethics and Elections	*RM Member	9:30 am Wed/Thur	159-S
Federal and State Affairs	*RM Member	10:30 am	144-S
Local Government	*RM Member	9:30 am Mon/Tues	159-S
Administrative Rules and Regulations (Joint)	Member	On Call	
Arts and Cultural Resources (Joint)	Member	On Call	
Children's Issues (Joint)	Member	On Call	
Commerce	Member	8:30 am	548-S
Economic Development (Joint)	Member	On Call	

Francisco, Marci

Democrat, District 2
Room 134-E
(785) 296-7364

Caucus and Agenda Chair

Committee	Rank	Time	Room
Agriculture	*RM Member	8:30 am Tues/Wed	159-S
Natural Resources	*RM Member	8:30 am Thur/Fri	159-S
Arts and Cultural Resources (Joint)	Member	On Call	
Energy and Environmental Policy (Joint)	Member	On Call	
Information Technology (Joint)	Member	On Call	
Legislative Educational Planning (Joint)	Member	On Call	
State Building Construction (Joint)	Member	On Call	
Utilities	Member	1:30 pm	548-S
Ways and Means	Member	10:30 am	548-S

Haley, David

Democrat, District 4
Room 424-E
(785) 296-7376

Committee	Rank	Time	Room
Judiciary	*RM Member	9:30 am	548-S
Children's Issues (Joint)	Member	On Call	
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	
Federal and State Affairs	Member	10:30 am	144-S
Health Policy Oversight (Joint)	Member		
Public Health and Welfare	Member	1:30 pm	546-S
Reapportionment	Member	On Call	
State-Tribal Relations (Joint)	Member	On Call	

Hensley, Anthony

Democratic Leader

Democrat, District 19
Room 345-S
(785) 296-3245

Committee	Rank	Time	Room
Confirmation Oversight	Vice Chair	On Call	
Education	*RM Member	1:30 pm	152-S
Interstate Cooperation	*RM Member	On Call	
Reapportionment	*RM Member	On Call	
Assessment and Taxation	Member	10:30 am	152-S
Kansas Security (Joint)	Member	On Call	
KPERS Select	Member	On Call	
Legislative Coordinating Council (Joint)	Member	On Call	
Legislative Post Audit (Joint)	Member	On Call	
Pensions, Investments, and Benefits (Joint)	Member	On Call	
Transportation	Member	8:30 am Tues thru Fri	152-S

Holland, Tom

Democratic Whip

Democrat, District 3
Room 134-E
(785) 296-7372

Committee	Rank	Time	Room
Assessment and Taxation	*RM Member	10:30 am	152-S
Commerce	*RM Member	8:30 am	548-S
Financial Institutions and Insurance	Member	9:30 am	152-S
Information Technology (Joint)	Member	On Call	
Interstate Cooperation	Member	On Call	
Reapportionment	Member	On Call	

Huntington, Terrie W.

Republican, District 7
Room 235-E
(785) 296-7369

Committee	Rank	Time	Room
Ethics and Elections	Chair	9:30 am Wed/Thur	159-S
KPERS Select	Member	On Call	
Legislative Educational Planning (Joint)	Member	On Call	
Local Government	Member	9:30 am Mon/Tues	159-S
Public Health and Welfare	Member	1:30 pm	546-S
Transportation	Member	8:30 am Tues thru Fri	152-S
Ways and Means	Member	10:30 am	548-S

Kelly, Laura

Democrat, District 18
 Room 125-E
 (785) 296-7365

Assistant Democratic Leader

Committee	Rank	Time	Room
KPERS Select	*RM Member	On Call	
Public Health and Welfare	*RM Member	1:30 pm	546-S
Ways and Means	*RM Member	10:30 am	548-S
Economic Development (Joint)	Member	On Call	
Health Policy Oversight (Joint)	Member	On Call	
Home and Community Based Services Oversight (Joint)	Member	On Call	
Judiciary	Member	9:30 am	548-S
Legislative Budget (Joint)	Member	On Call	
Legislative Post Audit (Joint)	Member	On Call	
Pensions, Investments, and Benefits (Joint)	Member	On Call	
State Building Construction (Joint)	Member	On Call	

Kelsey, Dick

Republican, District 26
 Room 541-E
 (785) 296-7367

Committee	Rank	Time	Room
Local Government	Vice Chair	9:30 am Mon/Tues	159-S
Assessment and Taxation	Member	10:30 am	152-S
Confirmation Oversight	Member	On Call	
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	
Ethics and Elections	Member	9:30 am Wed/Thur	159-S
Organization, Calendar and Rules	Member	On Call	
Public Health and Welfare	Member	1:30 pm	546-S
Reapportionment	Member	On Call	

King, Jeff

Republican, District 15
 Room 237-E
 (785) 296-7398

Committee	Rank	Time	Room
Judiciary	Vice Chair	9:30 am	548-S
KPERS Select	Vice Chair	On Call	
Agriculture	Member	8:30 am Tues/Wed	159-S
Assessment and Taxation	Member	10:30 am	152-S
Education	Member	1:30 pm	152-S

Kultala, Kelly

Democrat, District 5
 Room 124-E
 (785) 296-7357

Committee	Rank	Time	Room
Transportation	*RM Member	8:30 am Tues thru Fri	152-S
Utilities	*RM Member	1:30 pm	548-S
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	
Ethics and Elections	Member	9:30 am Wed/Thur	159-S
Home and Community Based Services Oversight (Joint)	Member	On Call	
Local Government	Member	9:30 am Mon/Tues	159-S
Special Claims Against the State (Joint)	Member	On Call	
State-Tribal Relations (Joint)	Member	On Call	
Ways and Means	Member	10:30 am	548-S

Longbine, Jeff

Republican, District 17
 Room 235-E
 (785) 296-7384

Committee	Rank	Time	Room
Commerce	Member	8:30 am	548-S
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	
Federal and State Affairs	Member	10:30 am	144-S
Financial Institutions and Insurance	Member	9:30 am	152-S
KPERS Select	Member	On Call	
State Building Construction (Joint)	Member	On Call	

Love, Garrett

Republican, District 38
 Room 237-E
 (785) 296-7359

Committee	Rank	Time	Room
Agriculture	Member	8:30 am Tues/Wed	159-S
Assessment and Taxation	Member	10:30 am	152-S
Information Technology (Joint)	Member	On Call	
Local Government	Member	9:30 am Mon/Tues	159-S
Natural Resources	Member	8:30 am Thur/Fri	159-S
Utilities	Member	1:30 pm	548-S

Lynn, Julia

Republican, District 9
 Room 234-E
 (785) 296-7382

Committee	Rank	Time	Room
Children's Issues (Joint)	Chair	On Call	
Commerce	Vice Chair	8:30 am	548-S
Arts and Cultural Resources (Joint)	Member	On Call	
Assessment and Taxation	Member	10:30 am	152-S
Economic Development (Joint)	Member	On Call	
Judiciary	Member	9:30 am	548-S

Marshall, Bob

Republican, District 13
 Room 135-E
 (785) 296-7370

Committee	Rank	Time	Room
Transportation	Vice Chair	8:30 am Tues thru Fri	152-S
Assessment and Taxation	Member	10:30 am	152-S
Confirmation Oversight	Member	On Call	
Economic Development (Joint)	Member	On Call	
Education	Member	1:30 pm	152-S
KPERS Select	Member	On Call	
Legislative Educational Planning (Joint)	Member	On Call	
Local Government	Member	9:30 am Mon/Tues	159-S

Masterson, Ty

Republican, District 16
 Room 541-E
 (785) 296-7388

Committee	Rank	Time	Room
Financial Institutions and Insurance	Vice Chair	9:30 am	152-S
Commerce	Member	8:30 am	548-S
KPERS Select	Member	On Call	
Special Claims Against the State (Joint)	Member	On Call	
Utilities	Member	1:30 pm	548-S
Ways and Means	Member	10:30 am	548-S

McGinn, Carolyn

Republican, District 31
 Room 545-S
 (785) 296-7377

Committee	Rank	Time	Room
Legislative Budget (Joint)	Chair	On Call	
Ways and Means	Chair	10:30 am	548-S
Energy and Environmental Policy (Joint)	Vice Chair	On Call	
Home and Community Based Services Oversight (Joint)	Vice Chair	On Call	
Natural Resources	Vice Chair	8:30 am Thur/Fri	159-S
Kansas Security (Joint)	Member	On Call	
Organization, Calendar and Rules	Member	On Call	
Reapportionment	Member	On Call	
State Building Construction (Joint)	Member	On Call	

Merrick, Ray

Republican, District 37
 Room 225-E
 (785) 296-7383

Committee	Rank	Time	Room
Commerce	Member	8:30 am	548-S
Financial Institutions and Insurance	Member	9:30 am	152-S
Utilities	Member	1:30 pm	548-S

Morris, Stephen

Republican, District 39
 Room 333-E
 (785) 296-2419

President

Committee	Rank	Time	Room
Interstate Cooperation	Chair	On Call	
KPERS Select	Chair	On Call	
Organization, Calendar and Rules	Chair	On Call	
Pensions, Investments, and Benefits (Joint)	Chair	On Call	
Legislative Coordinating Council (Joint)	Vice Chair	On Call	
Agriculture	Member	8:30 am Tues/Wed	159-S
Federal and State Affairs	Member	10:30 am	144-S
Natural Resources	Member	8:30 am Thur/Fri	159-S

Olson, Robert "Rob"

Republican, District 23
 Room 441-E
 (785) 296-7358

Committee	Rank	Time	Room
Commerce	Member	8:30 am	548-S
Financial Institutions and Insurance	Member	9:30 am	152-S

Ostmeyer, Ralph

Republican, District 40
 Room 225-E
 (785) 296-7399

Committee	Rank	Time	Room
Natural Resources	Chair	8:30 am Thur/Fri	159-S
Administrative Rules and Regulations (Joint)	Member	On Call	
Agriculture	Member	8:30 am Tues/Wed	159-S
Energy and Environmental Policy (Joint)	Member	On Call	
Federal and State Affairs	Member	10:30 am	144-S
Local Government	Member	9:30 am Mon/Tues	159-S
Reapportionment	Member	On Call	

Owens, Thomas C. (Tim)

Republican, District 8
 Room 559-S
 (785) 296-7353

Committee	Rank	Time	Room
Judiciary	Chair	9:30 am	548-S
Reapportionment	Chair	On Call	
Special Claims Against the State (Joint)	Vice Chair	On Call	
Administrative Rules and Regulations (Joint)	Member	On Call	
Confirmation Oversight	Member	On Call	
Corrections and Juvenile Justice Oversight (Joint)	Member	On Call	
Education	Member	1:30 pm	152-S
Federal and State Affairs	Member	10:30 am	144-S
Kansas Security (Joint)	Member	On Call	

Petersen, Mike

Republican, District 28
 Room 224-E
 (785) 296-7355

Committee	Rank	Time	Room
Information Technology (Joint)	Chair	On Call	
Utilities	Vice Chair	1:30 pm	548-S
Energy and Environmental Policy (Joint)	Member	On Call	
Ethics and Elections	Member	9:30 am Wed/Thur	159-S
Reapportionment	Member	On Call	
Transportation	Member	8:30 am Tues thru Fri	152-S

Pilcher-Cook, Mary

Republican, District 10
 Room 237-E
 (785) 296-7362

Committee	Rank	Time	Room
Legislative Post Audit (Joint)	Chair	On Call	
Judiciary	Member	9:30 am	548-S
Natural Resources	Member	8:30 am Thur/Fri	159-S
Public Health and Welfare	Member	1:30 pm	546-S

Pyle, Dennis

Republican, District 1
 Room 234-E
 (785) 296-7379

Committee	Rank	Time	Room
Agriculture	Member	8:30 am Tues/Wed	159-S
Assessment and Taxation	Member	10:30 am	152-S
Children's Issues (Joint)	Member	On Call	
Special Claims Against the State (Joint)	Member	On Call	
State-Tribal Relations (Joint)	Member	On Call	
Utilities	Member	1:30 pm	548-S

Reitz, Roger

Republican, District 22
 Room 223-E
 (785) 296-7360

Committee	Rank	Time	Room
Local Government	Chair	9:30 am Mon/Tues	159-S
Federal and State Affairs	Vice Chair	10:30 am	144-S
Children's Issues (Joint)	Member	On Call	
Ethics and Elections	Member	9:30 am Wed/Thur	159-S
Health Policy Oversight (Joint)	Member	On Call	
Public Health and Welfare	Member	1:30 pm	546-S
Transportation	Member	8:30 am Tues thru Fri	152-S

Schmidt, Allen

Democrat, District 36
 Room 125-E
 (785) 296-7366

Committee	Rank	Time	Room
Financial Institutions and Insurance	*RM Member	9:30 am	152-S
Administrative Rules and Regulations (Joint)	Member	On Call	
Agriculture	Member	8:30 am Tues/Wed	159-S
Education	Member	1:30 pm	152-S
Kansas Security (Joint)	Member	On Call	
Natural Resources	Member	8:30 am	159-S

Schmidt, Vicki

Republican, District 20
 Room 552-S
 (785) 296-7374

Assistant Majority Leader

Committee	Rank	Time	Room
Administrative Rules and Regulations (Joint)	Chair	On Call	
Public Health and Welfare	Chair	1:30 pm	546-S
Ethics and Elections	Vice Chair	9:30 am Wed/Thur	159-S
Health Policy Oversight (Joint)	Vice Chair	On Call	
Information Technology (Joint)	Member	On Call	
Interstate Cooperation	Member	On Call	
Transportation	Member	8:30 am Tues thru Fri	152-S
Ways and Means	Member	10:30 am	548-S

Schodorf, Jean

Republican, District 25
 Room 236-E
 (785) 296-7391

Assistant Majority Whip

Committee	Rank	Time	Room
Arts and Cultural Resources (Joint)	Chair	On Call	
Education	Chair	1:30 pm	152-S
Legislative Educational Planning (Joint)	Vice Chair	On Call	
Commerce	Member	8:30 am	548-S
Confirmation Oversight	Member	On Call	
Interstate Cooperation	Member	On Call	
Judiciary	Member	9:30 am	548-S
Ways and Means	Member	10:30 am	548-S

Steineger, Chris

Republican, District 6
 Room 58-A
 (785) 296-7375

Committee	Rank	Time	Room
Commerce	Member	8:30 am	548-S
Financial Institutions and Insurance	Member	9:30 am	152-S
Public Health and Welfare	Member	1:30 pm	546-S

Taddiken, Mark

Republican, District 21
 Room 223-E
 (785) 296-7371

Committee	Rank	Time	Room
Agriculture	Chair	8:30 am Tues/Wed	159-S
Energy and Environmental Policy (Joint)	Member	On Call	
Financial Institutions and Insurance	Member	9:30 am	152-S
Natural Resources	Member	8:30 am Thur/Fri	159-S
Utilities	Member	1:30 pm	548-S
Ways and Means	Member	10:30 am	548-S

Teichman, Ruth

Republican, District 33
 Room 236-E
 (785) 296-7394

Committee	Rank	Time	Room
Financial Institutions and Insurance	Chair	9:30 am	152-S
Agriculture	Vice Chair	8:30 am Tues/Wed	159-S
Education	Member	1:30 pm	152-S
Health Policy Oversight (Joint)	Member	On Call	
KPERS Select	Member	On Call	
Legislative Educational Planning (Joint)	Member	On Call	
Natural Resources	Member	8:30 am Thur/Fri	159-S
Organization, Calendar and Rules	Member	On Call	
Pensions, Investments, and Benefits (Joint)	Member	On Call	
Reapportionment	Member	On Call	
Ways and Means	Member	10:30 am	548-S

Umberger, Dwayne

Republican, District 14
 Room 441-E
 (785) 296-7389

Committee	Rank	Time	Room
State Building Construction (Joint)	Chair	On Call	
Transportation	Chair	8:30 am Tues thru Fri	152-S
Reapportionment	Vice Chair	On Call	
Arts and Cultural Resources (Joint)	Member	On Call	
Education	Member	1:30 pm	152-S
Home and Community Based Services Oversight (Joint)	Member	On Call	
Judiciary	Member	9:30 am	548-S
Legislative Post Audit (Joint)	Member	On Call	
Organization, Calendar and Rules	Member	On Call	
Ways and Means	Member	10:30 am	548-S

Vratil, John

Republican, District 11
 Room 341-E
 (785) 296-7361

Vice President

Committee	Rank	Time	Room
Education	Vice Chair	1:30 pm	152-S
Ways and Means	Vice Chair	10:30 am	548-S
Interstate Cooperation	Member	On Call	
Judiciary	Member	9:30 am	548-S
KPERS Select	Member	On Call	
Legislative Budget (Joint)	Member	On Call	
Legislative Educational Planning (Joint)	Member	On Call	
Organization, Calendar and Rules	Member	On Call	
Reapportionment	Member	On Call	
State-Tribal Relations (Joint)	Member	On Call	

Wagle, Susan

Republican, District 30
 Room 135-E
 (785) 296-7386

Committee	Rank	Time	Room
Commerce	Chair	8:30 am	548-S
Economic Development (Joint)	Chair	On Call	
Education	Member	1:30 pm	152-S
Reapportionment	Member	On Call	

**Constitutional Provisions
Governing
the
Kansas Legislature**



State of Kansas

KANSAS CONSTITUTIONAL PROVISIONS CONCERNING LEGISLATIVE POWERS

Article 2.—LEGISLATIVE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Rules
of the
Kansas Senate**



State of Kansas

2009-2012

Amended

January 2011

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RULES OF THE SENATE
2009-2012

Rule 1. Time of Meetings. The Senate on the first day of a session shall convene at 2:00 p.m., and at all other times shall convene at 2:30 p.m., unless otherwise ordered by the Senate.

Rule 2. Convening – Quorum. The President shall take the chair at the hour fixed for the convening of the Senate, and the roll shall be called in order to ascertain if a quorum is present. A majority of the Senators then elected (or appointed) and qualified shall constitute a quorum, and, in the absence of a quorum, the Senators present, by majority vote, may take such measures as they shall deem necessary to secure the presence of a quorum.

Rule 3. Absence of Member. No Senator shall fail to attend when the Senate is in session without first obtaining leave of the Senate, unless prevented from attending by sickness or other sufficient cause.

Rule 4. Order of Business. The order of business, following the roll call and prayer by the Chaplain, shall be as follows:

1. Introduction and reference of bills and concurrent resolutions.
2. Consideration of messages from the Governor.
3. Communications from state officers.
4. Consideration of messages from the House of Representatives.
5. Consideration of motions to concur or nonconcur.
6. Reports of select committees.
7. Consent Calendar.
8. Final Action on bills and concurrent resolutions.
9. Introduction of original motions and senate resolutions.
10. Correction and approval of the Journal.
11. Consideration of motions and senate resolutions.
12. Reports of standing committees.
13. General orders.

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

Rule 5. Business in Order at Any Time. Messages from the Governor, messages from the House of Representatives, introduction and reference of bills and concurrent resolutions, reports of standing committees and reports of select committees may be received and considered under any order of business.

Rule 6. Special Order. Whenever any bill or other matter is made the special order for a particular day, and shall not be reached or completed on that day, it shall be returned to its place in the General Orders, unless it shall be made the special order for another day. When any special order is under consideration, it shall take precedence over any special order for a subsequent hour of the same day, but such subsequent special order shall be taken up immediately after the previous order has been disposed of. Notation of a special order shall be placed before the first order of business on the calendar for that day, giving the subject to be considered and the time fixed for its

consideration. When that time arrives, other business shall be suspended until the special order has been considered.

Rule 7. Standing Committees. There shall be a standing committee named the Committee on Organization, Calendar and Rules which shall consist of nine members, the chairperson of which shall be the president of the senate, and the vice chairperson of which shall be the majority leader of the Senate. The Vice President of the Senate shall be a member of the committee. Each of the other six members shall be selected separately by the majority political party of the Senate.

No bill or resolution other than resolutions adopting, amending or revoking rules of the Senate or Joint Rules of the Senate and House of Representatives, shall be introduced by or be referred to the Committee on Organization, Calendar and Rules.

The following shall be the other standing committees:

	Number of members
1. Agriculture.....	11
2. Assessment and Taxation.....	11
3. Commerce.....	11
4. Confirmation Oversight Committee.....	6
5. Education.....	11
6. Ethics and Elections.....	9
7. Federal and State Affairs.....	9
8. Financial Institutions and Insurance.....	9
9. Interstate Cooperation.....	7
10. Judiciary.....	11
11. Local Government.....	9
12. Natural Resources.....	11
13. Public Health and Welfare.....	9
14. Reapportionment.....	13
15. Transportation.....	9
16. Utilities.....	11
17. Ways and Means.....	13

The Committee on Organization, Calendar and Rules shall appoint the members of each committee, shall appoint the chairperson and vice chairperson or vice chairpersons thereof and shall designate the ranking minority member of each committee. The minority leader shall submit recommendations for the appointment of minority members to the standing committees of the Senate to the Committee on Organization, Calendar and Rules. The Committee on Organization, Calendar and Rules shall have a standing subcommittee on calendar which shall be the president of the senate, the vice president of the senate and the majority leader of the Senate. The Majority Leader shall be the chairperson of the subcommittee. The Committee on Organization, Calendar and Rules may establish such other subcommittees of the Committee on Organization, Calendar and Rules as the Committee deems appropriate.

For the purpose of considering committee member appointments, and appointments of chairpersons, vice-chairpersons and ranking minority members, and for such other purposes as may be authorized by law, by the joint rules of the senate and the house of representatives or by rules of the senate for closed meetings, the Committee on Organization, Calendar and Rules may close its meetings.

The two major political parties shall have proportional representation on each standing committee other than the Committee on Organization, Calendar and Rules. In the event application of the preceding sentence results in a fraction, the party having a fraction exceeding .5 shall receive representation as though such fraction were a whole number.

Rule 8. Special and Select Committees. Special and Select committees of the Senate and the Chairperson thereof shall be appointed by the President.

Rule 9. Standing Committees – Duties of Chairperson, etc. (a) The chairperson of each committee shall preside at all meetings of the committee. The chairperson may designate another member to preside in the absence of the chairperson and vice chairperson.

(b) The chairperson of each committee may call a special meeting of the committee when necessary.

(c) The chairperson shall have full charge of the committee.

(d) The chairperson of each committee shall cause minutes of each meeting of the committee to be prepared, subject to approval of the committee at a later meeting. Minutes shall show the action taken by the committee upon each bill or resolution considered and the amendments if any voted upon and the disposition of each, whether adopted or not. At the request of the author of a bill or resolution or any amendment to a bill or resolution, or on request of any member of the committee, the intent of the author shall be stated in the committee minutes. At the conclusion of each legislative session copies of all committee minutes shall be filed with the Director of Legislative Administrative Services.

Rule 10. Vote in Senate Committee. At the time of taking any action upon any bill or resolution, any member of a committee may demand a division of the vote and the chairperson shall be required to record the results of the vote as a part of the minutes.

Rule 11. Committee Action on Bills and Resolutions. (a) A committee may recommend that the Senate act favorably, unfavorably or without recommendation upon any measure or may recommend amendments to measures referred to it which are germane to the subject of the measure. Committee recommendations shall be made by committee report to the Senate. Committee reports shall be signed by the chairperson, and shall be transmitted to the Senate not later than the second legislative day following the action of the committee.

(b) When a committee fails to report on any bill or resolution following reference to such committee, it may be withdrawn from the committee by an affirmative vote of 24 members of the Senate on a motion made as provided in this subsection. Such a motion shall be made in writing, giving the reasons for withdrawal from the committee. Such motion shall be made under the order of business introduction and notice of original motions and Senate resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the reading clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and Senate resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If the motion prevails, the bill or resolution shall be placed on the calendar under the order of business General Orders.

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

Rule 12. Adversely Reported Bills and Resolutions. All bills or resolutions adversely reported shall go upon the Calendar for one day, under the head of Bills Adversely Reported. A motion to place an adversely reported bill (or resolution) under the order of business General Orders on the Calendar shall be made when the bill (or resolution) is upon the Calendar and shall be made when Introduction of Original Motions and Senate Resolutions is in order, and that motion shall then lie over until the next legislative day when the order of business Consideration of Motions and Senate Resolutions is reached, but if such motion is defeated once it shall not be renewed. If an adversely reported bill or resolution has been previously referred separately under Rule 32 (authorizing the reference of the same bill or resolution to two or more standing committees), then the motion shall be to return the adversely reported bill (or resolution) with the committee report attached to the next committee to which it was referred. If the motion to place the bill (or resolution) on the Calendar under the order of business General Orders or to return the bill (or resolution) to the next committee of reference shall prevail, then the words “Adversely Reported” shall be printed in a line underneath the title of the bill or resolution, and to prevail such motion shall require an affirmative vote of 24 members of the Senate.

Rule 13. When Bill or Concurrent Resolution Placed on General Orders. When a bill or a concurrent resolution to amend the constitution has been reported to the Senate by a committee with the recommendation that it pass or be adopted, it shall immediately be placed on the Calendar under the order of business General Orders.

Rule 14. Address the President – To Be Recognized – Speak But Twice on the Same Subject. Every Senator rising to debate or to present any matter, shall address the President, and shall not proceed until recognized. When two or more Senators shall address the President at the same time, the President shall name the Senator who is to speak first. No Senator shall speak more than twice on the same day on the same subject without leave of the Senate.

Rule 15. No Senator Shall Be Interrupted. No Senator, when speaking shall be interrupted except by a call to order by the presiding officer, or by a Senator through the presiding officer, desiring to ask a question. If a Senator speaking yields to a question, the interruption shall be confined solely to such question. Senators shall be referred to as “the Senator from _____” (naming the Senator’s home county) followed by the Senator’s title and name.

Rule 16. Personal Privilege. Senators raising a point of personal privilege shall confine themselves to remarks which concern themselves personally and shall not address or debate matters under consideration by the Senate.

Rule 17. Questions of Order – How Determined. A question of order may be raised at any time and when a Senator shall be called to order the Senator shall stop speaking until the presiding officer has determined whether the Senator was in order. Every question of order shall be decided by the presiding officer, subject to an appeal to the Senate by any member.

Rule 18. Explaining Votes. Senators may explain their votes only upon the call of their names upon any roll call vote, but not more than two minutes shall be allowed for any explanation. The explanation shall be inserted in the Journal if the Senator makes a request at the time of voting or makes a request of the Secretary of the Senate prior to adjournment, and the written explanation is presented to the Secretary of the Senate during or within two hours following that day's adjournment on the same legislative day. No Senator in explaining a vote may use the name of or otherwise identify any other Senator as part of the explanation without the consent of the other Senator. No written explanation shall contain more than 200 words.

Rule 19. Vote Unless Excused – Contempt. Any Senator, who is directly interested in a question, may be excused from voting, even though there is a call of the Senate. The Senator, who is requesting to be excused from voting, shall state the reasons for the request, occupying not more than five minutes. Such statements shall be made either immediately before or immediately after the vote is called but before the result is announced. The question on excusing any Senator from voting shall be taken without debate and a 2/3 majority of those voting shall be necessary to excuse the Senator. If a Senator refuses to vote, when not excused, such refusal shall constitute contempt and the President shall, in such case, order the offending Senator before the bar of the Senate and all privileges of membership shall be refused such Senator until the contempt shall be duly purged.

Rule 20. When Not Permitted to Vote. No Senator shall be allowed to vote unless the Senator is seated in the Senator's assigned seat within the Senate chamber when the vote is taken.

Rule 21. Vice President and Filling Certain Vacancies. (a) In the absence of the President, the Vice President shall assume the duties of the President. The President or Vice President may also name any Senator to temporarily perform the duties of the chair, but the Senator so named shall not act as President beyond adjournment, unless by leave of the Senate. A Senator shall not lose the right of voting on any subject while serving or acting as President.

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

(c) When a vacancy occurs in the office of Vice President or majority leader of the Senate, and the Legislature is adjourned to a date more than 30 days after the occurrence of the vacancy, the President shall appoint an acting Vice President or acting majority leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled as though the acting interim appointment had not been made.

(d) When a vacancy occurs in the office of minority leader of the Senate and the Legislature is adjourned to a date more than 30 days after the occurrence of the vacancy, the assistant minority leader shall become the acting minority leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled as though the acting minority leader had not so served.

(e) It is the intention of this rule that any person elected, appointed or designated to serve in accordance herewith to fill a vacancy shall exercise all of the duties and powers of the office so filled.

Rule 22. Party Affiliation – Change. If any Senator changes political party affiliation (1) from the political party of such Senator at the time of the Senator’s election, or (2) if the Senator was appointed, from the political party of the district convention which elected such person to be so appointed, the following shall apply:

(a) Such Senator shall be removed from all memberships on standing and other committees, from all positions of chairperson or vice chairperson of a standing or other committee, and from any office of the Senate held at the time of such change. The Committee on Organization, Calendar and Rules shall appoint a Senator to fill any vacancy which arises under this subpart (a).

(b) The proportion of Senators from major political parties on each standing committee originally determined under Rule 7 (providing for proportional representation of members of political parties upon standing committees) shall not be altered. The Committee on Organization, Calendar and Rules shall fill each standing committee member position vacated by such Senator by appointing a Senator of the political party from which such Senator changed.

Rule 23. Caucuses May Be Closed. Caucuses of Senate majority and minority parties may be closed.

Rule 24. Motions in Writing. All motions to amend bills and resolutions shall be made in writing, and upon request of any Senator shall be read by the reading clerk before being voted upon. All other motions shall be reduced to writing when desired by any Senator.

Rule 25. Motions Withdrawn. Any motion may be withdrawn by the maker before amendment or decision is made thereon except as the foregoing is modified by Rule 41 (relating to procedure in the committee of the whole).

Rule 26. Motions in Order When Question Under Debate. When a question is under debate, no motion shall be in order, except:

Not Debatable

1. To fix time to which to adjourn.
2. To adjourn.
3. To lay on the table.
4. For the previous question.

Debatable

5. To postpone to a day certain.
6. To commit to a standing committee.
7. To commit to a special committee.
8. To commit to the Committee of the Whole.
9. To amend.
10. To postpone indefinitely.

The several motions specified in this rule shall have precedence in the order named and the first four shall be decided without debate.

Rule 27. Division of Question. (a) If the question in debate contains several points, any Senator may have the same divided, but a motion to strike out and insert shall be indivisible. When a bill or resolution is under consideration in the Senate and after debate is concluded and final action has been announced on the bill or resolution, a request for division of question shall not be in order.

(b) A request for division of question shall be in writing specifying the manner in which the question is to be divided.

(c) The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert another proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

Rule 28. Reconsideration of Pending Matters. When a question has been once put and decided it shall be in order for any Senator who voted with the prevailing side to move for a reconsideration thereof, but no motion for reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment or motion, upon which the vote was taken, shall have gone out of the possession of the Senate, nor shall any motion for reconsideration be in order unless made on the same day on which the vote was taken or the next legislative day. No question shall be reconsidered more than once.

Rule 29. Previous Questions. Five Senators shall have the right to move the previous question on any bill, resolution, message, report, amendment, or motion. If no amendment is pending the previous question shall be as follows: "Shall the main question be now put?" If the previous question is decided in the affirmative by a majority vote of those present the main question shall be put without further amendment or debate. If amendments are pending a motion for the previous question shall concern only the last amendment that is pending on which, if the previous question is adopted, the debate will be closed only upon such amendment. The previous question on other questions than the main question shall be as follows: "Shall the question on the (amendment, amendment of an amendment, substitute or other motion affecting same as the case may be) now be put?"

Rule 30. Endorsement on Bills, etc. Before any bill, resolution or petition, addressed to the Senate, shall be received or read, the title of the bill or resolution or a brief statement of the contents of the petition shall be typed on the jacket, with the name of the Senator or committee introducing it.

Rule 31. Introduction of Bills and Concurrent Resolutions. Every bill and concurrent resolution shall be introduced by a Senator, by a committee, on the report of a committee, by message from the House of Representatives, or by proper prefiling as provided by law. For the purpose of introduction, every bill and concurrent resolution shall be placed in the possession of the secretary and the reading clerk shall read the title, except citations of statutes amended or repealed. The reading clerk shall also read the name of the sponsor of the bill or resolution if it has a single sponsor. If the bill or resolution has two sponsors the reading clerk shall read the names of both sponsors, but if the bill or resolution has more than two sponsors the reading clerk shall read the name of the first sponsor together with the words "and others."

Rule 32. Reference of Bills and Resolutions. All bills shall be referred or rereferred to appropriate standing committees or the committee of the whole by the President.

Upon the day of its introduction or upon the next legislative day the President shall refer every bill and each concurrent resolution to be referred to the appropriate standing committee or the committee of the whole. Bills or resolutions prefiled under K.S.A. 46-801 et seq. and amendments thereto may be referred by the President to the appropriate standing committee or the committee of the whole at any time subsequent to the prefiling of such bill or resolution with the secretary of the senate. Bills introduced by committees, if germane to the purpose and scope of the committee, may be referred to the Committee of the Whole; otherwise to the appropriate standing committee. All bills making an appropriation shall be referred to the Committee on Ways and Means. The President may refer a bill or resolution to two or more standing committees jointly, or separately, in such order as the President may direct, and such bill or resolution, when so referred, shall be considered by the committees in joint meeting, or by each of the committees separately in the order named in the reference, and when the reference is made jointly, the chairperson of the committee named first shall be chairperson of the joint committee.

Rule 33. Consent Calendar and Recording Reports. Whenever a standing committee is of the opinion that a bill or resolution upon which it is reporting is of non-controversial nature, it shall so state in its committee report. Whenever a bill or resolution is so reported, it shall be placed upon a separate calendar, to be known as the Consent Calendar. Each bill or resolution appearing on the Consent Calendar shall remain thereon for at least two full legislative days before being considered under the order of business Final Action. At any time prior to the call for the vote under the order of business Final Action on a bill or resolution on the Consent Calendar, any member may object to the same as being controversial and the same shall be stricken from the Consent Calendar and take its place on General Orders in the usual order. If no such objection is made prior to the call for such vote on the bill or resolution, it shall be voted upon with other bills and resolutions under the order of business Final Action but before consideration of other bills or resolutions appearing on the calendar under such order of business.

Rule 34. Final Action on Bills and Concurrent Resolutions. On final action on any bill or concurrent resolution, the reading clerk shall read the title, except citations to statutes amended or repealed. If the bill is reported for final action without debate, the question shall be at once put: "Shall the bill pass?" No debate shall be allowed, and no motion shall be in order except the motion to adjourn, or for a call of the Senate, unless in case where a bill has been ordered to be placed on final action subject to amendment, or to amendment and debate or unless by the unanimous consent of the Senate, amendments may be made and considered. Like procedure shall apply to concurrent resolutions except that the question put shall be: "Shall the resolution be adopted?" On final action, bills and resolutions may be bulked together for roll call unless objection be made by any Senator.

Rule 35. Final Passage by Yeas and Nays. The question upon the final passage of a bill and every concurrent resolution for amendment of the constitution of Kansas or ratification of an amendment to the Constitution of the United States shall be taken by a roll call vote of the yeas and nays, which shall be entered on the Journal, and unless the bill or concurrent resolution receives the number of votes required by the constitution to

pass it, it shall be declared lost, except in cases provided for in Rule 36 (relating to the absence of a quorum).

Rule 36. No Quorum on Final Vote – Effect. If, on taking the vote on final action on a bill or concurrent resolution, it shall appear that a quorum is not present, then the bill or concurrent resolution shall retain its place on the Calendar and shall again be considered for final action when that order of business is again taken up by the Senate.

Rule 37. Roll Call Vote. A roll call vote shall be taken upon all questions upon the demand of five Senators.

Rule 38. Call of Senate – When Made – How Enforced. A call of the Senate may be had upon the demand of five Senators, pending a roll call on the final passage of any bill or resolution, or on any motion to strike the enacting clause, or indefinitely postpone any bill or resolution, and before the result is announced. When a call is demanded, the President shall order the doors of the Senate to be closed, and direct the Secretary to call the roll of the Senators and note the absentees, after which the names of the absentees shall be again called, and those for whose absence no sufficient excuse is given may be sent for and taken into custody by the Sergeant at Arms, or by Assistant Sergeants at Arms appointed for the purpose, and brought before the bar of the Senate, where unless excused by a majority of the Senators present, they shall be reprovved by the President for the neglect of duty.

Rule 39. Dispense with Further Proceedings under Call of Senate. No motion to dispense with further proceedings under the call of the Senate shall be entertained until the President shall be satisfied that the Sergeant at Arms has made diligent effort to secure the attendance of the absentees.

Rule 40. Roll Call Votes. Every Senator in the Senate chamber when a roll call is taken shall respond when the Senator's name is called. If there is a call of the Senate, the Senator must vote Yea or Nay, except as provided in Rule 19 (senators excused from voting if directly interested in the question). When there is no call of the Senate, the Senator may pass and shall be recorded in the Journal as present and passing. After the roll is completed and before the roll is closed, a Senator may change such Senator's vote. No vote shall be recorded and no change in vote may be made without unanimous consent of the Senate after announcement by the presiding officer that the roll is closed.

Rule 41. Committee of the Whole. On motion the Senate may go into Committee of the Whole. The President shall appoint a chairperson to preside over the Committee of the Whole. The rules of the Senate shall be observed in the Committee of the Whole, so far as applicable except that there shall be no limit on the number of times of speaking and Rule 38 (authorizing a call of the senate) shall not apply. A motion to lay on the table or a call for the previous question shall not be in order. No substitute motion to amend a bill or resolution shall be in order. A substitute motion to report a bill or resolution to the full Senate once made shall be decided subject only to debate and Rule 51 (motion to strike the enacting or resolving clause). A roll call shall be had on any question subject to the requirements of Rule 37.

Rule 42. No Quorum in Committee of the Whole – Procedure. If at any time, when in Committee of the Whole, it be ascertained that there is no quorum present, the chairperson shall immediately vacate the chair and report the fact to the President.

Rule 43. How Bills or Resolutions Considered – Committee of the Whole. Bills or resolutions shall be considered in Committee of the Whole in the following manner: The standing committee report shall first be considered and if it is adopted the bill or resolution as amended by the committee report shall be considered section by section, and as each section is considered, amendments from the floor are in order to that section. If the committee report is not adopted, the bill or resolution, without committee amendments, shall be considered section by section, and as each section is considered amendments from the floor are in order to that section. After a section has been considered, no amendment thereto shall be in order until the whole bill or resolution has been read through. After the original bill or resolution, together with standing committee amendments, has been considered section by section the chairperson shall announce “Amendments to the bill (or resolution) generally are in order,” and amendments not before offered may be made to any part of the bill or resolution. A motion to amend the bill or resolution shall not be in order while a motion to strike the enacting clause or resolving clause is pending.

Rule 44. Amendments. (1) Amendments to bills shall be germane to the subject of the bill being amended, and the fact that an amendment is to a section in the same chapter of the Kansas Statutes Annotated as an existing section in the bill shall not automatically render the amendment germane. Amendments to concurrent resolutions for amendments of the constitution of Kansas or ratification of an amendment to the Constitution of the United States shall be germane to the subject of the resolution being amended.

(2) All amendments to bills or resolutions shall be submitted in writing on a form provided by the Senate or on a form substantially similar. All amendments to printed bills or resolutions shall specify the page and line number as shown on the printed bill or resolution. If a bill or resolution has not been printed, amendments must refer to the typed bill or resolution. All amendments offered, whether adopted or rejected, together with the action taken thereon, shall be recorded in the Journal. When a bill or resolution has been amended, it shall be engrossed before it is enrolled.

(3) In the case of amendment by substitute bill or by substitute concurrent resolution, motion shall be made to substitute a written bill or concurrent resolution for the bill or concurrent resolution under consideration.

Rule 45. Report of Committee of the Whole Subject to Amendment – Time for. The report of the Committee of the Whole is subject to amendment to correctly reflect what has occurred in the Committee of the Whole by motions made at the time the report is offered for adoption by the Senate. When a bill is reported with the recommendation that the enacting clause be stricken, and the report is agreed to by the Senate, the bill shall be considered killed.

Rule 46. Motion for Committee of the Whole to Arise and Report Progress. A motion that the Committee of the Whole shall rise and report progress on any bill shall always be in order and shall be decided without debate, and the matter being considered shall be the first order of business at the next session of the committee, subject to such postponement as the subsequent Committee of the Whole may determine.

Rule 47. Division of the Senate. Whenever a voice vote has been taken upon any question in either the Senate or the Committee of the Whole, any Senator may call for a division of the Senate or Committee of the Whole.

Rule 48. Bills and Resolutions to Final Action. When the Committee of the Whole shall favorably report a bill or resolution, and the report is adopted by the Senate, the bill or resolution shall be considered as ordered to the order of business Final Action. The vote upon the final passage of the bill shall not be taken on the same day on which the bill is placed on Final Action. Bills and resolutions to be sent to the House shall be properly corrected under the supervision of the Secretary of the Senate. The Secretary of the Senate is authorized to correct misspelled words, punctuation and “doublets” or repeated words when preparing bills, resolutions or other documents for signature by officers of the Senate and House.

Rule 49. Bills and Resolutions – Inclusion of Amendments. When a bill or resolution is amended, the Secretary of the Senate shall attach to the original copy all amendments made in the Senate. Substitute bills and substitute concurrent resolutions shall accompany the bill or concurrent resolution for which each is substituted. Upon passage, Senate bills or resolutions, including the original copy and amendments, shall be transmitted to the House.

Rule 50. Reports of Transmittals in Journal – Committee – Reports. Report of transmittal of bills and resolutions to the House shall be immediately entered upon the Journal.

Rule 51. Motion to Strike Enacting or Resolving Clause – Debate Limited. No Senator may speak more than twice on a motion to strike the enacting clause of a bill or the resolving clause of a resolution, and no other motion, except a motion to adjourn, shall be in order until the motion to strike the enacting clause or resolving clause has been decided by roll call vote.

Rule 52. Two-thirds Vote Not Necessary Except on Final Passage of Resolution. When a resolution requiring a vote of $2/3$ of the Senate for adoption is under consideration, a vote of $2/3$ shall not be needed to decide any question short of its final passage, except as provided by these rules.

Rule 53. Bills Considered in Regular Order. The Subcommittee on Calendar of the Committee on Organization, Calendar and Rules shall designate from day to day and from time to time the bills to be considered that day and on the next legislative day, and the order of consideration fixed by this subcommittee shall not be changed, except by unanimous consent or by a $2/3$ vote of all the members of the Senate then elected (or appointed) and qualified, if unanimous consent is refused.

Rule 54. Changing Order on Calendar. Not more than one bill may be named in a motion to change the order of the Calendar, and on each motion no Senator except the Senator making the motion shall speak more than once, nor longer than five minutes.

Rule 55. Resolutions – Classes – Procedures Thereon. Resolutions shall be of the following classes: (1) Senate resolutions; and (2) Senate concurrent resolutions. In acting on them, the Senate shall observe the following procedure:

(1) Senate resolutions shall be in writing, shall be read and shall lie over one day. Senate resolutions other than resolutions for the amendment of rules of the Senate shall

not be printed unless ordered by the Senate. There shall be no roll call unless ordered. With the consent of the majority of Senators present and voting, either the requirement to read Senate resolutions or the requirement to lie over one day, or both, may be dispensed with.

(2) Senate concurrent resolutions shall be in writing, shall be read by title, and shall lie over one day. All Senate concurrent resolutions shall be printed, and shall require a roll call on motion to adopt. Propositions to amend the constitution shall be made by concurrent resolution and referred to the proper committee. Other concurrent resolutions may be referred to a proper committee by the President.

All House concurrent resolutions, when in the Senate, shall follow the same procedure as Senate concurrent resolutions.

This rule shall not apply to resolutions relating to the business of the day, nor to resolutions for organization or adjournment.

Rule 56. Confirmation of Appointments by Governor or Other State Official.

All nominations or appointments made by the governor or other state official, which are subject to Senate confirmation, may be considered and acted upon by the Senate in either executive or regular session except that no final action thereon may be taken in executive session. When nominations or appointments are made by the governor or other state official for confirmation by the Senate, they shall, unless otherwise ordered by the President, be referred to appropriate committees by the President. Nominations or appointments referred to committees shall be returned to the Senate within 20 legislative days after the same are referred, together with a report thereon, unless additional time be granted by a majority vote of senators present. If the nomination or appointment is not returned to the Senate within the period of time specified for its return and additional time has not been granted, the nomination or appointment shall be considered to be returned to the Senate without recommendation on the next legislative day following the last day of the period of time specified for its return. Any such appointment may be considered and acted upon by the Senate at any time after the nomination or appointment is returned to the Senate. No motion to confirm any such appointment or nomination shall be in order without the unanimous consent of the Senate until the nomination or appointment is returned to the Senate, unless one day's previous notice thereof is given in open session. Appointments shall be confirmed by the Senate only by an affirmative vote of a majority of all members of the Senate then elected (or appointed) and qualified.

Rule 57. Admittance to Floor – Lobbying on Floor – Galleries. No person shall be admitted to the floor of the Senate except elective state officers; members of the Legislature; friends of the members of the Senate, upon invitation signed by the President and the Senator extending the invitation; former members of the Senate, officers and employees of the legislative branch, and members of the news media who are actually employed, and who have a card of admission from the President. The Senate by resolution, may issue such invitations as it desires. Persons so admitted must stay in the perimeter of the Senate chamber except with the express permission of a member of the Senate. No one registered with the Secretary of State as an agent or lobbyist may be on the floor of the Senate during the hours of 9:30 a.m. to 4:30 p.m. nor at the time the Senate is in session. No person, other than a state officer or employee of the legislative branch or legislator, shall discuss any measure with any Senator on the

floor of the Senate during the time the Senate is in session. Any person who violates this rule or any person who shall gain admission to the floor of the Senate by false representation shall be forthwith ejected from the Senate chamber and thereafter be denied admission. No employee shall lobby for or against any measure pending in the Senate, and any employee violating this rule shall be forthwith discharged. Former members of the Senate may be introduced when on the floor, but no other introductions shall be made during the session of the Senate, except the President may announce the attendance of school students or other groups visiting the Senate.

Visitors shall be allowed in one or both galleries of the Senate in accordance with directions to the Sergeant at Arms from the President.

Rule 58. Electronic Devices. The use of telephones and the making of telephone calls in the galleries of the Senate are prohibited. Except for security personnel, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in a committee room during any time when a committee or subcommittee is in session in the room, in the galleries during any time when the Senate is in session and in the Senate Chamber during any time the Senate is in session is prohibited. The use of video recorders or other video equipment in the galleries is prohibited.

Rule 59. Chairs of Senators. No person except a member of the Senate, shall occupy the chair of any Senator at any time except with the approval of and in the presence of a member of the Senate.

Rule 60. The News Media. Employees of the news media having a card of admission from the President may occupy space designated for them in the Senate chamber. They shall be subject to all the rules of the Senate and shall conduct themselves with proper decorum while in the Senate chamber. They shall not lobby, directly or indirectly, for or against any measure pending before the legislature.

Rule 61. Secretary of Senate – Duties. The Secretary of the Senate shall be appointed by the President. It shall be the duty of the Secretary to call the roll; report correctly the result of all votes; correct the Journal as may be directed by the Senate; read all bills, resolutions, petitions or other papers which the Senate may require; deliver all messages to the House of Representatives; certify all enrolled bills and present same to the President or Vice President of the Senate for signature; endorse upon every paper presented in the Senate the successive stages of action had thereon, and see that proper records are made of the transmission of every paper from one house to the other, or from one office to another; and attend generally to such other matters as the office may require. The Secretary of the Senate shall deliver to the printer all bills and other documents ordered to be printed and take the receipt of the printer therefor. In order to secure a uniform and systematic procedure, the following clerks and their assistants shall be under the supervision of the Secretary: Assistant Secretary of the Senate, Journal Clerks, Calendar Clerks, Enrolling Clerks, Bill Status Clerk, Reading Clerk and Bill Clerk.

Rule 62. Impeachment. The provisions of this rule shall apply to impeachment, and nothing in the rules of the Senate or in any statute shall impair or limit the powers of the Senate with respect to impeachment. In addition to other powers, the President shall possess the powers and perform the duties in this rule.

(1) The President shall call the Senate into session within 30 days of the receipt by the President of any request by a board of managers of the House of Representatives to lay articles of impeachment before the Senate.

(2) The Senate by a majority vote of the members then elected (or appointed) and qualified may adopt, amend or suspend rules applicable to trial of any impeachment.

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

Rule 63. Sergeant at Arms – Duties. The Sergeant at Arms shall be appointed by the President, and shall serve under the President’s direction, control and supervision and at the President’s pleasure and shall execute all orders of the President or Senate. The Sergeant at Arms shall have the general supervision of the Senate Chamber, the cloak rooms, gallery and lobby, and shall preserve order within the chamber at all times. The Sergeant at Arms may arrest and take into custody any person gaining admission to the floor of the Senate through false representations or violation of Rule 57 (listing persons authorized to be admitted to the floor of the Senate). All violations shall be immediately reported to the President for action by the Senate. No person except those entitled to admittance on the floor of the Senate pursuant to Rule 57 (listing persons authorized to be admitted to the floor of the Senate) shall lounge or loaf in the Senate chamber when the Senate is not in session, and the Sergeant at Arms shall detail at least one assistant to remain in the chamber at all times when the same is open. The President may appoint and remove Assistant Sergeants at Arms to serve under the supervision of the Sergeant at Arms. All doorkeepers and night watchmen shall be assistant Sergeants at Arms.

Rule 64. Requisitions for Printing. All requisitions upon the Director of Printing for calendars, bills, documents, and printed matter of any nature whatsoever, must be approved by the Director of Legislative Administrative Services.

Rule 65. Employees – Duties. All employees shall report each day to their respective supervisors. The Director of Legislative Administrative Services or some person designated by the director shall keep a record of the attendance of each employee. The Director of Legislative Administrative Services may discharge any employee at any time. The word “employee” as used in this section shall include all persons employed by the Senate, except the secretaries of each of the members of the Senate and except the Secretary of the Senate and Sergeant at Arms, which officers may be removed by the President of the Senate.

Rule 66. Pages. Not more than 20 pages shall serve during any legislative day. Appointments shall be restricted to boys and girls of junior high or high school age.

Rule 67. Secretaries to Members. Each Senator shall be entitled to select a secretary and shall inform the Director of Legislative Administrative Services of the selection. The secretaries shall not be paid for time they are not in attendance unless excused by their respective Senators. From the convening of the Senate until adjournment on any day, except during recesses, no Senator’s secretary shall be stationed at the Senator’s desk, except that this provision shall not apply to the administrative assistant designated by the President.

Rule 68. Suspension of Rules. (a) A motion to suspend the rules may be made and considered under any order of business. A 2/3 affirmative vote of all Senators then elected (or appointed) and qualified shall be required for its adoption. The motion shall be decided without debate.

(b) A motion to declare an emergency, suspend the rules, and advance a bill to Final Action shall be considered as one motion. It may be made and considered immediately under any order of business, and be debatable on the question of the emergency. A 2/3 affirmative vote of all Senators then elected (or appointed) and qualified shall be required for its adoption.

(c) A bill advanced to Final Action under subsection (b) which is not considered during the legislative day on which it is advanced to Final Action shall be placed on the next legislative day on the Calendar under the order of business General Orders.

Rule 69. Amendments to Rules. No rule of the Senate shall be adopted, amended or revoked without the affirmative vote of a majority of all members of the Senate then elected (or appointed) and qualified, and no motion to adopt, amend or revoke any rule of the Senate shall be in order without the unanimous consent of the Senate, unless one day's previous notice thereof shall be given in open session.

Notwithstanding any provision of the rules of the Senate to the contrary, no notice shall be required for the adoption of a resolution adopting, amending or revoking any one or more rules of the Senate at the commencement of a legislative session, and adoption of any such resolution shall require only the affirmative vote of not less than a majority of the Senators then elected (or appointed) and qualified, subject to the following conditions: (1) The resolution is sponsored by the President or any three Senators, and (2) either (a) a copy thereof is mailed to each Senator by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence or (b) in lieu of mailing copies of the resolution are made available to Senators on the first day of the legislative session and Final Action is taken on the second legislative day.

Rule 70. Robert's Rules of Order. In all cases where these rules or the joint rules of the Senate and House of Representatives do not apply, the rules of parliamentary law in Robert's Rules of Order Newly Revised shall govern.

Rule 71. Number Designation of Substitute Bills and Substitute Concurrent Resolutions. (a) Whenever a substitute bill is recommended by a committee report, and whenever a substitute bill is approved by amendment from the floor, the substitute bill shall be printed as provided for bills introduced, and the bill number designation shall be substantially as follows:

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

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

(b) Whenever a substitute concurrent resolution is recommended by a committee report, and whenever a substitute concurrent resolution is approved by amendment from the floor, the substitute concurrent resolution shall be printed as provided for concurrent

resolutions introduced, and the resolution number designation shall be substantially as follows:

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

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

Rule 72. General Rule Not to Read Amendments. Amendments to bills or resolutions shall not require readings as for bills introduced or resolutions introduced, except as otherwise provided in Rule 73 (subject matter of bill or resolution materially changed by senate amendment) or 74 (subject matter of senate bill or resolution materially changed by house amendment).

Rule 73. Subject Change by Senate. Whenever an amendment adopted by the Senate has materially changed the subject of a bill or resolution, the title of the bill or resolution so amended shall be read in the manner prescribed for the introduction of bills or resolutions, and take its place upon the Calendar under the order of business Final Action.

Rule 74. Subject Change by House. Whenever the House adopts amendments to a Senate bill or senate concurrent resolution which materially changes its subject, upon return of such bill or resolution to the Senate, the title of such bill or resolution shall be read in the manner prescribed for the introduction of bills or resolutions and such bill or resolution shall be referred as provided in Rule 32 (reference of bills and resolutions).

Rule 75. Determination of When Subject of Bill or Resolution Materially Changed. The President may determine when a bill or resolution is subject to Rule 73 (subject matter of bill or resolution materially changed by senate amendment) or 74 (subject matter of senate bill or senate concurrent resolution materially changed by house amendment).

Rule 76. Executive Reorganization Orders. When an executive reorganization order is received from the Governor, it shall be referred to an appropriate committee by the President. The committee to which an executive reorganization order is referred shall report its recommendations thereon, by recommending adoption of a Senate resolution, not later than the 60th calendar day of any regular session and not later than 30 calendar days after it has received such referral whichever occurs first. If a committee fails to report upon an executive reorganization order within the time specified in this rule, such committee shall be deemed to have returned the same to the Senate without recommendation. When a report or return of an executive reorganization is made, it and all resolutions for approval or disapproval thereof shall be made the special order of business in accordance with Rule 6 (special order of business) at a time not later than the last day the executive reorganization order may be disapproved under section 6 of article 1 of the Constitution of Kansas. The Senate shall act to approve or reject every reorganization order unless at the time set for such action the House of Representatives shall have already rejected such executive reorganization order.

Rule 77. Censure or Expulsion. Whenever three or more Senators desire to lodge a complaint against any other Senator requesting that the Senator be censured or expelled for misconduct, the complaining Senators shall sign and file a written statement of such complaint with the Secretary of the Senate. In such event, the President shall appoint a select committee for consideration thereof composed of five Senators, no more than three of whom shall be members of the same political party, and none of whom shall have signed the complaint to be considered. The select committee may dismiss the complaint after inquiry or may set the matter for hearing. Reasonable notice and an opportunity to appear shall be afforded the Senator against whom a complaint has been filed. Select committees meeting under authority of this section shall be authorized to meet and exercise compulsory process without further authorization, subject only to the limitations and conditions prescribed in article 10 of chapter 46 of Kansas Statutes Annotated. Upon completing its hearing and deliberations thereon the select committee may dismiss the complaint or may submit a recommendation to the full Senate for censure or expulsion, and upon receiving such report the Senate may without further hearing or investigation censure or expel the member against whom the complaint was filed. Censure or expulsion of a Senator under this rule shall require a 2/3 majority vote of those members elected (or appointed) and qualified.

Rule 78. Taking from the Table. The affirmative vote of a 2/3 majority of all Senators then elected (or appointed) and qualified shall be required for the adoption of a motion to take any question or proposition from the table after the adoption of a motion to table or lay such question or proposition on the table. The provisions of this rule shall apply to motions both in standing committees and the Senate.

Rule 79. Placing Material on Members' Desks. No items or material shall be placed upon the desk of any member of the Senate unless any such item or material bears the signature or name of the Senator responsible for its distribution. This Rule 79 shall not apply to items or material provided by legislative staff, the Governor or state agencies.

Rule 80. Decorum. During the time the Senate is in session professional dress is required on the floor of the Senate.

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



State of Kansas

2011-2012

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JOINT RULES OF THE SENATE AND
HOUSE OF REPRESENTATIVES
2011-2012

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

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

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

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

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

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

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

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

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

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

(d) *House of origin refusal to concur or nonconcur; request for conference; procedure.* When a bill or concurrent resolution is returned by either house to the house of origin with amendments, and the house of origin refuses to concur or to nonconcur therein, a conference may be requested by a majority vote of the members present and

voting. Such request shall be transmitted to the other house by message which shall include the names of the conferees on the part of the requesting house. Upon receipt of any such message, the receiving house may, in like manner, approve such conference, and shall thereupon notify the requesting house by message stating the names of its conferees.

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

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

vote of 2/3 of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

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

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

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

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

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

(a) *Bill request deadline for individual members.* Except for bills introduced pursuant to (i) of this rule, no request to draft bills, except those made by committees, through their respective chairpersons, shall be made to, or accepted by, the office of the revisor of statutes after the hour of 5:00 p.m. on January 31, 2011, during the 2011 regular session and on January 30, 2012, during the 2012 regular session.

(b) *Bill introduction deadline for individual members.* Except as provided in (i) of this rule, no bill sponsored by a member or members shall be introduced in either house of the legislature after the hour of adjournment on February 9, 2011, during the 2011 regular session and on February 8, 2012, during the 2012 regular session. Such deadline for the introduction of bills by individual members may be changed to an earlier date in either house at any time by resolution duly adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in such house.

(c) *Bill request deadline for certain committees.* Except for bills to be introduced pursuant to (i) of this rule, no committee except the committee on ways and means of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall make a request to the office of the revisor of statutes for any bill to be drafted for sponsorship by such committee after the hour of 5:00 p.m. on February 7, 2011, during the 2011 regular session and on February 6, 2012, during the 2012 regular session.

(d) *Bill introduction deadline for certain committees.* Except as provided in (i) of this rule, no bill sponsored by any committee of either house of the legislature, except the committee on ways and means of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be introduced in either house after the hour of adjournment on February 11, 2011, during the 2011 regular session and on February 10, 2012, during the 2012 regular session.

(e) *House of origin bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered in the house in which such bill originated after the hour of adjournment on February 25, 2011, during the 2011 regular session and on February 24, 2012, during the 2012 regular session.

(f) *Second house bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered by either house, not the house of origin of such bill, after the hour of adjournment on March 23, 2011, during the 2011 regular session and March 21, 2012, during the 2012 regular session.

(g) *Exceptions to limitation of (d), (e) and (f); procedure.* Specific exceptions to the limitations prescribed in subsections (d), (e) and (f) may be made in either house by

resolution adopted by the affirmative vote of not less than a majority of the members of such house then elected (or appointed) and qualified.

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

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

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

(k) *Bill consideration deadline; exceptions.* No bills shall be considered by the Legislature after April 2, 2011, during the 2011 regular session and after March 31, 2012, during the 2012 regular session except bills vetoed by the Governor, the omnibus appropriation act and the omnibus reconciliation spending limit bill provided for under K.S.A. 75-6702 and amendments thereto. This subsection (k) may be suspended for the consideration of a specific bill or bills not otherwise exempt under this subsection by the affirmative vote of a majority of the members then elected (or appointed) and qualified in the house in which the bill is to be considered.

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

SENATE JOURNAL

PROCEEDINGS

OF

The Senate

OF THE

KANSAS LEGISLATURE

TOPEKA, KANSAS

2012 REGULAR SESSION

January 9 through June 1, 2012

PAT SAVILLE, *Secretary of the Senate*

EXPLANATION OF ABBREVIATIONS

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

SB 1.....	Senate Bill No. 1
SCR 1601.....	Senate Concurrent Resolution No. 1601
SP 1.....	Senate Petition No. 1
SR 1801.....	Senate Resolution No. 1801
HB 2001.....	House Bill No. 2001
HCR 5001.....	House Concurrent Resolution No. 5001

EXPLANATION OF PAGE NUMBERING

The Senate and House Journals are printed in separate volumes. Paging in both journals is consecutive for the 2011-2012 biennium. The 2012 Senate Journal begins with page 1321 and is consecutive throughout the remainder of the volume.

Under the section "History of Bills" SJ page numbers prior to page 1321 and HJ page numbers prior to page 1669 refer to the 2011 Senate and House Journal books.

Journal of the Senate

FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 9, 2012, 2:00 p.m.

In accordance with the provisions of the constitution of the State of Kansas and by virtue of his office as President of the Senate, Senator Stephen Morris declared the 2012 Senate to be in session.

President Morris welcomed the Rev. Fred S. Hollomon, who will again serve as the Senate Chaplain and delivered the following invocation:

Heavenly Father,

Lawyers have left their office,
Farmers have closed their gate.
We're headed for Topeka
Where it is time to legislate.

We've kissed the spouse and hugged the kids,
Again they'll have to learn to wait.
For House and Senate are in session,
And it's time to legislate.

Someone else must run our business,
In their hands they hold our fate;
While we labor in the State House,
And attempt to legislate.

Grant us wisdom, Lord, this session
As we start with a fresh new slate;
For constituents are waiting
To see what we'll legislate.

I pray in the Name of Jesus Christ,

AMEN

The Pledge of Allegiance was led by President Morris.

President Morris introduced the new reader, Matthew Gleason, who is a second year law student at Washburn University.

The roll was called with forty senators present as follows:

District	District
1 Dennis D. Pyle	21 Mark Taddiken
2 Marci Francisco	22 Roger P. Reitz
3 Tom Holland	23 Robert "Rob" Olson
4 David Haley	24 Pete Brungardt
5 Kelly Kultala	25 Jean Kurtis Schodorf
6 Chris Steineger	26 Dick Kelsey
7 Terrie W. Huntington	27 Leslie D. "Les" Donovan, Sr.
8 Thomas C. (Tim) Owens	28 Mike Petersen
9 Julia Lynn	29 Oletha Faust-Goudeau
10 Mary Pilcher-Cook	30 Susan Wagle
11 John Vratil	31 Carolyn McGinn
12 Pat Apple	32 Steve E. Abrams
13 Bob Marshall	33 Ruth Teichman
14 Dwayne Umbarger	34 Terry Bruce
15 Jeff King	35 Jay Emler
16 Ty Masterson	36 Allen Schmidt
17 Jeff Longbine	37 Ray Merrick
18 Laura Kelly	38 Garrett Love
19 Anthony Hensley	39 Stephen R. Morris
20 Vicki Schmidt	40 Ralph Ostmeyer

INTRODUCTIONS

President Morris introduced Dr. Deborah S. Clements, President of the Kansas Academy of Family Physicians. Dr. Clements is the Program Director for the University of Kansas Family Medicine Residency Program and a Professor of Family Medicine at KU.

Also introduced were Diane Minear, Deputy Secretary of the Senate, and Second Lieutenant Don Cackler, who again will be representing the Kansas Highway Patrol in the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Morris, Emler and Hensley introduced the following Senate resolution, which was introduced and adopted by voice vote:

SENATE RESOLUTION No. 1801—

By Senators Morris, Emler and Hensley

A RESOLUTION relating to the organization of the Senate.

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

Stephen Morris, president,
John Vratil, vice president,
Jay Scott Emler, majority leader,
Anthony Hensley, minority leader,
Pat Saville, secretary,
Jody Kirkwood, sergeant at arms,

and awaits the pleasure of the House of Representatives.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

The following pre-filed and newly introduced bills and concurrent resolution were introduced and read by title:

SB 249, AN ACT concerning the division of post audit; relating to employees; criminal history record check; amending K.S.A. 46-1103 and repealing the existing section, by Legislative Post Audit Committee.

SB 250, AN ACT pertaining to the continuation of health insurance for firefighters, by Senators Faust-Goudeau, Kelsey and A. Schmidt.

SB 251, AN ACT concerning the joint committee on health policy oversight; relating to its duties; sunset; amending K.S.A. 2011 Supp. 46-3501 and repealing the existing section, by Joint Committee on Health Policy Oversight.

SB 252, AN ACT concerning the rules and regulations filing act; pertaining to the notice period for certain rules and regulations; amending K.S.A. 2011 Supp. 77-415 and 77-421 and repealing the existing sections, by Joint Committee on Administrative Rules and Regulations.

SB 253, AN ACT requiring communication of mammographic breast density information to patients; amending K.S.A. 40-2230 and repealing the existing section, by Senator Schodorf.

SB 254, AN ACT concerning legislative post audit; providing for information technology audits; amending K.S.A. 46-1128 and repealing the existing section, by Legislative Post Audit Committee.

SB 255, AN ACT concerning mortgage registration fees; amending K.S.A. 79-3102 and repealing the existing section, by Senator Kelsey.

SB 256, AN ACT concerning mortgages of real property; relating to entries of satisfaction of mortgage, duties and liabilities of last mortgagee or assignee of record; amending K.S.A. 58-2309a and repealing the existing section, by Senator Kelsey.

SB 257, AN ACT concerning school districts; relating to calculation of local option budget; amending K.S.A. 2011 Supp. 72-6433d and repealing the existing section, by Legislative Educational Planning Committee.

SB 258, AN ACT concerning state officers and employees; relating to state universities; relating to certain negotiated contracts, by Legislative Educational Planning Committee.

SB 259, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; pertaining to employment after retirement for certain school employees; amending K.S.A. 2011 Supp. 74-4937 and repealing the existing section, by Legislative Educational Planning Committee.

SB 260, AN ACT concerning school districts; relating to special education state aid;

amending K.S.A. 2011 Supp. 72-978 and repealing the existing section, by Legislative Educational Planning Committee.

On emergency motion of Senator Emler, **SCR 1610**, by Senators Morris, Emler and Hensley as follows, was introduced and adopted by voice vote.

SENATE CONCURRENT RESOLUTION No. 1610 –

By Senators Morris, Emler and Hensley

A CONCURRENT RESOLUTION relating to a committee to inform the governor that the two houses of the legislature are duly organized and ready to receive communications.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the governor, and inform the governor that the two houses of the legislature are duly organized and are ready to receive communications the governor may have to present.

The President appointed Senator King and Senator Francisco as senate members of the committee to notify the Governor that the Legislature is organized and ready to receive any communications that the Governor may have to present.

Senator King and Senator Francisco will contact representatives Hayzlett, Vickrey and McCray-Miller, members of the House of Representatives appointed to notify the Governor.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

In accordance with Senate Rule 32, the following pre-filed bills were referred to Committees as follows:

Financial Institutions and Insurance: **SB 250.**

Judiciary: **SB 249.**

Natural Resources: **SB 252.**

Public Health and Welfare: **SB 251, SB 253.**

Ways and Means: **SB 254.**

MESSAGE FROM THE GOVERNOR

May 25, 2011

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback
Kansas Governor

Member, State Civil Service Board, Carroll Macke (D), Kansas City, pursuant to the authority vested in me by KSA 75-2929(a), effective upon the date of confirmation by the Senate, to serve a four year term to expire March 15, 2014.

Member, Lottery Commission, Tom Roberts (D), Kansas City, pursuant to the authority vested in me by KSA 74-8709(a), effective upon the date of confirmation by the Senate, to serve a four year term to expire March 15, 2013.

Member, Lottery Commission, Carl Gerlach (R), Overland Park, pursuant to the authority vested in me by KSA 74-8709, effective upon the date of confirmation by the Senate, to serve a four year term to expire March 15, 2015.

Executive Director, Lottery Commission, Dennis Wilson (R), Overland Park, pursuant to the authority vested in me by KSA 74-8703, effective upon the date of confirmation by the Senate, to serve at the pleasure of the Governor.

Member, Public Employees Relations Board, Mark McGivern (R), Topeka, pursuant to the authority vested in me by KSA 75-4323, effective upon the date of confirmation by the Senate, to serve a four year term to expire March 15, 2013.

Member, Public Employees Relations Board, Eric Carter (R), Overland Park, pursuant to the authority vested in me by KSA 75-4323, effective upon the date of confirmation by the Senate, to serve a four year term to expire March 15, 2015.

Chairman, Kansas Water Authority, Gary Harshberger (R), Dodge City, pursuant to the authority vested in me by KSA 74-2622, effective upon the date of confirmation by the Senate, to serve at the pleasure of the Governor.

Member, Kansas Electric Transmission, Earnest Lehman (D), Hays, pursuant to the authority vested in me by KSA 74-99d01, effective upon the date of confirmation by the Senate, to serve a four year term to expire March 15, 2015.

Member, State Banking Board, Carolyn Dunn, submitted for confirmation by the Senate on May 25, 2011, heard and voted upon to authorize the exercise of powers, duties and functions by the Senate Confirmation Oversight Committee on June 1, 2011, to serve a three year term, to expire March 15, 2013, made by me as the Governor of the State of Kansas, pursuant to law.

Member, State Banking Board, Jeff Whitham, submitted for confirmation by the Senate on May 25, 2011, heard and voted upon to authorize the exercise of powers, duties and functions by the Senate Confirmation Oversight Committee on June 1, 2011, to serve a three year term, to expire March 15, 2014, made by me as the Governor of the State of Kansas, pursuant to law.

June 30, 2011

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback
Kansas Governor

Member, University of Kansas Hospital Authority, Robert Honse (R), Lawrence, pursuant to the authority vested in me by KSA 76-3304, effective upon the date of confirmation by the Senate, to serve a four year term to expire March 15, 2014.

Member, Kansas Public Employees Retirement Board of Trustees, Chris Long (R), Mission Hills, pursuant to the authority vested in me by KSA 74-4905, effective upon the date of confirmation by the Senate, to serve a four year term to expire January 15, 2015.

Alternate Member, Central Interstate Low-Level Radioactive Waste Commission, John Mitchell (R), Lawrence, pursuant to the authority vested in me by KSA 65-34a02, effective upon the date of confirmation by the Senate, to serve at the pleasure of the Governor.

Member, Kansas Human Rights Commission, Melvin Neufeld (R), Ingalls, pursuant to the authority vested in me by KSA 44-1003, effective upon the date of confirmation by the Senate, to serve a four year term to expire January 15, 2012.

Member, Kansas Human Rights Commission, Josh Ney (R), Lawrence, pursuant to the authority vested in me by KSA 44-1003, effective upon the date of confirmation by the Senate, to serve a four year term to expire January 15, 2014.

July 28, 2011

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback
Kansas Governor

Member, Agricultural Remediation Board, Kamyar Nikoo-Manesh (U), Olathe, pursuant to the authority vested in me by KSA 2-3709, effective upon the date of confirmation by the Senate, to serve a four year term to expire March 15, 2015.

Member, State Banking Board, Thomas Pitner (D), Hays, pursuant to the authority

vested in me by KSA 74-3004, effective upon the date of confirmation by the Senate, to serve a three year term to expire March 15, 2014.

Member, Agricultural Remediation Board, Brian Norton (U), Girard, pursuant to the authority vested in me by KSA 2-3709, effective upon the date of confirmation by the Senate, to serve a four year term to expire March 15, 2014.

Member, Kansas Development Finance Authority, Suresh Kumar (D), Overland Park, pursuant to the authority vested in me by KSA 74-8903, effective upon the date of confirmation by the Senate, to serve a four year term to expire January 15, 2015.

Member, Lottery Commission, Catherine Moyer (D), Ulysses, pursuant to the authority vested in me by KSA 74-8709, effective upon the date of confirmation by the Senate, to serve a four year term to expire March 15, 2015.

Member, Agricultural Remediation Board, Laura Pearl (R), St. Mary's, pursuant to the authority vested in me by KSA 2-3709, effective upon the date of confirmation by the Senate, to serve a four year term to expire March 15, 2014.

Member, Board of Regents, Kenny Wilk (R), Leavenworth, pursuant to the authority vested in me by KSA 74-3202a, effective upon the date of confirmation by the Senate, to serve a four year term to expire June 30, 2015.

Member, Board of Regents, Fred Logan (R), Leawood, pursuant to the authority vested in me by KSA 74-3202a, effective upon the date of confirmation by the Senate, to serve a four year term to expire June 30, 2015.

August 15, 2011

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback
Kansas Governor

Member, Board of Regents, Robba Moran (R) Hays, pursuant to the authority vested in me by KSA 74-3202a, effective upon the date of confirmation by the Senate, to serve a four year term to expire June 30, 2015.

Member, Public Employees Relations Board, Kenneth Gorman (I), Topeka, pursuant to the authority vested in me by KSA 75-4323, effective upon the date of confirmation by the Senate, to serve a four year term to expire March 15, 2015.

Member, Public Employees Relations Board, John Bowes (R), Topeka, pursuant to the authority vested in me by KSA 75-4323 effective upon the date of confirmation by the Senate, to serve a four year term to expire March 15, 2014.

August 26, 2011

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback
Kansas Governor

Member, University of Kansas Hospital Authority, Kirk Benson (R), Overland Park, pursuant to the authority vested in me by KSA 76-3304, effective upon the date of confirmation by the Senate, to serve a four year term to expire March 15, 2014.

Member, Indigent Board of Defense Services, Penny Moylan (R), Topeka, pursuant to the authority vested in me by KSA 22-4519, effective upon the date of confirmation by the Senate, to serve a four year term to expire January 15, 2014.

December 27, 2011

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Directive No. 11-427 for your information.

Sam Brownback
Governor

The President announced Executive Directive No. 11-427, Authorizing Expenditure of Federal Funds, is on file in the office of the Secretary of the Senate and is available for review at any time.

COMMUNICATIONS FROM STATE OFFICERS

OFFICE OF THE ATTORNEY GENERAL

June 8, 2011

Pursuant to KSA 75-711, Derek Schmidt, Attorney General, appointed Kirk Thompson as Director of the Kansas Bureau of Investigation.

KANSAS DEPARTMENT OF REVENUE

July 20, 2011

Nick Jordan, Secretary, pursuant to KSA 75-5105, appointed David Harper as Director of Property Valuation within the Department of Revenue's Property Valuation Division (PVD).

JANUARY 9, 2012

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August 15, 2011

Pursuant to KSA 75-5117, Nick Jordan, Secretary, appointed Doug Jorgensen, Director of Alcoholic Beverage Control within the Department of Revenue's Division of Alcoholic Beverage Control (ABC).

POOLED MONEY INVESTMENT BOARD

January 3, 2012

In compliance with KSA 75-4222(h), Scott W. Miller, Director of Investments, submitted a copy of the Annual Report of the Pooled Money Investment Board for Fiscal Year 2011.

OFFICE OF THE ATTORNEY GENERAL

January 5, 2012

In accordance with KSA 75-723, Kansas Attorney General Derek Schmidt, submitted the 2011 Annual Report of the Abuse, Neglect and Exploitation Unit.

KANSAS DEPARTMENT OF CORRECTIONS
COMMUNITY CORRECTIONS SERVICES DIVISION

January 5, 2012

Pursuant to provisions of KSA 75-52,112, Ray Roberts, Secretary of Corrections, submitted the annual report of the Kansas Community Corrections Statewide Risk Reduction Initiative.

KANSAS STATE TREASURER

January 5, 2012

Ron Estes, State Treasurer, submitted the 2011 Annual Report for the Treasurer's Office.

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

January 5, 2012

On behalf of the Co-chairpersons, Senator Jeff King and Representative Mitch Holmes and pursuant to New Sec. 9(g) of Chapter 98, *2011 Sessions Laws of Kansas*, Julian Efird, Principal Analyst, submitted the final report of the Kansas Public Employees Retirement System (KPERs) Study Commission.

January 9, 2012

The Honorable Stephen Morris
President, Kansas State Senate
State Capitol
Topeka, KS 66612

Dear President Morris:

As provided in KSA 75-105, I have received from the Honorable Sam Brownback, Governor of the State of Kansas, since the adjournment of the 2011 session of the legislature the following communications:

Executive Directives Nos. 11-419, 11-420, 11-421, 11-422, 11-423, 11-424, 11-425 and 11-426, all relating to Authorizing Personal Transactions and Expenditure of Federal Funds.

Also, Executive Order No. 11-12, acknowledging a state of emergency resulting from a tornado, large hail and extreme weather affecting the city of Joplin in Jasper County, Missouri, exists and it is necessary to assist and expedite all disaster recovery efforts by ordering conditional and temporary relief from Motor Carrier Rules and Regulations, and shall continue in effect until June 22, 2011, unless extended or rescinded earlier by subsequent executive order, issued June 8, 2011.

Executive Order No. 11-13, declaring that Executive Orders, 11-09, 11-10, and 11-12 shall be extended and shall remain in full force and effect, with no break in application, until August 1, 2011, issued June 22, 2011.

Executive Order No. 11-14, declaring a state of local emergency for Dickinson County, as a result of a train derailment in the Union Pacific Railroad Yard in Herrington, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued June 22, 2011.

Executive Order 11-15, declaring a state of local emergency for Chase County, as a result of a train derailment on the Burlington Northern Santa Fe Railroad line near Cottonwood Falls, Gladstone Station Siding, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued June 22, 2011.

Executive Order No. 11-16, declaring a state of local emergency for Shawnee County, as a result of a train derailment in the Union Pacific Railroad Yard at NW 17th Street and Button Road in Topeka, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued June 29, 2011.

Executive Order No. 11-17, declaring a state of local emergency for Wyandotte County, as a result of a train derailment in the Burlington Northern Santa Fe Railroad Argentine Yard in Kansas City, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued June 29, 2011.

Executive Order No. 11-18, declaring a Drought Watch, Drought Warning or Drought Emergency replacing Executive Order 11-06 and authorizing and directing all agencies under the jurisdiction of the Governor to implement the appropriate Watch, Warning or Emergency level drought response actions assigned to them in the Operations Plan of the Governor's Drought Response Team, issued July 1, 2011.

Executive Order No. 11-19, declaring a state of regional emergency for Atchison, Doniphan, Leavenworth and Wyandotte counties as a result of flooding, and providing

conditional and temporary relief from Motor Carrier Rules and Regulations, issued July 1, 2011.

Executive Order No. 11-20, offering a reward of five thousand dollars (\$5,000.00) for information leading to the arrest and conviction of the individual or individuals who committed the homicide of Pedro Morales in rural Ford County, Kansas, issued July 11, 2011.

Executive Order No. 11-21, offering a reward of five thousand dollars (\$5,000.00) for information leading to the arrest and conviction of the individual or individuals who committed the homicide of Jennifer Heckel in Hutchinson, Kansas, issued July 11, 2011.

Executive Order No. 11-22, creating the National Bio and Agro Defense Facility in Kansas Steering Committee, issued July 18, 2011.

Executive Order No. 11-23, establishing the Governor's Economic Advisors Council, issued July 28, 2011.

Executive Order No. 11-24, declaring a state of emergency exists in the state of Missouri, and declaring it necessary to assist and expedite all disaster recovery efforts and the extension of prior conditional and temporary relief as stated in Executive Order 11-10, issued July 28, 2011.

Executive Order No. 11-25, declaring a state of emergency in the state, and as a result, it is necessary to expedite all efforts to transport hay to livestock in drought stricken areas, issued July 28, 2011.

Executive Order No. 11-26, declaring a state of regional emergency existing in Atchison, Doniphan, Leavenworth, and Wyandotte counties as a result of flooding, and as a result, it is necessary to expedite all efforts of restoration of services and relief and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued August 2, 2011.

Executive Order No. 11-27, declaring a Drought Watch, Drought Warning or Drought Emergency replacing Executive Order 11-18 and authorizing and directing all agencies under the jurisdiction of the Governor to implement the appropriate Watch, Warning or Emergency level drought response actions assigned to them in the Operations Plan of the Governor's Drought Response Team, issued August 4, 2011.

Executive Order No. 11-28, acknowledging a state of emergency exists in the states of Nebraska, Oklahoma, and Texas, and declaring it necessary to assist and expedite all disaster recovery efforts by providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 2, 2011.

Executive Order No. 11-29, declaring a Drought Watch, Drought Warning or Drought Emergency replacing Executive Order 11-18 and authorizing and directing all agencies under the jurisdiction of the Governor to implement the appropriate Watch, Warning or Emergency level drought response actions assigned to them in the Operations Plan of the Governor's Drought Response Team, issued September 6, 2011.

Executive Order No. 11-30, declaring a state of local emergency for Saline County, as a result of a train derailment near the Union Pacific Railroad Yard at 5th and Decatur Streets in Salina and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 12, 2011.

Executive Order No. 11-31, declaring a state of local emergency for Butler County, as a result of a train derailment on the Burlington Northern Santa Fe Railroad line near Cassoday, and providing conditional and temporary relief from Motor Carrier Rules and

Regulations, issued September 12, 2011.

Executive Order No. 11-32, declaring a state of local emergency for Coffey County, as a result of a train car maintenance issue on the Burlington Northern Santa Fe Railroad line near Lebo, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 12, 2011.

Executive Order No. 11-33, declaring a state of local emergency for Pottawatomie County, as a result of a train derailment on the Union Pacific Railroad line near Emmett, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 12, 2011.

Executive Order No. 11-34, declaring a state of local emergency for Wyandotte County, as a result of a train derailment near the 18th Street Terminal on the Union Pacific Railroad line in Kansas City, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 21, 2011.

Executive Order No. 11-35, declaring a state of local emergency for Wyandotte County, as a result of a train derailment in the Argentine Rail Yard on the Burlington Northern Santa Fe Railroad line in Kansas City, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 22, 2011.

Executive Order No. 11-36, declaring a state of local emergency for Shawnee County, as a result of a train derailment near the Union Pacific Rail Yard at 9th and Norris Streets in Topeka, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 30, 2011.

Executive Order No. 11-37, declaring a Drought Watch, Drought Warning or Drought Emergency replacing Executive Order 11-18 and authorizing and directing all agencies under the jurisdiction of the Governor to implement the appropriate Watch, Warning or Emergency level drought response actions assigned to them in the Operations Plan of the Governor's Drought Response Team, issued October 5, 2011.

Executive Order No. 11-38, acknowledging a state of emergency exists in the states of Nebraska, Oklahoma, Texas, and declaring it necessary to assist and expedite all disaster recovery efforts by providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued October 5, 2011.

Executive Order No. 11-39, declaring a state of local emergency for Shawnee County, as a result of a train derailment at the Union Pacific Railroad Armourdale Rail Yard at 901 NW North Street in Topeka, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued October 6, 2011.

Executive Order No. 11-40, naming and designating the cemetery on the Kansas Juvenile Correctional Complex grounds as "The Bennie Lee Graham Memorial Cemetery" in memory of Bennie Lee Graham, issued October 18, 2011.

Executive Order No. 11-41, declaring a state of local emergency for Woodson County, as a result of a train derailment on the Union Pacific Railroad line near Yates Center, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued October 18, 2011.

Executive Order No. 11-42, declaring a state of local emergency for Wyandotte County, as a result of a train derailment in the Argentine Rail Yard in Kansas City, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued October 18, 2011.

Executive Order No. 11-43, declaring a state of local emergency for Woodson and Wyandotte Counties, as a result of a train derailment on the Union Pacific Railroad and

Burlington Northern Santa Fe Railroad lines, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued October 31, 2011.

Executive Order No. 11-44, declaring a state of local emergency for Wyandotte County, as a result of a train derailment on the Union Pacific Railroad line in the Armourdale Rail Yard, and a train derailment on the Burlington Northern Santa Fe Railroad line in the Argentine Rail Yard, both in Kansas City, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued October 31, 2011.

Executive Order No. 11-45, declaring a state of local emergency for Saline County, as a result of a train derailment on the Union Pacific Railroad line along Santa Fe Street in Salina, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued October 31, 2011.

Executive Order No. 11-46, directing and ordering all non-Regents Executive Branch agency information technology directors and all staff performing information technology functions in all Executive Branch state agencies, departments, or other entities under my jurisdiction shall report directly to the Executive CITO, issued November 7, 2011.

Executive Order No. 11-47, acknowledging a state of emergency exists in the states of Nebraska, Oklahoma, Texas, and declaring it necessary to assist and expedite all disaster recovery efforts by providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued November 15, 2011.

Executive Order No. 11-48, declaring a Drought Watch, Drought Warning or Drought Emergency replacing Executive Order 11-37 and authorizing and directing all agencies under the jurisdiction of the Governor to implement the appropriate Watch, Warning or Emergency level drought response actions assigned to them in the Operations Plan of the Governor's Drought Response Team, issued November 21, 2011.

Executive Order No. 11-49, declaring a state of emergency exists in Kansas and declaring it necessary to assist and expedite all disaster recovery efforts by providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued December 28, 2011.

These communications are on file in the office of the Secretary of the Senate and are available for review at any time by members of the legislature.

Sincerely,

Pat Saville
Secretary of the Senate

January 9, 2012

The Honorable Stephen Morris
President, Kansas State Senate
State Capitol
Topeka, KS 66612

Dear President Morris:

This letter is to advise you that the Office of the Secretary of the Senate has received the following communications during the interim since adjournment of the 2011

Regular Session of the Legislature:

Dennis Taylor, Secretary of Administration, submitted a listing of state owned property for possible sale as identified by state agencies.

Kansas Department of Labor submitted the 2010 Annual Report.

The Johnson County Education Research Triangle Authority, Ed Eilert, Chairman, submitted its annual report concerning the financial activities of the authority.

The Attorney General submitted the 2011 Kansas State Child Death Review Board Annual Report.

The Kansas Public Employees Retirement System submitted the 2011 Comprehensive Annual Financial Report.

Sincerely,

Pat Saville
Secretary of the Senate

The President announced the above reports are on file in the office of the Secretary of the Senate and are available for review at any time.

REPORTS OF STANDING COMMITTEE

Committee on **Confirmation Oversight** begs leave to submit the following report:

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

By the Governor:

Agricultural Remediation Board: K.S.A. 2011 Supp. 2-3709

Brian Norton, term expires March 15, 2014

Kamyar Nikoo-Manesh, term expires March 15, 2015

Laura Pearl, term expires March 15, 2014

Board of Indigents' Defense Services: K.S.A. 22-4519

Penny Moylan, term expires January 15, 2014

Central Interstate Low-Level Radioactive Waste Commission: K.S.A. 2011 Supp. 65-34a02

John Mitchell, serves at the pleasure of the Governor

Kansas Board of Regents: K.S.A. 74-3202a

Fred Logan, term expires June 30, 2015

Kenny Wilk, term expires June 30, 2015

Robba Moran, term expires June 30, 2015

Kansas Development Finance Authority: K.S.A. 74-8903

Suresh Kumar, term expires January 15, 2015

Kansas Electric Transmission Authority: K.S.A. 2011 Supp. 74-99d03

Earnest Lehman, term expires March 15, 2015
 Kansas Human Rights Commission: K.S.A. 44-1003
 Josh Ney, term expires January 15, 2014
 Melvin Neufeld, term expires January 15, 2012
 Kansas Lottery Commission: K.S.A. 74-8709
 Carl Gerlach, term expires March 15, 2015
 Catherine Moyer, term expires March 15, 2015
 Tom Roberts, term expires March 15, 2013
 Kansas Lottery Commission, Executive Director: K.S.A. 2011 Supp. 74-8703
 Dennis Wilson, serves at the pleasure of the Governor
 Kansas Public Employees Retirement Board of Trustees: K.S.A. 74-4905
 Chris Long, term expires January 15, 2015
 Kansas Water Authority: K.S.A. 2011 Supp. 74-2622
 Gary Harshberger, serves at the pleasure of the Governor
 Public Employees Relations Board: K.S.A. 2011 Supp. 75-4323
 Eric Carter, term expires March 15, 2015
 Mark McGivern, term expires March 15, 2013
 John Bowes, term expires March 15, 2014
 Kenneth Gorman, term expires March 15, 2015
 State Banking Board: K.S.A. 74-3004
 Carolyn Dunn, term expires March 15, 2013
 Jeff Whitham, term expires March 15, 2014
 Thomas Pitner, term expires March 15, 2014
 State Civil Service Board: K.S.A. 75-2929a
 Caroll Macke, term expires March 15, 2014
 University of Kansas Hospital Authority: K.S.A. 2011 Supp. 76-3304
 Kirk Benson, term expires March 15, 2014
 Robert Honse, term expires March 15, 2014
 By the Secretary of Revenue:
 Director of Alcoholic Beverage Control: K.S.A. 2011 Supp. 75-5117
 Doug Jorgensen, serves at the pleasure of the Secretary
 Director of the Division of Property Valuation: K.S.A. 2011 Supp. 75-5105
 David Harper, serves at the pleasure of the Secretary
 By the Kansas Attorney General:
 Director of the Kansas Bureau of Investigation: K.S.A. 2011 Supp. 75-711
 Kirk Thompson, serves at the pleasure of the Attorney General

MESSAGE FROM THE HOUSE

Announcing adoption of **HR 6001**, a resolution relating to the organization of the House of Representatives:

Be it resolved by the House of Representatives of the State of Kansas:

That the chief clerk of the House of Representatives notify the Senate that the House is organized with the following officers:

Michael O'Neal, speaker
 Jene Vickrey, speaker pro tem,

Arlen Siegfroid, majority leader,
Paul Davis, minority leader
Susan Kannarr, chief clerk
Wayne Owen, sergeant at arms,
and await the pleasure of the Senate.

Announcing adoption of **HCR 5028**, a concurrent resolution providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor and for the purpose of hearing a message from the Supreme Court.

The following escorts are appointed for the State of the State:

To escort the Governor: Reps. Hayzlett, Vickrey and Henderson
To escort the Lt. Governor: Reps. Landwehr, Mast and Slattery
To escort the Supreme Court: Reps. Sloan, Siegfroid and Tietze
To escort the Senators: Reps. Aurand, Schwartz and Wetta

MESSAGE FROM THE HOUSE

Announcing adoption of **SCR 1610**, a concurrent resolution relating to a committee to wait upon the Governor and advise him the 2012 session of the Legislature is duly organized and ready to receive communication.

Also, announcing the appointment of Representatives Hayzlett, Vickrey and McCray-Miller to notify the Governor.

HCR 5028, providing for joint sessions of the Senate and House of Representatives for the purpose of hearing a message from the Governor and for the purpose of hearing a message from the Supreme Court, was introduced and read by title.

On emergency motion of Senator Emler, **HCR 5028** was adopted by voice vote.

The President appointed Senator Huntington and Senator A. Schmidt to escort the Governor; Senator Marshall and Senator Faust-Goudeau to escort the Lt. Governor and Senator Owens and Senator Kultala to escort the Supreme Court.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Tuesday, January 10, 2012.

Journal of the Senate

SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 10, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Some say that legislation
Requires the art of compromise;
Others say that compromise
Is just surrender in disguise.

But some maintain that compromise
Is really not a crime;
It's just one of many ways
Of simply buying time.

Still others say that compromise
Is just another way
Of one side cutting losses
To fight another day.

Many say the question is
This session what's our aim?
To just be forced to punt,
Or try to win the game?

So we pray for wisdom, Lord,
For what should be our aim?
Is this the session we should punt?
Or try to win the game?

I ask this in the Name of Jesus Christ,

AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 261, AN ACT concerning the Kansas private and out-of-state post-secondary educational institution act; relating to fees and the expiration thereof; amending KSA 2011 Supp. 74-32,181 and repealing the existing section, by Legislative Educational Planning Committee.

SB 262, AN ACT concerning children; relating to grandparent custody, visitation and residency, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 257, SB 260.**

Financial Institutions and Insurance: **SB 255, SB 256.**

Ways and Means: **SB 258, SB 259.**

MESSAGE FROM THE GOVERNOR

October 27, 2011

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback
Kansas Governor

Member, State Banking Board, Neal Bernauer (D), Fredonia, pursuant to the authority vested in me by KSA 74-3004 effective upon the date of confirmation by the Senate, to serve a three year term, to expire March 15, 2014.

Member, Kansas Human Rights Commission, Terry Crowder (D), Topeka, pursuant to the authority vested in me by KSA 44-1003, effective upon the date of confirmation by the Senate, to serve a four year term, to expire January 15, 2015.

Member, Kansas Agricultural Remediation Board, Gary Starr (R), Grantville, pursuant to the authority vested in me by KSA 2-3709, effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2015.

December 12, 2011

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate is an appointment made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback
Kansas Governor

Member, Kansas Human Rights Commission, Pat Hill (R), Overland Park, pursuant to the authority vested in me by KSA 44-1003, effective upon the date of confirmation by the Senate to serve a four year term to expire January 15, 2015.

COMMUNICATIONS FROM STATE OFFICERS

OFFICE OF THE ATTORNEY GENERAL

August 5, 2011

Pursuant to KSA 74-7303, Derek Schmidt, Kansas Attorney General, appointed Sheriff Tom Williams as a member of the Crime Victims Compensation Board. Sheriff Williams will be replacing Roger Villanueva, whose term has expired.

KANSAS CORPORATION COMMISSION

January 9, 2012

Legislative action during the 1996 session resulted in the creation of the Abandoned Well Plugging and Site Remediation Fund. Doug Louis, Director, submitted the Abandoned Oil and Gas Well/Remediation Site Status Reports.

KANSAS BOARD OF PHARMACY

January 9, 2012

Pursuant to KSA 65-4102(b), Debra L. Billingsley, Executive Secretary, Kansas Board of Pharmacy, submitted the Annual Report on controlled substances.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

January 9, 2012

Pursuant to KSA 32-844 and KSA 32-845, Robin L. Jennison, Secretary, Kansas Department of Wildlife, Parks and Tourism, submitted a report regarding land acquisition and renewals.

The President announced the above reports are on file in the office of the Secretary of the Senate and is available for review at any time.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Wednesday, January 11, 2012.

Journal of the Senate

THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 11, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

On July 9th in '76
The first Chaplain was approved.
Since then many Chaplains
Into both Houses have been moved.

Some have been criticized
For the way that we have prayed,
Perhaps it was needed.
But most were not afraid.

My tenure has been 30 years,
And I really like my job.
Six Senate Presidents have I served,
None called me snob or slob.

We know You are our Boss, O God,
And we serve You above all;
Give us prayers the people need,
We are at Your beck and call.

I pray in the Name of Jesus Christ,

AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 263, AN ACT concerning credit unions; relating to the credit committee of a

credit union; amending K.S.A. 17-2208, 17-2210 and 17-2211 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 264, AN ACT concerning insurance; relating to life insurance companies; designating trust companies as nominee; amending K.S.A. 2011 Supp. 40-2b20 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 265, AN ACT concerning credit unions; relating to the administrator's approval of bylaw amendments; amending K.S.A. 17-2202 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 266, AN ACT concerning insurance; relating to risk-based capital requirements for certain insurers; amending K.S.A. 2011 Supp. 40-2c01 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 267, AN ACT concerning taxation; relating to tax credits for certain contributions to community colleges, technical colleges and postsecondary educational institutions; amending K.S.A. 2011 Supp. 79-32,261 and repealing the existing section, by Legislative Educational Planning Committee.

SB 268, AN ACT concerning small, minority and woman-owned businesses; enacting the Kansas small, minority and woman-owned business development act, by Committee on Commerce.

SB 269, AN ACT concerning alcoholic beverages; relating to retailer licenses offering alcoholic liquor sampling; amending K.S.A. 41-308 and repealing the existing section, by Committee on Federal and State Affairs.

SB 270, AN ACT concerning the department of revenue; relating to confidentiality of licensure information; exceptions; amending K.S.A. 2011 Supp. 75-5133 and repealing the existing section, by Committee on Federal and State Affairs.

SB 271, AN ACT concerning property; relating to ownership of pore space, by Joint Committee on Energy and Environmental Policy.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 261**.

Ways and Means: **SB 262**.

REFERRAL OF APPOINTMENTS

The following appointment made by the Attorney General and submitted to the Senate for confirmation, was referred to Committee as indicated:

Member, Kansas Crime Victims Compensation Board:

Thomas Williams, to serve a term to expire March 15, 2014.

(Judiciary)

The following appointments made by the Governor and submitted to the Senate for confirmation, were referred to Committee as indicated:

Member, Kansas Agricultural Remediation Board:

Gary Starr, to serve a four year term to expire March 15, 2015.

(Agriculture)

Member, Kansas Human Rights Commission:

Terry Crowder, to serve a four year term to expire January 15, 2015.
(Federal and State Affairs)

Member, Kansas Human Rights Commission:

Pat Hill, to serve a four year term to expire January 15, 2015.
(Federal and State Affairs)

Member, State Banking Board:

Neal Bernauer, to serve a three year term to expire March 15, 2014.
(Financial Institutions and Insurance)

POINT OF PERSONAL PRIVILEGE

Senator A. Schmidt rose on a Point of Personal Privilege to introduce Jenny Koops, Morgan Schremmer and Lexi Wingerson to recognize youth leaders for citizenship day.

Senator Lynn rose on a Point of Personal Privilege to introduce Congressman Kevin Yoder.

President Morris announced the Senate would recess until 6:00 p.m. for the purpose of a joint meeting with the House of Representatives to hear the State of State Address by Governor Brownback.

In compliance with **HCR 5028**, Senator Huntington and Senator A. Schmidt will escort the Governor; Senator Marshall and Senator Faust-Goudeau will escort the Lieutenant Governor and Senator Owens and Senator Kultala will escort the Supreme Court.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Thursday, January 12, 2012.

Journal of the Senate

FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 12, 2012, 2:30 p.m.

The Senate was called to order by Vice President John Vratil.
The roll was called with thirty-eight senators present.
Senators Brungardt and Morris were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Help us to keep things in perspective.....

Help us to be concerned without being noseey.
To be honest without being brutal.
To be determined without being bullheaded.
To be smart without being deceptive.
To be bold without being rude.
To be unique without being weird.
To be outspoken without being obnoxious.
To be friendly without being possessive.
To be wise without being overbearing.
To be kind without being proud.

And if I can't accomplish any of these, give us insight into solutions.

I pray in the name of Jesus Christ,

AMEN

The Pledge of Allegiance was led by Vice President John Vratil.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 272, AN ACT concerning water; relating to administrative division of water right; fee; multi-year flex accounts; amending K.S.A. 2011 Supp. 82a-736 and repealing the existing section, by Committee on Agriculture.

SB 273, AN ACT concerning costs for examination of an insurance company;

amending K.S.A. 2011 Supp. 40-223 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 274, AN ACT concerning alcoholic beverages; relating to temporary permits under the club and drinking establishment act; authorizing extended permits; amending K.S.A. 2011 Supp. 41-2645 and repealing the existing section, by Committee on Federal and State Affairs.

SB 275, AN ACT concerning alcoholic beverages; repealing statutes pertaining to salesperson's permits; repealing K.S.A. 41-333, 41-334, 41-335, 41-336, 41-337, 41-338, 41-339, 41-340 and 41-341, by Committee on Federal and State Affairs.

SB 276, AN ACT concerning alcoholic beverages; relating to the employment of certain individuals by licensees under the club and drinking establishment act; amending K.S.A. 41-2610 and repealing the existing section, by Committee on Federal and State Affairs.

SB 277, AN ACT concerning alcoholic beverages; relating to the licensing of microdistilleries; amending K.S.A. 41-304, 41-316 and 41-320 and K.S.A. 2011 Supp. 41-102, 41-310, 41-317 and 41-319 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 278, AN ACT concerning school districts; relating to policies against bullying; amending K.S.A. 2011 Supp. 72-8256 and repealing the existing section, by Committee on Education.

SB 279, AN ACT concerning crimes, punishment and criminal procedure; relating to unlawful sexual relations; amending K.S.A. 2011 Supp. 21-5512 and repealing the existing section, by Committee on Judiciary.

SB 280, AN ACT concerning commitment of sexually violent predators; relating to evaluations; testimony of expert witnesses; amending K.S.A. 59-29a05 and K.S.A. 2011 Supp. 59-29a06 and repealing the existing sections, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 267**.

Commerce: **SB 268**.

Federal and State Affairs: **SB 269**, **SB 270**.

Financial Institutions and Insurance: **SB 263**, **SB 264**, **SB 265**, **SB 266**.

Natural Resources: **SB 271**.

COMMUNICATIONS FROM STATE OFFICERS

SENATE PRESIDENT

January 12, 2012

For the purpose of creating a public forum for the debate, analysis, study and review of the various tax proposals which will be considered by the Senate during the 2012 Legislative Session, I have requested that the following individuals meet as a Tax Working Group periodically throughout the 2012 Legislative Session:

Senator Les Donovan, R-Wichita, Chair
Senator Dick Kelsey, R-Goddard
Senator Jeff Longbine, R-Emporia
Senator Vicki Schmidt, R-Topeka
Senator Tom Holland, D-Baldwin City
Barbara Allen, Overland Park
Allen Ford, Lawrence
Lisa Haffner, Wichita
Willis Heck, Newton
Dennis Lauver, Salina
Cecil O'Brate, Garden City
Jeff Preisner, Topeka
Ronald C. Shortridge, Satanta

I have asked the Tax Working Group to study the various tax proposals and from their expertise, business experience and community involvement provide to the Senate Committee on Assessment and Taxation a report on their findings and recommendations.

Sincerely,

Stephen R. Morris
Senate President

DEPARTMENT OF CORRECTIONS

January 10, 2012

Pursuant to KSA 75-52,148, Ray Roberts, Secretary of Corrections, submitted a report regarding Crimes Committed by Sex Offenders While in Custody.

The Vice President announced the above reports are on file in the office of the Secretary of the Senate and may be reviewed at any time.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** begs leave to submit the following report:

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

By Kansas Attorney General:

Crime Victim's Compensation Board: K.S.A. 74-7303

Tom Williams, term expires March 15, 2014

POINT OF PERSONAL PRIVILEGE

Senator Haley rose on a Point of Personal Privilege to deliver the following remarks in honor of Martin Luther King's birthday:

Mr. Vice President and fellow members of the Kansas Senate:

Frankly, it is with some trepidation that I return to this annual oral, and written, appeal; this once yearly plea with each of you ... to pause, to reflect and to LEAD on this Holiday before us this weekend. Thank you for allowing this reiteration though, my eighteenth (18) consecutive.

This year though is a renewal year, Mr. Vice-President. An election year, both National and State, and a chance to keep right on doing what's been working well for us all or to decide to go in a new direction and try something that we haven't tried before and bring about change.

As we approach the Dr. Martin Luther King, Jr. Holiday weekend again, I fully realize that many of you are already in tune with the precepts of equality and of justice for all and live out the Spirit of the Holiday; to share with all Kansans, no all AMERICANS, a sense of brotherly and sisterly love regardless of race, creed, color, gender, orientation or income.

In this renewal year, in our Kansas, where power and perceived privilege can lob with callous disregard and forward offensive messages electronically that stereotype language or demeanor and degrade fellow Americans; where a "boys-can-still-be-boys" mentality set fire to an innocent man of a differing race without major impunity in KANSAS; and in our Nation where maids and other servants in OUR country take the blame for sexual and other assaults perpetrated against them by rich, perceived powerful, majority figures, yet, in our Nation and where people, who have done no wrong, can be stopped and questioned by police only because of the color of their skin ... and other atrocities too heinous to reiterate and too numerous to name are allowed ONLY because, we, Americans...allow ourselves to let income or race or religion empower and divide us from our fellow Kansans, our fellow Americans ... Mr. Vice-President.

In this renewal year, we can truly show leadership in our respective communities by mentioning to some of our constituent's perhaps shocked surprise that the brotherhood of all humans is not a passing fad. The somber observance of the unique tapestry of culture and race that is America is the Spirit of the King Holiday and what a leader you have been OR you COULD be, fellow Senators, to make the Dream live and breathe ... in YOUR backyard.

Today, now on the Great Mall of the U.S. Capitol in Washington, D.C., now stands a Memorial to Dr. King. Impressive in its stature, it is a great rock. Hewn, emerging from the rock, is the image and likeness of the face and torso of Dr. King. An inspirational inscription is there and it reads: "Out of a mountain of despair, a stone of hope." When we as humans find ourselves in despair, in injustice, we turn to family and/or to our faith and/or to our freedoms for comfort, for support, for resolution. Dr. King's last book, entitled "Where Do We Go From Here?" poses a question that our leadership can begin to answer for all Kansans, that we are determined to unite and not to divide, this weekend and throughout the year. This Holiday doesn't belong to my religion or to yours, it doesn't belong to my race or to my culture or to my generation or to my gender exclusively or to yours ... it belongs to us all. No, we ALL have work to do in order to live out the dream of brotherhood and sisterhood of all of our earthly kin. The dream of Dr. King remains deeply rooted in the American psyche of life, liberty and the pursuit of happiness.

I continue to hope the best for Kansas and, too, for America, the greatest State in the

best country on the face of the globe. We as the elected leaders, as ambassadors of our respective fellow Kansans, if you will Mr. Vice-President, should not go throughout this Holiday with tongue-in-cheek or cast off appreciation of a time of reflection and of aspiration which will make our nation stronger. By so serving then one day it might be said of each of us that during our Time and in service to our State with God's grace we too actually did make a difference.

Please! Have and hold a reflective, a reverent, a safe and productively active King Birthday.

On motion of Senator Emler, the Senate adjourned until 8:00 a.m., Friday, January 13, 2012.

Journal of the Senate

FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, January 13, 2012, 8:00 a.m.

The Senate was called to order by Vice President John Vratil.
The roll was called with twenty-nine senators present.
Senators Abrams, Apple, Bruce, Brungardt, Faust-Goudeau, King, Masterson, Morris, Ostmeyer, Schodorf and Wagle were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Today is Friday the thirteenth. To those who are superstitious it is not a welcome day. But most people will remind us of the expression T.G.I.F., "Thank God It's Friday".

I'm not sure which word gets the most emphasis: God or Friday. I heard of the mother who, seriously or not, wrote on her son's shoes: TGIF. "Toes Go In First". So I got to thinking Lord, how can we turn TGIF into a real gratitude for your blessings, Like....

TGIF "Thank God I'm Free!" or
TGIF "Thank God It Floats" or
TGIF "Thank God I'm Forgiven" or
at "Sine Die":
TGIF "Thank God It's Finished".

I pray in the Name of Jesus Christ,

AMEN

The Pledge of Allegiance was led by Vice President John Vratil.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **SB 272.**

Education: **SB 278.**

Federal and State Affairs: **SB 274, SB 275, SB 276, SB 277.**

Financial Institutions and Insurance: **SB 273.**

Judiciary: **SB 279, SB 280.**

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Tuesday, January 17, 2012.

Journal of the Senate

SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 17, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-nine senators present.
Senator King was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Yesterday we observed the birthday anniversary of Dr. Martin Luther King, Jr., a Baptist preacher who had a dream that one day all people would be judged by the content of their character and not the color of their skin.

I grew up in the South before desegregation. We had separate toilets, separate water fountains, separate restaurants, separate motels, separate parts of the bus, separate schools, separate churches, separate everything.

A black man could cut a white man's hair, but could not shake a white man's hand.

A black woman could raise a white woman's children, but she could not enter a white woman's front door.

The only thing we really shared, O God, was the same Lord, and we couldn't do that together. Ironically, Lord, you spent much, if not most, of Your time with those who were segregated.

And it was You, Lord, Who gave us the Golden Rule which established the principle for human relations: "Do unto others what you would have them do unto you."

And I thank You for who You are and for what You have done.

And I pray in the Name of Jesus Christ,

AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 281, AN ACT concerning the Kansas judicial council; relating to the commission on judicial performance; amending K.S.A. 2011 Supp. 20-3201 and repealing the existing section, by Committee on Judiciary.

SB 282, AN ACT concerning covered offenses and conduct giving rise to forfeiture;

relating to fleeing or eluding; amending K.S.A. 2011 Supp. 60-4104 and repealing the existing section, by Committee on Judiciary.

SB 283, AN ACT concerning sheriffs; relating to fees; amending K.S.A. 2011 Supp. 28-110 and repealing the existing section, by Committee on Judiciary.

SB 284, AN ACT enacting the Kansas employer e-verify accountability act, by Committee on Commerce.

SB 285, AN ACT concerning the misclassification of employees; pertaining to the penalty for violations; amending K.S.A. 2011 Supp. 44-766 and repealing the existing section, by Committee on Commerce.

SB 286, AN ACT pertaining to the use of credit history; enacting the fair use of credit history act; amending K.S.A. 50-703 and repealing the existing section, by Committee on Commerce.

SB 287, AN ACT concerning credit unions; relating to credit union insurance; amending K.S.A. 17-2204, 17-2227 and 17-2246 and repealing the existing sections; also repealing K.S.A. 17-2250, 17-2251, 17-2252, 17-2253, 17-2254, 17-2255, 17-2256, 17-2257, 17-2258, 17-2259, 17-2261, 17-2265, 17-2266 and 17-2267, by Committee on Financial Institutions and Insurance.

SB 288, AN ACT concerning alcoholic beverages; relating to sales of alcoholic liquor or cereal malt beverage by the drink; amending K.S.A. 41-2640 and K.S.A. 2011 Supp. 41-2601 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 289, AN ACT concerning the veterinary practice act; relating to records inspection fee; powers of the board of veterinary examiners; grounds to suspend or revoke a license; amending K.S.A. 47-821 and K.S.A. 2011 Supp. 47-822, 47-830 and 47-842 and repealing the existing sections, by Committee on Agriculture.

SB 290, AN ACT concerning the addictions counselor licensure act; amending K.S.A. 2011 Supp. 65-6608, 65-6610 and 65-6613 and repealing the existing sections, by Committee on Public Health and Welfare.

CONFIRMATION OF APPOINTMENTS

In accordance with Senate Rule 56, the following appointments, submitted by the Governor, the Attorney General and the Secretary of Revenue to the Senate for confirmation, were considered.

Senator Emler moved the following appointments be confirmed as recommended by the Confirmation Oversight Committee:

By the Governor

On the appointment to the:

Agricultural Remediation Board:

Kamyar Nikoo-Manesh, term expires March 15, 2015.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Agricultural Remediation Board:

Brian Norton, term expires March 15, 2014.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Agricultural Remediation Board:

Laura Pearl, term expires March 15, 2014.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Board of Indigents' Defense Services:

Penny Moylan, term expires January 15, 2014.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Central Interstate Low-Level Radioactive Waste Commission:

John Mitchell, serves at the pleasure of the Governor.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken,

Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Kansas Board of Regents:

Fred Logan, term expires June 30, 2015.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Kansas Board of Regents:

Robba Moran, term expires June 30, 2015.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Kansas Board of Regents:

Kenny Wilk, term expires June 30, 2015.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Kansas Development Finance Authority:

Suresh Kumar, term expires January 15, 2015.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen,

Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Kansas Electric Transmission Authority:

Earnest Lehman, term expires March 15, 2015.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Kansas Human Rights Commission:

Melvin Neufeld, term expires January 15, 2012.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Kansas Human Rights Commission:

Josh Ney, term expires January 15, 2014.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Kansas Lottery Commission:

Carl Gerlach, term expires March 15, 2015.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn,

Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Kansas Lottery Commission:

Catherine Moyer, term expires March 15, 2015.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Kansas Lottery Commission:

Tom Roberts, term expires March 15, 2013.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Kansas Lottery Commission, Executive Director:

Dennis Wilson, serves at the pleasure of the Governor.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Kansas Public Employees Retirement Board of Trustees:

Chris Long, term expires January 15, 2015.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco,

Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Kansas Water Authority:

Gary Harshberger, serves at the pleasure of the Governor.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Public Employees Relations Board:

John Bowes, term expires March 15, 2014.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Public Employees Relations Board:

Eric Carter, term expires March 15, 2015.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nay: Hensley

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Public Employees Relations Board:

Kenneth Gorman, term expires March 15, 2015.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not

Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Public Employees Relations Board:

Mark McGivern, term expires March 15, 2013.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

State Banking Board:

Carolyn Dunn, term expires March 15, 2013.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

State Banking Board:

Thomas Pitner, term expires March 15, 2014.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

State Banking Board:

Jeff Whitham, term expires March 15, 2014.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

State Civil Service Board:

Carroll Macke, term expires March 15, 2014.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

University of Kansas Hospital Authority:

Kirk Benson, term expires March 15, 2014.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

University of Kansas Hospital Authority:

Robert Honse, term expires March 15, 2014.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

By the Secretary of Revenue:

On the appointment to the:

Director of Alcoholic Beverage Control:

Doug Jorgensen, serves at the pleasure of the Secretary.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Director of the Division of Property Valuation:

David Harper, serves at the pleasure of the Secretary.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

By the Kansas Attorney General:

On the appointment to the:

Crime Victims Compensation Board:

Tom Williams, term expires March 15, 2014.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

On the appointment to the:

Director of the Kansas Bureau of Investigation:

Kirk Thompson, serves at the pleasure of the Attorney General.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or Not Voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: King.

The appointment was confirmed.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Schodorf and Vratil introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1802 —

A RESOLUTION congratulating and commending the members of the 2012 Kansas Teacher of the Year team.

WHEREAS, The Kansas state department of education sponsors the Kansas Teacher of the Year program which identifies, recognizes and utilizes representatives of excellent teaching in the elementary and secondary classrooms of the state. The mission of the program is to build and utilize a network of exemplary teachers who are leaders in the improvement of schools, student performance and the teaching profession; and

WHEREAS, Two teachers – one elementary and one secondary – in each of the state's four United States congressional districts were selected as finalists for recognition as Kansas Teacher of the Year, the Kansas Teacher of the Year being chosen from among the eight finalists. The Kansas Teacher of the Year is awarded The Hubbard Foundation Kansas Teacher of the Year Ambassadorship which enables the person selected to devote significant time during the second semester to activities to support the mission of the program. The 2012 Kansas Teacher of the Year and finalists were honored at an awards banquet on November 19, 2011. All members received a cash award as well as mementos of the events; and

WHEREAS, The Kansas Teacher of the Year is nominated to represent Kansas in the National Teacher of the Year program, a project of the Council of Chief State School Officers sponsored by the ING Foundation and Target in partnership with the University of Phoenix Foundation and People to People Ambassador Programs; and

WHEREAS, The 2012 Kansas Teacher of the Year is Tiffany A. Richard, Olathe USD 233, and the regional finalists are Amelia S. Adams, Liberal USD 480; Christopher D. Christian, Maize USD 266; Emily K. Fleming, Kansas City USD 500; Carla Goertzen, Buhler USD 313; Sherry L. Helus, Wamego USD 320; Michael C. Pickman, Prairie View USD 362 and Elizabeth A. Roberts, Wichita USD 259: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the members of the 2012 Kansas Teacher of the Year team and wish Mrs. Richard success in the national competition; and

Be it further resolved: That the Secretary of the Senate provide eight enrolled copies of this resolution to the Commissioner of Education for forwarding to the members of the 2012 Kansas Teacher of the Year team.

On emergency motion of Senator Schodorf **SR 1802** was adopted unanimously.

Senator Schodorf congratulated Tiffany A. Richard, 2012 Kansas Teacher of the Year from Olathe USD 233. Also acknowledged were the 2012 Kansas Regional Teachers of the year as follows: Amelia S. Adams, Liberal USD 480; Christopher D. Christian, Maize USD 266; Emily K. Fleming, Kansas City USD 500; Carla Goertzen, Buhler USD 313; Sherry L. Helus, Wamego USD 320; Michael C. Pickman, Prairie View USD

362 and Elizabeth A. Roberts, Wichita USD 259. The teachers were congratulated with a standing ovation.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** begs leave to submit the following report:

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

By the Governor:

Kansas Agricultural Remediation Board, Member: KSA 2011 Supp. 2-3709

Gary Starr, term expires March 15, 2015.

ESCORTS FOR STATE OF THE JUDICIARY

In accordance with **HCR 5028**, President Morris appointed Senators Vratil and Haley to escort the Supreme Court for the State of the Judiciary at 5:00 p.m. on Wednesday, January 18.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Wednesday, January 18, 2012.

Journal of the Senate

SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 18, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

We make appointments with the doctor,
Appointments with our friends;
And appointments with constituents
Seem to never end.

We make appointments with the lobbyists
And members of the House.
Sometimes we have to make
Appointments with our spouse.

We make appointments with advisors
And with the Governor, too.
We make appointments with most everyone,
Except, O Lord, with You.

We need some time with You, O God,
So we'll have no need to fret
That at Judgment Day You'll have to say
"I don't believe we've met."

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 291, AN ACT concerning the uniform trust code; relating to modification or termination of noncharitable irrevocable trust; creditor claims against settlors; certification of trusts; amending K.S.A. 58a-505, 58a-1013 and 59-103 and K.S.A. 2011 Supp. 58a-411 and repealing the existing sections; also repealing K.S.A. 58a-818, by Committee on Judiciary.

SB 292, AN ACT concerning inheritance rights; relating to revocation upon divorce, by Committee on Judiciary.

SB 293, AN ACT concerning probate; relating to filing of wills; amending K.S.A. 2011 Supp. 59-618a and repealing the existing section; also repealing K.S.A. 59-621, by Committee on Judiciary.

SB 294, AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, by Joint Committee on Special Claims Against the State.

SB 295, AN ACT enacting the fair consideration of the unemployed act, by Committee on Commerce.

SB 296, AN ACT concerning income taxation; relating to credits; qualified tuition and related expenses, by Committee on Assessment and Taxation.

SB 297, AN ACT concerning domestic relations; relating to marital property; amending K.S.A. 2011 Supp. 23-2601 and repealing the existing section, by Committee on Judiciary.

SB 298, AN ACT regulating traffic; relating to penalties for violating size and weight laws, exceptions; amending K.S.A. 2011 Supp. 8-1901 and repealing the existing section, by Committee on Transportation.

SB 299, AN ACT concerning alcoholic beverages; relating to the club and drinking establishment act; creating a public venue license; amending K.S.A. 41-306, 41-306a, 41-307, 41-308, 41-701, 41-2608, 41-2613, 41-2614 and 41-2640 and K.S.A. 2011 Supp. 41-308a, 41-2601, 41-2622 and 41-2629 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 300, AN ACT concerning motor vehicles; relating to temporary vehicle registration permits; extending the thirty-day registration to sixty days; amending K.S.A. 2011 Supp. 8-135 and 8-2409 and repealing the existing sections, by Committee on Transportation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **SB 289**.

Federal and State Affairs: **SB 284**, **SB 288**.

Financial Institutions and Insurance: **SB 286**, **SB 287**.

Judiciary: **SB 281**, **SB 282**, **SB 283**, **SB 285**.

Public Health and Welfare: **SB 290**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

The following resolutions were introduced and read:

SENATE RESOLUTION No. 1803—

By Committee on Transportation

A RESOLUTION urging congress to amend the federal highway beautification act to allow businesses in small towns across Kansas to advertise with outdoor highway advertising signs.

WHEREAS, Outdoor highway advertising signs are very important to attract motorists to businesses and cultural activities in small towns in Kansas; and

WHEREAS, The highway beautification act and the regulations promulgated thereunder allow the federal government to withhold federal highway funding if a state engages in so called “spot zoning” or allows nonconforming signs; and

WHEREAS, Many small town businesses have not had an opportunity to “grandfather in” their outdoor advertising signs under the federal highway beautification act because highways have been rerouted necessitating new signs; and

WHEREAS, Because of the “grandfathering” process, many small towns in other states have multiple outdoor advertising signs in rural areas without negative effects: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the highway beautification act should be amended to allow outdoor highway advertising signs in rural areas; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the United States department of transportation and the members of the Kansas Congressional Delegation.

SENATE RESOLUTION No. 1804—

By Committee on Transportation

A RESOLUTION concerning transportation; requesting a multi-year federal transportation funding program at current funding levels.

WHEREAS, The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) which funds road construction in Kansas was set to expire on September 30, 2009, and has now been extended eight times; and

WHEREAS, A majority of funding for road construction in Kansas comes from federal sources; and

WHEREAS, A lack or reduction of federal funding would stop the Kansas department of transportation from beginning any new road construction projects, and would impact many current road construction projects; and

WHEREAS, A comprehensive long-term transportation funding program is necessary for the Kansas department of transportation to adequately plan and construct roads across the entire state: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we request Congress to pass a comprehensive multi-year plan to fund highway construction that maintains current funding levels; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the United States department of transportation and the members of the Kansas Congressional Delegation.

COMMUNICATIONS FROM STATE OFFICERS**KANSAS BUREAU OF INVESTIGATION**

January 13, 2012

In compliance with KSA 60-4117, Kirk D. Thompson, Director, submitted a report regarding the status of the KBI State Forfeiture Fund.

KANSAS CORPORATION COMMISSION

January 17, 2012

Pursuant to the provisions of KSA 2010 Supp. 66-1250 through 66-1254, Patti Petersen-Klein, Executive Director, Kansas Corporation Commission, submitted the annual report regarding broadband service and providers.

The President announced the above reports are on file in the office of the Secretary of the Senate and are available for review at any time.

MESSAGE FROM THE HOUSE

Announcing the appointment of Representatives Brown, Grange and Sean Gatewood to escort the Senate and the appointment of Representatives Mitch Holmes, Knox and Frownfelter to escort the Supreme Court for the purpose of hearing a message on the State of the Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **Substitute for HB 2178** be passed.

President Morris announced the Senate would recess until 4:50 p.m. for the purpose of a joint meeting with the House of Representatives for the State of the Judiciary.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Thursday, January 19, 2012.

Journal of the Senate

EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 19, 2012, 2:30 p.m.

The Senate was called to order by Vice President John Vratil.
The roll was called with thirty-eight senators present.
Senators Emler and Morris were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Many years ago
A Topekan wrote a book.
He called it "In His Steps";
About the steps that Jesus took.

He said before we make decisions,
There's something we should do;
Always ask ourselves the question,
"What would Jesus do?"

It seems to me that legislators
Could reconstruct what Sheldon wrote,
And ask themselves the question,
"How would Jesus vote?"

They have access to the Bible,
Which is filled with Jesus' quotes.
They might be helped by asking,
"How would Jesus vote?"

Even those who are not Christians
Appreciate what Christ promotes,
And might be helped by asking,
"How would Jesus vote?"

Perhaps constituents would be grateful,
At least they could take note;
If legislators asked themselves,
"How would Jesus vote?"

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by Vice President John Vratil.

POINT OF PERSONAL PRIVILEGE

Senator Haley rose on a Point of Personal Privilege to introduce to the Senate, Micheal Irvin, who was “shadowing” Senator Haley for the day as a part of the Kansas Agricultural Rural Leadership program. Mr. Irvin (a friend of Senator Haley's for over 30 years when the two worked in the D.C. Office of US Senator Bob Dole of Kansas) is a former Sherman County Attorney and now lives in Manhattan, Kansas working on behalf of the Kansas Farm Bureau.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 301, AN ACT concerning the state board of technical professions; relating to terms of members; amending K.S.A. 74-7006 and repealing the existing section, by Committee on Federal and State Affairs.

SB 302, AN ACT concerning agriculture; relating to the Kansas meat and poultry inspection act; amending K.S.A. 65-6a34 and 65-6a41 and K.S.A. 2011 Supp. 65-6a18, 65-6a20 and 65-6a31 and repealing the existing sections, by Committee on Agriculture.

SB 303, AN ACT concerning disposition of unclaimed cremated remains; relating to veterans cremated remains; amending K.S.A. 65-1732 and repealing the existing section; also repealing K.S.A. 65-1733, by Committee on Public Health and Welfare.

SB 304, AN ACT concerning domestic violence; enacting the batterer intervention program certification act; amending K.S.A. 2011 Supp. 12-4509 and 22-4616 and repealing the existing sections, by Joint Committee on Administrative Rules and Regulations.

SB 305, AN ACT concerning criminal procedure; relating to trials; time limitations; competency proceedings; amending K.S.A. 22-3402 and repealing the existing section, by Committee on Judiciary.

SB 306, AN ACT concerning crimes, punishment and criminal procedure; relating to intimidation of a witness; amending K.S.A. 2011 Supp. 21-5909 and repealing the existing section, by Committee on Judiciary.

SB 307, AN ACT concerning criminal procedure; relating to jury instructions; lesser included crimes; murder in the first degree; amending K.S.A. 2011 Supp. 22-3414 and repealing the existing section, by Committee on Judiciary.

SB 308, AN ACT concerning crimes and punishment; creating the crimes of armed criminal action and endangerment; relating to further amendments to the Kansas criminal code; amending K.S.A. 2011 Supp. 21-5109, 21-5302, 21-5402, 21-5426, 21-5504, 21-5507, 21-5604, 21-5806, 21-5807, 21-5904, 21-5905, 21-5907, 21-5911, 21-6001, 21-6110, 21-6112, 21-6312, 21-6412, 21-6413 and 21-6819 and repealing the existing sections, by Committee on Judiciary.

SB 309, AN ACT concerning certain crimes; dealing with corrupt political advertising; amending K.S.A. 2011 Supp. 25-4156 and repealing the existing section, by Committee on Ethics and Elections.

SB 310, AN ACT concerning water; relating to local enhanced management areas; groundwater management districts, by Committee on Natural Resources.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolutions were referred to Committees as indicated:

- Assessment and Taxation: **SB 296**.
- Commerce: **SB 295**.
- Federal and State Affairs: **SB 299**.
- Judiciary: **SB 291, SB 292, SB 293, SB 297**.
- Transportation: **SB 298, SB 300; SR 1803, SR 1804**.
- Ways and Means: **SB 294**.

COMMUNICATIONS FROM STATE OFFICERS

STATE OF KANSAS HOUSE OF REPRESENTATIVES

March 31, 2011

In accordance with KSA 74-99b04, Mike O'Neal, Speaker of the House of Representatives, reappointed Earl McVicker to the Kansas Bioscience Authority Board for a term to expire March 15, 2015.

SENATE PRESIDENT

October 21, 2011

In accordance with KSA 74-99b04(d), Stephen R. Morris, Senate President, appointed Ken Buchele to the Kansas Bioscience Authority for a term to expire March 15, 2015.

The Vice President announced the above reports are on file in the office of the Secretary of the Senate and are available for review at any time.

REPORT ON ENROLLED BILLS

SR 1801, SR 1802 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 18, 2012.

SCR 1610 reported correctly enrolled, properly signed and presented to the Secretary of State on January 18, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** begs leave to submit the following report:
 The following appointments were referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointments:

- By the Governor:
- Kansas Human Rights Commission, Member: K.S.A. 44-1003
 Terry Crowder, term expires on January 15, 2015
- Kansas Human Rights Commission, Member: K.S.A. 44-1003
 Pat Hill, term expires on January 15, 2015

Committee on **Financial Institutions and Insurance** begs leave to submit the following report:

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

By the Governor:

Member, State Banking Board: K.S.A. 74-3004

Neal Bernauer, to fill a term expiring on March 15, 2014

On motion of Senator V. Schmidt, the Senate adjourned until 8:00 a.m., Friday, January 20, 2012.

Journal of the Senate

NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, January 20, 2012, 8:00 a.m.

The Senate was called to order by Senator Carolyn McGinn.
The roll was called with thirty senators present.
Senators Abrams, Apple, Brungardt, Emler, Haley, King, Morris, A. Schmidt, Schodorf and Vratil were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Senators are people, too;
They hurt, they bleed, they grieve,
They worry over failures,
Rejoice when they achieve.

They're objects of a lot of jokes,
People say they're crooks or worse,
Folks call them dumb or stupid;
They're maligned, reviled, and cursed.

Somehow they learn to take it,
But their families find it hard
To keep hearing that their loved ones
Are held in low regard.

For freedom of the press and speech
Senators are also glad.
But their children cannot understand
Why people say they're bad.

Senators knew before they came
They'd be stuck with lots of darts.
But, Lord, they know that You will listen
To all that's on their hearts.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by Senator Carolyn McGinn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and senate concurrent resolution were introduced and read by title:

SB 311, AN ACT making and concerning appropriations for fiscal years ending June 30, 2012, and June 30, 2013, for state agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing, by Committee on Ways and Means.

SB 312, AN ACT concerning sales taxation; relating to rate, distribution of revenues; amending K.S.A. 2011 Supp. 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Ways and Means.

SB 313, AN ACT concerning alcoholic beverages; relating to consumption on any land or waters owned or managed by the department of wildlife, parks and tourism; amending K.S.A. 2011 Supp. 41-719 and repealing the existing section, by Committee on Natural Resources.

SB 314, AN ACT concerning the department of wildlife, parks and tourism; relating to licenses; amending K.S.A. 2011 Supp. 32-906 and 32-919 and repealing the existing sections, by Committee on Natural Resources.

SB 315, AN ACT concerning the office of the state bank commissioner; pertaining to certain positions in the unclassified service; amending K.S.A. 2011 Supp. 75-2935b, 75-3135 and 75-3135a and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SENATE CONCURRENT RESOLUTION No. 1611 —

By Senators V. Schmidt, Vratil, Kelly, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelsey, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, Schodorf, Taddiken, Teichman and Umbarger.

A PROPOSITION to amend article 11 of the constitution of the state of Kansas by adding a new section thereto, concerning a contingency reserve fund in the state treasury.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 11 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

“§14. Contingency Reserve Fund.

"(a) On July 1, 2013, a contingency reserve fund shall be established and maintained in the state treasury.

"(b) When state tax receipts for a fiscal year increase by more than three

percent over state tax receipts for the preceding fiscal year, any increase in excess of three percent up to the next one percent of state tax receipts collected shall be deposited in the contingency reserve fund. Nothing in this subsection shall require state tax receipts to be deposited in the contingency reserve fund when the contingency reserve fund balance exceeds fifteen percent of the preceding fiscal year's state tax receipts.

"(c) The legislature may provide, by law, for additional amounts of state tax receipts to be deposited in the contingency reserve fund.

"(d) (1) Withdrawals from the contingency reserve fund may occur in the current fiscal year only when the current fiscal year's estimated state tax receipts are less than the amount of actual state tax receipts collected or otherwise received in the preceding fiscal year. The amount subject to withdrawal shall not exceed the difference between the current fiscal year's estimated state tax receipts and the amount of actual state tax receipts collected or otherwise received in the preceding fiscal year except that such difference shall be reduced by the amount of the current fiscal year's estimated state tax receipts not collected or otherwise received as a result of any kind of tax reduction legislation enacted by the legislature and approved by the governor in the current or preceding fiscal year.

"(2) Withdrawals from the contingency reserve fund may occur in the ensuing fiscal year only when the ensuing fiscal year's estimated state tax receipts are less than the amount of estimated state tax receipts in the current fiscal year. The amount subject to withdrawal shall not exceed the difference between the ensuing fiscal year's estimated state tax receipts and the amount of estimated state tax receipts in the current fiscal year except that such difference shall be reduced by the amount of the ensuing fiscal year's estimated state tax receipts not collected or otherwise received as a result of any kind of tax reduction legislation enacted by the legislature and approved by the governor in the current or preceding fiscal year.

"(3) For the purposes of subsections (d)(1) and (d)(2), the attorney general shall be responsible for certifying whether any kind of tax reduction legislation was enacted by the legislature and approved by the governor and if so, the governor shall certify the amount of such reduction. Any withdrawal authorized by this subsection shall be provided for by law enacted in a separate bill that does not include any other matter except a statement that the conditions prescribed by this subsection exist and the authority to transfer a specific amount of money from the contingency reserve fund to the state general fund.

"(e) Amounts in the contingency reserve fund may be invested as provided by law and the earnings thereon shall be retained in the contingency reserve fund.

"(f) As used in this section, "state tax receipts" means receipts from any state income tax, sales tax, compensating use tax or other excise tax or tax in the nature of an excise tax, or estate or inheritance tax, or tax in the nature of an estate or inheritance tax, but shall not include receipts from any property tax, or tax in the nature of a property tax, or any tax on motor fuels.

"(g) The legislature may enact laws to carry out the purposes of this section."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The purpose of this amendment is to establish a

contingency reserve fund in the state treasury.

“A vote for this amendment will:

- (1) Establish a contingency reserve fund in the state treasury. Each year, if state tax receipts increase by more than three percent over the amount of the preceding year, a portion of the increase would be deposited in the contingency reserve fund. Additional amounts could be deposited in this fund by act of the legislature.
- (2) Provide that amounts could be withdrawn from the contingency reserve fund when state tax receipts are less than the amount for the preceding year, other than amounts resulting from any tax reduction legislation.
- (3) Provide that any withdrawal from the fund must be a separate bill containing only a statement that the conditions exist for the withdrawal and the authority to withdraw and deposit in the state general fund.

“A vote against this amendment would make no changes in current law concerning the state's finance.”

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate, and two-thirds of the members elected (or appointed) and qualified to the House of Representatives shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in the year 2012 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **SB 302**.

Ethics and Elections: **SB 309**.

Federal and State Affairs: **SB 301**.

Judiciary: **SB 304, SB 305, SB 306, SB 307, SB 308**.

Natural Resources: **SB 310**.

Public Health and Welfare: **SB 303**.

REFERENCE OF APPOINTMENTS

The following appointment made by the Senate President and submitted to the Senate for confirmation, was referred to Committee as indicated:

By the President of the Senate:

Kansas Bioscience Authority:

Ken Buchele, to serve a term expiring March 15, 2015.

(Ways and Means)

The following appointment made by the Speaker of the House and submitted to the Senate for confirmation, was referred to Committee as indicated:

By the Speaker of the House:

Kansas Bioscience Authority:

Earl McVicker, to serve a term expiring March 15, 2015.

(Ways and Means)

On motion of Senator V. Schmidt, the Senate adjourned until 2:30 p.m., Monday, January 23, 2012.

Journal of the Senate

TENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 23, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

I'm praying this prayer on behalf of a yet to be identified legislator:

I work through the day
And do my own thing,
Then at night ask You to bless it!
And I know I was wrong
In not asking You first,
But then I'm too proud to confess it.

I file legislation
And push it real hard---
As for God I couldn't care less,
Then the whole thing collapses
And I'm down on my knees
Asking You to clean up the big mess.

Please help me to learn
To start with a prayer
And not wait until my plans fall apart.
For up until now
I've specialized in
Hitching the horse to the back of the cart!

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator Wagle rose on a Point of Personal Privilege to introduce her daughter, Julia Scott, grandchildren, Ben and Olivia Scott and daughter-in-law Michelle Wagle.

Senator Love rose on a Point of Personal Privilege to introduce his parents, Greg and

Sue Love and wife, Caley. Also introduced were cousins serving as pages.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 316, AN ACT concerning the Kansas department of wildlife, parks and tourism; relating to updating references and corresponding changes due to transfer of powers and duties from the department of commerce; amending K.S.A. 2-2473, 19-2803b, 19-2803d, 19-2817, 19-2822, 19-2835, 19-2836, 19-2839, 19-2844, 19-2844a, 19-2855, 19-2868, 19-2873, 19-2894, 19-3543, 32-802, 32-806, 32-807, 32-809, 32-832, 32-839, 32-840, 32-845, 32-846, 32-869, 32-874, 32-874c, 32-886, 32-887, 32-888, 32-976, 32-1040, 32-1041, 32-1049, 32-1051, 32-1052, 32-1053, 32-1203, 49-408, 58-3221, 58-3225, 65-189e, 68-406, 74-134, 74-3322, 74-5032, 74-5032a, 74-5090, 74-6614, 74-7901, 75-3339, 75-3907, 75-3908, 75-3910, 76-463, 79-3221e, 79-32,203, 82a-209 and 82a-326 and K.S.A. 2011 Supp. 2-1334, 21-5810, 21-6416, 32-701, 32-801, 32-805, 32-833, 32-844, 32-873, 32-874a, 32-874b, 32-874d, 32-874e, 32-906, 32-918, 32-930, 32-932, 32-938, 32-966, 32-996, 32-997, 32-998, 32-999, 32-1001, 32-1004, 32-1005, 32-1031, 32-1032, 32-1049a, 32-1050, 32-1054, 32-1062, 32-1063, 32-1064, 32-1066, 32-1102, 32-1112, 32-1174, 32-1306, 32-1308, 32-1310, 47-2101, 65-3424b, 65-3483, 65-5703, 74-5,133, 74-2622, 74-4722, 74-4911f, 74-5005, 74-5089, 74-5091, 74-50,167, 74-50,168, 74-50,173, 74-5602, 74-9001, 74-9002, 74-9003, 74-9004, 74-9201, 75-1253, 75-2720, 75-2935, 75-37,121, 77-415, 77-421, 79-201a, 79-3221h, 79-3234, 79-3234b, 79-5212, 82a-220, 82a-903, 82a-1501, 82a-2001 and 82a-2204 and repealing the existing sections; also repealing K.S.A. 73-2101, 73-2102, 73-2103 and 73-2104 and K.S.A. 2011 Supp. 74-9005, by Committee on Natural Resources.

SB 317, AN ACT concerning property taxation; defining real and personal property; amending K.S.A. 79-102 and repealing the existing section, by Committee on Assessment and Taxation.

SB 318, AN ACT concerning employment; relating to employment requirements in certain state contracts; relating to employment requirements for certain state tax benefits; amending K.S.A. 2011 Supp. 12-17,166, 74-50,131, 74-50,212, 79-32,154 and 79-32,243 and repealing the existing sections, by Committee on Commerce.

SB 319, AN ACT concerning the Kansas expanded lottery act; relating to racetrack gaming facilities; relating to parimutuel racing; creating the Kansas agricultural opportunity act; amending K.S.A. 74-8826 and 74-8836 and K.S.A. 2011 Supp. 74-8734, 74-8741, 74-8744, 74-8746, 74-8747, 74-8751, 74-8823 and 74-8831 and repealing the existing sections; also repealing K.S.A. 74-8824, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to Committees as indicated:

Assessment and Taxation: **SB 312**.

Federal and State Affairs: **SB 313**.

Financial Institutions and Insurance: **SB 315**.

Natural Resources: **SB 314**.

Ways and Means: **SB 311**; **SCR 1611**.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **SB 257**, **SB 261** be passed.

Also, **SB 260** be amended on page 2, in line 25, by striking "subject to the provisions of subsection (f) and"; and the bill be passed as amended.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Tuesday, January 24, 2012.

Journal of the Senate

ELEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 24, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.

The roll was called with forty senators present.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Severe weather has already claimed some lives and a great deal of home destruction in Alabama, with more predicted to follow.

Also, South Texas is expecting destructive weather today as strong hurricane weather moves up from the Gulf of Mexico.

Since all kinds of severe weather were experienced in our nation during 2011, I felt led to ask You, Lord, to protect the people from death and destruction. No doubt some of the Senators have relatives in the South East as well as Texas.

If it be Your will, O God, I pray that people and their belongings will be spared during this threatening onslaught.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator Hensley rose on a Point of Personal Privilege to introduce Elon Torrence, his wife, Polly, son and wife, Chuck and Carol Torrence, daughter, Mary Torrence and brother-in-law and wife, Joe and Darlene Pollom.

Senator Hensley made the following remarks:

With us today in the Kansas Senate is Elon Torrence, who is celebrating his 95th birthday.

His two daughters and three sons include Chuck Torrence, who works for Legislative Administrative Services, and Mary Torrence, who is Revisor of Statutes.

Elon is a leading figure of Kansas journalism, having worked for The Associated Press in Topeka for more than 35 years.

He's a living link to some of the biggest and most colorful stories in Kansas in the past 70 years.

If you've heard about the 1951 flood in northeast Kansas that took out the Kansas Avenue bridge, just to the north of here, Elon wrote about it.

If you've read Truman Capote's book, "In Cold Blood," about the infamous 1959 murders of the Clutter family in Holcomb, Elon covered the trial of the killers.

He also covered the deadly Topeka tornado of 1966.

Some of you know about the infamous "Triple Play," the big political scandal that unfolded in this building in January 1957. The chief justice of the Kansas Supreme Court retired, and Governor Fred Hall resigned. Hall was the last sitting governor to lose a primary, and minutes after the lieutenant governor was elevated to governor, he appointed Hall to the Supreme Court. Elon was there.

He had the best timing of any reporter in Kansas. He had a knack for checking in on meetings literally seconds before the main dispute or the loudest argument erupted or the most important vote occurred, even if the meeting had been going on for some time.

Elon was born in Bassett, Nebraska, and graduated from high school in Waterville, in Marshall County. He attended Baker University and graduated from the University of Kansas in 1939.

He worked for the *Garden City Telegram* before and after service in the U.S. Army Air Corps during World War II.

He came to Topeka in 1946, taking a job at the *Topeka State Journal*. A month later, he joined the Associated Press.

Before Elon retired early in 1982, the Parsons Sun praised him as a walking encyclopedia of knowledge about Kansas. It added, "There's a question of whether Kansas can spare his services."

But in retirement, Elon didn't stop serving Kansas. He was a member of the board of the non-profit Delta Dental plan, and he became a member of the Governmental Ethics Commission in 1994 – serving 16 years.

And, he and his wife, Polly, have been married nearly 67 years.

On behalf of the Kansas Senate, we wish Elon Torrence a Happy 95th Birthday.

Senator V. Schmidt also paid tribute and relayed some of her experiences noting he was a member of her church and recently moved into her neighborhood.

Senator Schodorf rose on a Point of Personal Privilege to introduce Kelly Arnold, Sedgwick County Clerk.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 320, AN ACT concerning the revised Kansas juvenile justice code; relating to probable cause determinations; amending K.S.A. 2011 Supp. 38-2331, 38-2343 and 38-2354 and repealing the existing sections, by Committee on Judiciary.

SB 321, AN ACT concerning criminal procedure; relating to appearance bonds; surety or agent of surety; amending K.S.A. 22-2803 and 22-2809a and K.S.A. 2011 Supp. 22-2802 and repealing the existing sections, by Committee on Judiciary.

SB 322, AN ACT concerning courts; relating to court fees and costs; relating to the judicial branch surcharge fund; amending K.S.A. 65-409 and K.S.A. 2011 Supp. 8-2107, 8-2110, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 38-2215, 38-2312, 38-2314, 59-104, 60-2001, 60-2203a, 61-2704 and 61-4001 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c, 22-2410a, 28-177a, 38-2312a and 38-2312b, by Committee on Judiciary.

SB 323, AN ACT concerning income taxation; relating to credits; certain registered apprenticeships, by Committee on Assessment and Taxation.

SB 324, AN ACT concerning the board of pharmacy; relating to licensure of pharmacists and registration of pharmacist interns; amending K.S.A. 65-1632 and 65-1644 and K.S.A. 2011 Supp. 65-1643, 65-1645 and 65-1663 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 325, AN ACT concerning controlled substances; relating to schedules IV and V; amending K.S.A. 2011 Supp. 65-4111 and 65-4113 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 326, AN ACT concerning dental hygiene; relating to services for school children; amending K.S.A. 2011 Supp. 65-1456 and repealing the existing section, by Committee on Public Health and Welfare.

SB 327, AN ACT concerning prescription drugs; relating to the prescription monitoring program; amending K.S.A. 2011 Supp. 65-1683, 65-1685 and 65-1693 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 328, AN ACT concerning prescription of drugs; relating to electronic prescription; amending K.S.A. 65-4123 and K.S.A. 2011 Supp. 65-1626 , 65-1637 and 65-4101 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 329, AN ACT concerning historic properties; relating to projects within the environs of such properties; amending K.S.A. 75-2729 and K.S.A. 2011 Supp. 75-2724 and repealing the existing sections, by Committee on Transportation.

SENATE RESOLUTION No. 1805—

By Committee on Transportation

A RESOLUTION supporting livable streets policies.

WHEREAS, The state of Kansas recognizes the importance of livable streets that enable safe travel by all users, including pedestrians, bicyclists, public transportation riders, drivers and people of all ages and abilities, including children, youth, families, older adults and individuals with disabilities; and

WHEREAS, A safe and complete bicycle, pedestrian and transit system is important to the economy and economic development of Kansas; and

WHEREAS, Bicycling and walking are essential to millions of Kansans as basic transportation and enjoyed by millions of Kansans as healthful recreation and as part of a healthy lifestyle; and

WHEREAS, Walking and bicycling improve the public health and reduce treatment costs for conditions associated with reduced physical activity, including obesity, heart disease, lung disease and diabetes; and

WHEREAS, Promoting walking, bicycling and transit for transportation improves the environment, reduces congestion, reduces the need for expensive expansion of our road and highway systems; and

WHEREAS, Citizens with disabilities often rely on walking, bicycling and transit to meet basic transportation needs and to make connections with the transit system, and face great obstacles within our current transportation system, and benefit greatly from complete and well designed accommodations for bicycling and walking; and

WHEREAS, The principles of livable streets are designed to create a transportation network that meets the needs of all users of the state's transportation system; pedestrians of all ages and abilities, bicyclists, disabled persons, drivers and commercial drivers; and

WHEREAS, The term "livable streets" means creating roads, streets and communities where all road users can feel safe, secure and welcome on our roads and streets and throughout our communities; and

WHEREAS, Coordination and cooperation among many different agencies and municipalities are required to fully implement livable streets and create a complete, connected and safe transportation network for walking and bicycling; and

WHEREAS, The cities of Leawood, Roeland Park, Topeka and the Unified Government of Wyandotte County have adopted "complete streets" or livable streets policies: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we hereby declare our support for livable streets policies and urge their adoption at the local, metropolitan, regional, state and national levels; and

Be it further resolved: That the Senate of the State of Kansas encourages and urges the United States department of transportation, the Kansas department of transportation, the governing bodies of metropolitan planning organizations, regional planning commissions, municipalities and other organizations and agencies that build, control, maintain or fund roads, highways and bridges in Kansas to adopt livable streets policies and to plan, design, build and maintain their road and street system to provide complete, safe access to all road users; and

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution to the Secretary of the United States department of transportation, the director of each metropolitan planning agency and regional planning commission in the state of Kansas and the president of the Kansas league of municipalities.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 317**.

Commerce: **SB 318**.

Federal and State Affairs: **SB 319**.

Natural Resources: **SB 316**.

MESSAGES FROM THE GOVERNOR

January 17, 2012

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Directive No. 12-428 for your information.

Sam Brownback,
Governor

The President announced Executive Directive No. 12-428, authorizing expenditure of Federal Funds, is on file in the office of the Secretary of the Senate and is available for review at any time.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **SB 266** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Wednesday, January 25, 2012.

Journal of the Senate

TWELFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 25, 2012, 2:30 p.m.

The Senate was called to order by Vice President John Vratil.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

When the roll is called
On most any day,
It's easy to vote
Either Aye or Nay.

But when folks get angry
When I vote either way,
I dream of alternatives
To Aye and to Nay.

When I'm really not sure
Which way I should go,
I'm tempted to say,
"I vote Yes and No."

When either way I vote
I'll live to regret it,
I'd like to respond,
"Just forget it!"

If only a few items
Cause me to doubt,
A line item veto
Would really help it out.

But I'm quite aware
The reason I'm here
Is to make the hard choices
Which are bound to appear

Lord, give me the wisdom
 To make the best choices,
 And a thick skin to cope
 With the critical voices.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by Vice President John Vratil.

POINT OF PERSONAL PRIVILEGE

Senator Longbine rose on a Point of Personal Privilege to introduce Dr. Michael Shonrock, President of Emporia State University.

Senator Ostmeyer rose on a Point of Personal Privilege to introduce his daughter and son-in-law, Chris and Dan Niblock and grandson, Kyler.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 330, AN ACT concerning civil procedure; relating to malpractice liability screening panels; amending K.S.A. 2011 Supp. 60-3502, 60-3503, 60-3505, 65-4901, 65-4902 and 65-4904 and repealing the existing sections, by Committee on Judiciary.

SB 331, AN ACT concerning the board of cosmetology; relating to licensure and renewal; amending K.S.A. 65-1904a and repealing the existing section, by Committee on Public Health and Welfare.

SB 332, AN ACT concerning alcoholic beverages; relating to retailer's licenses under the Kansas liquor control act; amending K.S.A. 41-304 and 41-713 and K.S.A. 2011 Supp. 41-102, 41-301, 41-303, 41-310, 41-311, 41-313, 41-317, 41-326 and 79-4108 and repealing the existing sections; also repealing K.S.A. 41-103, 41-308 and 41-711, by Committee on Federal and State Affairs.

SB 333, AN ACT concerning elections; relating to petitions; amending K.S.A. 2011 Supp. 25-205, 25-302a, 25-303, 25-3602, 25-4005, 25-4306, 25-4310 and 25-4320 and repealing the existing sections, by Committee on Ethics and Elections.

SB 334, AN ACT concerning motor vehicles; relating to commercial drivers' licenses; exempting drivers with military commercial driving experience from testing requirements; amending K.S.A. 2011 Supp. 8-2,133 and repealing the existing section, by Committee on Transportation.

SB 335, AN ACT designating the junction of interstate 70 and United States highway 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange, by Senators A. Schmidt, Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

SB 336, AN ACT concerning the adjutant general; relating to the funding for disasters; KUSF; insurance fees and premium taxes; creating the disaster reimbursement fund; amending K.S.A. 2011 Supp. 66-2008 and 66-2010 and repealing the existing sections, by Committee on Ways and Means.

SB 337, AN ACT concerning the adjutant general; relating to the charging of fees;

vulnerability assessments; hazardous materials; creating the Kansas emergency management and homeland security fund, by Committee on Ways and Means.

SB 338, AN ACT concerning retirement and pensions; enacting the Kansas public employees retirement system act of 2014; providing terms, conditions, benefits and requirements related thereto for certain new members and existing members; relating to benefits and contributions; election for certain existing members; elimination of cap on increase in employer contributions and service credit purchases; amending K.S.A. 2011 supp. 74-4914d and 74-4920 and repealing the existing sections; also repealing K.S.A. 74-4919a, 74-4919g, 74-4919i, 74-4919k, 74-499n, 74-4919p, 74-4919q, 74-4919r and 74-4919s and K.S.A. 20010 Supp. 74-4914d, as amended by section 1 of chapter 98 of the 2011 Session Laws of Kansas and 74-4920, as amended by section 4 of chapter 98 of the 2011 Session Laws of Kansas and K.S.A. 2011 Supp. 74-4919h, 74-4919j, 74-4919l, 74-4919m, 74-4919o, 74-4919u and 74-4919v, by KPERs Select Committee.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to Committees as indicated:

Assessment and Taxation: **SB 323**.

Judiciary: **SB 320**, **SB 321**, **SB 322**.

Public Health and Welfare: **SB 324**, **SB 325**, **SB 326**, **SB 327**, **SB 328**.

Transportation: **SB 329**; **SR 1805**.

COMMUNICATIONS FROM STATE OFFICERS

KANSAS EMPLOYMENT FIRST OVERSIGHT COMMISSION

January 23, 2012

In compliance with KSA 44-1136, the Kansas Employment First Oversight Commission submitted the commission's annual report to the Governor and members of the Kansas Legislature.

The Vice President announced the above report is on file in the office of the Secretary of the Senate and is available for review at any time.

CONFIRMATION OF APPOINTMENTS

In accordance with Senate Rule 56, the following appointments, submitted by the Governor to the Senate for confirmation, were considered.

Senator Emler moved the following appointments be confirmed as recommended by the Standing Committees:

By the Governor:

On the appointment to the:

Kansas Agricultural Remediation Board:

Gary Starr, term expires March 15, 2015.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens,

Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

On the appointment to the:

Kansas Human Rights Commission:

Terry Crowder, term expires January 15, 2015.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

On the appointment to the:

Kansas Human Rights Commission:

Pat Hill, term expires January 15, 2015.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

On the appointment to the:

State Banking Board:

Neal Bernauer, term expires March 15, 2014.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **SB 265** be passed.

Committee on **Judiciary** recommends **SB 292**, **SB 293**, **SB 297** be passed.

Also, **SB 280** be amended on page 1, in line 25, by striking "direct"; and inserting "order"; in line 28, after "evaluation" by inserting "ordered by the court"; in line 31, after "evaluation" by inserting "ordered by the court"; and the bill be passed as amended.

SB 291 be amended on page 1, in line 29, by striking "may" and inserting "is not presumed to"; and the bill be passed as amended.

Committee on **Local Government** recommends **SB 207** be passed.

Committee on **Ways and Means** recommends **SB 259** be passed.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Thursday, January 26, 2012.

Journal of the Senate

THIRTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 26, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.

The roll was called with forty senators present.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

We may be old, we may be young,
We may be baby boomers
But one thing sure that we can use,
Is a healthy sense of humor.

Of all the blessings You bestow
On constituents and politicians,
A sense of humor does the most
To improve our disposition.

There comes a time when people whine
And get underneath our skin.
That's the time our sense of humor
Can turn a scowl into a grin.

When problems get so numerous
That joy seems out of style,
That's when a sense of humor
Can surprise us with a smile.

When we become the target of
A lot of nasty rumors,
That's when we really need
A healthy sense of humor.

We think a sense of humor, Lord,
Is a gift that comes from You....
From the way we humans sometimes act,
We're sure You have one, too!

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator Emler rose on a Point of Personal Privilege to introduce his daughter, Katherine and his granddaughter, Kashlei.

Senator Apple rose on a Point of Personal Privilege to introduce the Franklin County Leadership Class.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were introduced and read by title:

SB 339, AN ACT concerning taxation; relating to income tax, rate for individuals, credits, deductions and income determination; sales tax rate and distribution of revenue; severance tax, exemptions; homestead property tax refunds; food sales tax refund; amending K.S.A. 39-7,132, 65-7107, 74-8206, 74-8304, 79-32,118, 79-32,128, 79-32,177, 79-32,190 and 79-32,200 and K.S.A. 2011 Supp. 40-2246, 74-50,173, 74-50,208, 74-8316, 74-8401, 79-32,110, 79-32,111, 79-32,117, 79-32,119, 79-32,138, 79-32,143, 79-32,143a, 79-32,182b, 79-32,196, 79-32,197, 79-32,197a, 79-32,201, 79-32,204, 79-32,207, 79-32,210, 79-32,211, 79-32,212, 79-32,222, 79-3603, 79-3620, 79-3703, 79-3710, 79-4217, 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections; also repealing K.S.A. 79-32,176 and 79-32,182 and K.S.A. 2011 Supp. 74-8131, 74-8132, 74-8133, 74-8134, 74-8135, 74-8136, 74-8137, 79-32,111a, 79-32,120, 79-32,202, 79-32,205, 79-32,213, 79-32,242, 79-3633, 79-3634, 79-3635, 79-3636, 79-3637, 79-3638 and 79-3639, by Committee on Assessment and Taxation.

SB 340, AN ACT concerning alcoholic liquor; relating to class A clubs; amending K.S.A. 2011 Supp. 41-2637 and repealing the existing section, by Committee on Transportation.

SB 341, AN ACT concerning cities; relating to dissolution of certain cities, by Committee on Transportation.

SB 342, AN ACT concerning traffic regulation; designating certain highway segments as safety corridors; establishing the traffic safety corridor fund; amending K.S.A. 2011 Supp. 8-2118 and 74-7336 and repealing the existing sections, by Committee on Transportation.

SB 343, AN ACT concerning motor vehicles; relating to one-way glass and sun screening devices; making an exception for licensed private detectives; amending K.S.A. 2011 Supp. 8-1749a and repealing the existing section, by Committee on Transportation.

SB 344, AN ACT concerning congressional districts; providing for the redistricting thereof; repealing K.S.A. 2011 Supp. 4-136, 4-137, 4-138, 4-139, 4-140, 4-141 and 4-142, by Committee on Federal and State Affairs.

SB 345, AN ACT enacting the Kansas management company registration act, by Committee on Financial Institutions and Insurance.

SB 346, AN ACT dealing with delinquent taxes and judicial foreclosure; amending K.S.A. 2011 Supp. 79-2804g and 79-2804h and repealing the existing sections, by Committee on Local Government.

SB 347, AN ACT concerning the court of tax appeals; amending K.S.A. 2011 Supp.

74-2438a and repealing the existing section, by Committee on Local Government.

SB 348, AN ACT concerning property appraisal and taxation; amending K.S.A. 79-304 and 79-1475 and K.S.A. 2011 Supp. 74-2433f, 79-1448, 79-1460, 79-1609, 79-1701a and 79-1702 and repealing the existing sections, by Committee on Local Government.

SB 349, AN ACT relating to the office of the securities commissioner of Kansas; relating to duties and establishing certain special revenue funds and prescribing functions therefor; employees of the securities commissioner; relating to the Kansas uniform securities act; amending K.S.A. 17-12a101, 17-12a102 and 17-12a410 and K.S.A. 2011 Supp. 17-12a601 and 75-6301 and repealing the existing sections, by Committee on Commerce.

SB 350, AN ACT concerning school districts; relating to the amount of base state aid per pupil; amending K.S.A. 2011 Supp. 72-6410 and repealing the existing section, by Committee on Ways and Means.

SB 351, AN ACT concerning property tax; transferring moneys to the local ad valorem tax reduction fund; amending K.S.A. 2011 Supp. 79-2959 and repealing the existing section, by Committee on Ways and Means.

SB 352, AN ACT concerning the employment security law; amending K.S.A. 44-702 and K.S.A. 2011 Supp. 44-703, 44-705, 44-706, 44-709, 44-710, 44-714, 44-715 and 44-717 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 44-703a and 44-706b, by Committee on Commerce.

SB 353, AN ACT concerning barbers; relating to the powers of the board; fees; licensure; amending K.S.A. 65-1819 and 65-1820a and K.S.A. 2011 Supp. 65-1817 and 65-1824 and repealing the existing sections, by Committee on Ways and Means.

SENATE RESOLUTION No. 1806—

By Committee on Transportation

A RESOLUTION urging the United States Congress to repeal 23 U.S.C. §127(d) concerning the federal freeze on more productive trucks and allow Kansas to determine the appropriate vehicle size and weight limits necessary for the economic needs of the state.

WHEREAS, The United States Congress approved 23 U.S.C. § 127(d) on June 1, 1991, which froze the truck size and weight limits to those weights and lengths that were being operated at such time; and

WHEREAS, Operation of more productive vehicles has been frozen by federal law for 20 years; and

WHEREAS, The custom harvesting industry requested that the legislature approve additional length for their combination vehicles and were informed of the federal freeze and the potential loss of federal highway funds to Kansas should the freeze be violated; and

WHEREAS, States should have the flexibility to adopt vehicle size and weight laws necessary for the economic growth for the state and region; and

WHEREAS, The custom harvesting industry contributes to feeding this country and to the United States' energy independence by efficiently and effectively harvesting a variety of crops both for food and fuel; and

WHEREAS, The Western Governors' Association has approved a policy resolution urging Congress to lift the freeze on more productive trucks for the 13 western states: Kansas, Colorado, Idaho, Montana, Nebraska, Nevada, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington and Wyoming; and

WHEREAS, Any change in vehicle size and weight laws must be adopted by both the Kansas House of Representatives and Kansas Senate and approved by the Governor: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we urge the United States Congress to repeal 23 U.S.C. § 127(d) and eliminate the freeze on more productive trucks, thereby allowing Kansas to respond to new technology and new vehicle size and weight requirements; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the United States secretary of transportation and each member of the Kansas congressional delegation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Ethics and Elections: **SB 333**.

Federal and State Affairs: **SB 332**.

Judiciary: **SB 330**.

KPERS Select: **SB 338**.

Public Health and Welfare: **SB 331**.

Transportation: **SB 334**, **SB 335**.

Ways and Means: **SB 336**, **SB 337**.

CHANGE OF REFERENCE

The President withdrew **SB 262** from the Committee on **Ways and Means**, and referred the bill to the Committee on **Federal and State Affairs**.

The President withdrew **SB 329** from the Committee on **Transportation**, and referred the bill to the Committee on **Local Government**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2412**, as amended;

Announcing passage of **HB 2436**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2412, **HB 2436** were thereupon introduced and read by title.

COMMUNICATIONS FROM STATE OFFICERS

Kansas Board of Regents

January 24, 2012

In compliance with KSA 76-717, Gary Alexander, Vice President of Academic

Affairs, submitted a report on the Implementation of Qualified Admissions.

The President announced the above report is on file in the office of the Secretary of the Senate and is available for review at any time.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 270** be amended on page 3, in line 31, after "licensee" by inserting "and registration"; in line 33, after "license" by inserting "or registration"; in line 34, by striking "parlor"; in line 35, by striking "owner" and inserting "lessor of premises"; and the bill be passed as amended.

Also, **HCR 5016**, as amended by House Committee, be adopted.

Committee on **Judiciary** recommends **SB 249** be amended on page 1, in line 7, before "There" by inserting "(a)"; in line 10, after "committee." by inserting:

"(b) (1)";

In line 14, after "employees." by inserting:

"(2)";

In line 16, after "employees." by inserting:

"(3)";

In line 20, by striking "The post auditor may require a person to be"; by striking all in lines 21 through 29; in line 30, by striking "person to be employed by the division of post audit." and inserting:

"(c) (1) The post auditor may require employees of the division of post audit to be fingerprinted and submit to a state and national criminal history record check. The fingerprints shall be used to identify the employee and to determine whether the employee has a record of criminal history in this state or another jurisdiction. The post auditor shall submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. Local and state law enforcement officers and agencies shall assist the post auditor in the taking and processing of fingerprints of employees. The post auditor may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the employee and in the official determination of the qualifications and fitness of the employee to be employed by the division of post audit.

(2) Any person offered a position of employment in the division of post audit, subject to a criminal history records check, shall be given a written notice that a criminal history records check is required. The post auditor may require such applicant to be fingerprinted and submit to a state and national criminal history record check. The fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal history in this state or another jurisdiction. The post auditor shall submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. Local and state law enforcement officers and agencies shall assist the post auditor in the taking and processing of fingerprints of applicants. The post auditor may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the applicant and in the official determination of the eligibility of the applicant to perform tasks within the division of post audit. If the criminal history record information is used to disqualify an applicant, the applicant shall be informed in writing of that decision.";

Also on page 1, in line 30, after the period, by inserting:

"(d)";

And the bill be passed as amended.

Also, **SB 279** be amended on page 2, in line 12, after "and" by inserting ":

(A)";

In line 13, after "is" by inserting "a person"; in line 14, by striking "and" and inserting "who has been"; in line 15, by striking "(A)" and inserting "(i)"; in line 18, by striking "(B)" and inserting "(ii)"; in line 20, by striking "and" and inserting "; and

(B)";

In line 27, before "to" by inserting "in a social and rehabilitation services institution or"; in line 29, by striking all after the comma; in line 30, by striking all before "lewd"; in line 31, by striking all after "sodomy"; in line 32, by striking all before "is"; in line 33, by striking "in the custody of the department" and inserting "a patient in such institution or in the custody of the secretary"; in line 35, by striking all after "(8)"; by striking all in lines 36 through 42 and inserting:

"the offender is a worker, volunteer or other person in a position of authority in a family foster home licensed by the department of health and environment and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who is a foster child placed in the care of such family foster home:"

On page 3, in line 2, by striking all after the comma; by striking all in lines 3 through 8; in line 9, by striking "amendments thereto," and inserting "lewd fondling or touching, or sodomy is a person 16 years of age or older who"; following line 35, by inserting:

"(c) (1) If an offender violates the provisions of this section by engaging in consensual sexual intercourse which would constitute a violation of K.S.A. 2011 Supp. 21-5503, and amendments thereto, the provisions of K.S.A. 2011 Supp. 21-5503, and amendments thereto, shall apply, not this section.

(2) If an offender violates the provisions of this section by engaging in consensual sexual intercourse which would constitute a violation of subsection (b)(1) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, the provisions of subsection (b)(1) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, shall apply, not this section.

(3) If an offender violates the provisions of this section by engaging in sodomy which would constitute a violation of subsection (a)(3), (a)(4) or (b) of K.S.A. 2011 Supp. 21-5504, and amendments thereto, the provisions of subsection (a)(3), (a)(4) or (b) of K.S.A. 2011 Supp. 21-5504, and amendments thereto, shall apply, not this section.

(4) If an offender violates the provisions of this section by engaging in lewd fondling or touching which would constitute a violation of subsection (b)(2) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, the provisions of subsection (b)(2) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, shall apply, not this section.";

And by redesignating subsections accordingly; and the bill be passed as amended.

Committee on **Transportation** recommends **SR 1803, SR 1804** be adopted.

Also, **SB 300** be amended on page 4, in line 36, by striking "30" and inserting "60";

On page 5, in line 21, by striking "30" and inserting "60"; in line 26, by striking "30" and inserting "60";

On page 6, in line 24, by striking "30" and inserting "60"; in line 30, by striking "30" and inserting "60"; in line 33, by striking "30" and inserting "60";

On page 7, in line 2, by striking "30" and inserting "60";

On page 8, in line 32, by striking "\$6" and inserting "\$3";

On page 9, in line 10, by striking "statute book" and inserting "Kansas Register"; and the bill be passed as amended.

On motion of Senator Emler, the Senate adjourned until 8:00 a.m., Friday, January 27, 2012.

Journal of the Senate

FOURTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, January 27, 2012, 8:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-four senators present.
Senators Brungardt, Haley, King, Love, Masterson and Petersen were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

On Kansas Day we thank You, Lord,
For the wonders of our State
Which we continue to enjoy
And which make our Kansas great.

The first time I saw Flint Hills
I knew that I was hooked.
If heaven has a golf course,
This must be how it looks!

Blazing sunsets and waving wheat
Mesmerize our senses;
Farms and ranches provide our food,
Now and before the fences.

While Texas boasts it is the West,
Nothing can be seen
To match the flavor of
Dodge City and Abilene.

From Liberal to Leavenworth,
From Galena to St. Francis,
We who love this state, can pray
Thank You, Lord, for Kansas!

I pray in the Name of Jesus Christ. AMEN

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator Reitz rose on a Point of Personal Privilege to ask everyone to stand and join him in singing “Home on the Range” in observance of Kansas Day.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to Committees as indicated:

Assessment and Taxation: **SB 339**.

Commerce: **SB 352**.

Education: **SB 350**.

Federal and State Affairs: **SB 340, SB 345**.

Financial Institutions and Insurance: **SB 349**.

Local Government: **SB 341, SB 346, SB 347, SB 348; HB 2412**.

Reapportionment: **SB 344**.

Transportation: **SB 342, SB 343; SR 1806**.

Utilities: **HB 2436**.

Ways and Means: **SB 351, SB 353**.

CHANGE OF REFERENCE

The President withdrew **Sub HB 2069** from the Committee on **Ways and Means**, and rereferred the bill to the Committee on **Judiciary**.

COMMUNICATIONS FROM STATE OFFICERS**KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT**

January 25, 2012

In compliance with KSA 75-6509, Mike Michael, Director, State Employee Health Benefit Plans, submitted a report containing the Kansas State Employees Health Care Commission 2011 Annual Report.

The President announced the above report is on file in the office of the Secretary of the Senate and is available for review at any time.

MESSAGE FROM THE HOUSE

Announcing the following bill was stricken from the calendar: **House Substitute for SB 34**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Ostmeyer introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1807—

A RESOLUTION congratulating and commending the Western Plains High School journalism team on winning the 2011 class 1A Kansas Scholastic Press Association state competition.

WHEREAS, On May 7, 2011, the annual Kansas scholastic press association state journalism write-off and carry-in contest was held on the University of Kansas campus

in Lawrence; and

WHEREAS, Five students from Western Plains High School competed in the competition, including: Beth Lutters, Dakota Foos, Bryanda Martinez, Kate Hagans and Ashley Stull. The students were guided to victory by journalism adviser, Todd Vogts; and

WHEREAS, Ms. Foos took first place in feature writing and Ms. Hagans took second in newspaper design and honorable mention in the editorial cartoon category; and

WHEREAS, In addition to winning the state competition, the Western Plains High School newspaper, *Cat Tracks* was named the best student newspaper in class 1A and was awarded the KSPA All-Kansas News Publication plaque; and

WHEREAS, This was the first year for Western Plains High School to have a journalism program and given its tremendous success, the future is bright for not only the journalism program, but its students as well: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the Western Plains High School journalism team on winning the 2011 class 1A Kansas Scholastic Press Association state competition.

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Todd Vogts, 100 School Street, Ransom, KS 67572.

On emergency motion of Senator Ostmeyer **SR 1807** was adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 275** be passed.

Committee on **Public Health and Welfare** recommends **SB 290** be amended on page 1, in line 29, by striking "to the";

On page 7, in line 30, by striking "(1)" and inserting "(i)"; in line 32, by striking "(2)" and inserting "(ii)"; in line 37, by striking "(3)" and inserting "(iii)";

On page 8, in line 2, by striking "(1)" and inserting "(i)"; in line 4, by striking "(2)" and inserting "(ii)"; in line 6, by striking "(3)" and inserting "(iii)"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 258** be amended on page 1, in line 13, following the period by inserting "Nothing in this section shall allow an employee of a state university to provide advice or recommendations which would directly effect such employee's financial benefit."; and the bill be passed as amended.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Monday, January 30, 2012.

Journal of the Senate

FIFTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 30, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-nine senators present.
Senator Olson was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

If you could arrange for me to hear just one of the following statements from a constituent, it would really make my day:

You sure deserve a lot more pay than you get.
If ever there was an honest politician, you're the one.
You work harder than anyone I know.
That bill you voted for will cost me a bundle, but you did the right thing.
I want to make a generous contribution to your campaign, and I don't care how you vote.
Since my children have gotten to know you, they all want to be legislators when they grow up.
As I said before, Lord, any one of them.

I pray in the name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 354, AN ACT enacting the cannabis compassion and care act; providing for the legal use of cannabis for certain debilitating medical conditions; providing for the registration and functions of compassion centers; authorizing the issuance of identification cards; establishing the compassion board; providing for administration of the act by the department of health and environment; amending K.S.A. 79-5210 and repealing the existing section, by Committee on Federal and State Affairs.

SB 355, AN ACT concerning labor; relating to employment standards; accident prevention; powers and duties of the secretary of labor regarding labor and wage disputes and workplace inspections; amending K.S.A. 2011 Supp. 44-324, 44-5,104,

44-634 and 44-636 and repealing the existing sections; also repealing K.S.A. 44-603, 44-617, 44-625 and 44-628 and K.S.A. 2011 Supp. 44-601b, 44-607, 44-608, 44-609, 44-610, 44-611, 44-612, 44-614, 44-615, 44-616, 44-618, 44-619, 44-620, 44-621, 44-623, 44-624, 44-626 and 44-631, by Committee on Commerce.

SB 356, AN ACT concerning amusement rides; relating to regulation of home-owned amusement rides; amending K.S.A. 2011 Supp. 44-1601 and 44-1613 and repealing the existing sections, by Committee on Commerce.

SB 357, AN ACT concerning agriculture; relating to soil erosion caused by wind; duties of county commissioners, conservations districts; amending K.S.A. 2-2004 and repealing the existing section, by Committee on Agriculture.

CHANGE OF REFERENCE

The President withdrew **SB 91** from the Committee on **Public Health and Welfare**, and referred the bill to the Committee on **Judiciary**.

MESSAGE FROM THE GOVERNOR

January 26, 2012

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Order No. 12-01 for your information.

With Warm Regards,

Sam Brownback
Governor

The President announced Executive Order No. 12-01, regarding regional emergencies, is on file in the office of the Secretary of the Senate and is available for review at any time.

COMMUNICATIONS FROM STATE OFFICERS

SENATE PRESIDENT

January 30, 2012

Effective today, the following senators are members of the Senate Select Committee on KPERS:

Steve Morris, Chair
Jeff King, Vice Chair
Terrie Huntington
Jeff Longbine
Bob Marshall
Ty Masterson

Ruth Teichman
John Vratil
Laura Kelly, Ranking Minority
Anthony Hensley

If you have any questions, please contact my office.

Sincerely,

Stephen R. Morris
Senate President

REPORT ON ENROLLED BILLS

SR 1807 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 30, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 274** be amended on page 3, in line 7, by striking "one" and inserting "a"; in line 9, by striking "shall" and inserting "may, at the director's discretion,"; in line 10, by striking all after "event"; in line 11, by striking all before the period and inserting ", but in no event shall such permit be issued for a period of time that exceeds 30 consecutive days";

Also on page 3, following line 14, by inserting:

"(h) Upon written permission from the director and within three business days after the end of an event conducted pursuant to a temporary permit, the holder of a temporary permit may sell back to the licensee from whom alcoholic liquor was purchased any alcoholic liquor sold to the holder of the temporary permit for such event.";

And by relettering the remaining subsections accordingly; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 303** be amended on page 2, in line 32, after "establishment" by inserting ", branch establishment or crematory"; and the bill be passed as amended.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Tuesday, January 31, 2012.

Journal of the Senate

SIXTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 31, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-nine senators present.
Senator Ostmeyer was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Some folks are quick to tell me
As Chaplain of the Senate,
No one needs more prayer
Than the people who are in it.

But some Senators reply
That the people over there
Should listen to their Chaplain;
Representatives need her prayer.

Both Houses do agree
That on the second floor
When it comes to praying
No one needs it more.

While across the street the judges
Say it's human nature
That the people I should pray for
Are in the Legislature.

But it seems that I remember
When praying for redemption,
It's always been Your custom, Lord,
To provide for no exemptions.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 358, AN ACT concerning alcoholic beverages; relating to manufacturer licenses; permitting tastings by such licensees; amending K.S.A. 2011 Supp. 41-305 and repealing the existing section, by Committee on Federal and State Affairs.

SB 359, AN ACT concerning interest on judgments; amending K.S.A. 16-201 and repealing the existing section, by Committee on Judiciary.

SB 360, AN ACT concerning the state child death review board; amending K.S.A. 22a-243 and repealing the existing section, by Committee on Judiciary.

SB 361, AN ACT concerning schools; creating the excellence in education act; relating to career technical education; relating to teacher certification; relating to school employee performance and evaluation; amending K.S.A. 12-1677, 72-1412, 72-1413, 72-1414, 72-1415, 72-4417, 72-4419, 72-4463, 72-5333b, 72-6622, 72-6757, 72-8189, 72-8230, 72-8233, 72-8236, 72-8309, 72-8908, 72-9004 and 72-9005 and K.S.A. 2011 Supp. 10-1116a, 71-201, 71-609, 72-978, 72-1046b, 72-1398, 72-3607, 72-3712, 72-3715, 72-3715, as amended by section 50 of this act, 72-5413, 72-6414a, 72-6414b, 72-6420, 72-6421, 72-6423, 72-6426, 72-6460, 72-64b01, 72-64c03, 72-6624, 72-6625, 72-67,115, 72-8187, 72-8237, 72-8250, 72-8251, 72-8302, 72-8316, 72-8319, 72-8415b, 72-8814, 72-9002, 72-9003, 72-9509, 72-9608, 72-9609, 74-32,141, 74-4939a, 75-2319 and 79-201x and repealing the existing sections; also repealing K.S.A. 72-6406, 72-6408, 72-6411, 72-6415, 72-6416, 72-6418, 72-6419, 72-6422, 72-6424, 72-6427, 72-6429, 72-6432, 72-6436, 72-6437, 72-6444, 72-6446 and 72-6447 and K.S.A. 2011 Supp. 46-3401, 46-3402, 72-6405, 72-6407, 72-6409, 72-6410, 72-6412, 72-6413, 72-6414, 72-6414a, 72-6414b, 72-6415b, 72-6417, 72-6420, 72-6421, 72-6423, 72-6425, 72-6426, 72-6428, 72-6430, 72-6431, 72-6433, 72-6433d, 72-6434, 72-6434b, 72-6435, 72-6438, 72-6439, 72-6439a, 72-6441, 72-6442b, 72-6443, 72-6445a, 72-6448, 72-6449, 72-6450, 72-6451, 72-6452, 72-6453, 72-6454, 72-6455, 72-6456, 72-6457, 72-6458, 72-6459 and 72-6460, by Committee on Education.

SB 362, AN ACT concerning the revised Kansas code for care of children; relating to certain persons making reports of abuse or neglect of children; amending K.S.A. 2011 Supp. 38-2223 and repealing the existing section, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **SB 355**.

Federal and State Affairs: **SB 356**.

Natural Resources: **SB 357**.

Public Health and Welfare: **SB 354**.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 272** be amended on page 1, by striking all in lines 6 through 36;

On page 2, by striking all in line 1;

And renumbering sections accordingly;

Also on page 2, in line 21, after "term" by inserting ", except when the term permit may be no longer exercised because of an order of the chief engineer,";

On page 3, in line 27, after "(ii)" by inserting "500% of"; in line 27, after the second "the" by inserting "annual"; also in line 35, after "subsection," by inserting "except when the base water right is suspended due to the issuance of a two-year term permit in a designated drought emergency area for 2011 and 2012,";

On page 4, in line 24, by striking "the" and inserting "a";

On page 5, in line 40, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line one, by striking all after "to"; in line 2, by striking all before "multi-year"; and the bill be passed as amended.

Also, **SB 289** be amended on page 1, in line 7, by striking "Sec. 1." and inserting "Section 1."; in line 16, after the second "and" by inserting "compliance with the";

On page 2, in line 26, after "state" by inserting "consistent";

On page 4, in line 14, after the second "and" by inserting "compliance with the"; in line 33, after the second "a" by inserting "plea agreement or a"; in line 34, by striking "conviction" and inserting "further criminal proceedings on a complaint alleging a violation";

On page 5, in line 16, after "regarding" by inserting "controlled"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **SB 264** be passed.

Committee on **Ways and Means** recommends **SB 294** be passed.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Wednesday, February 1, 2012.

Journal of the Senate

SEVENTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 1, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.

The roll was called with thirty-nine senators present.

Senator Ostmeyer was excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

I wonder what Jesus would do if He were a member of the Kansas Senate.

Of course I cannot presume to know exactly what He would do, but He gave us some hints the last time He was on earth. I think I would be safe to say that He would be full of surprises.

I think He would surprise a lot of people by the kind of folks with whom He would socialize.

I suspect He would surprise us at how much time He would spend with those who could not contribute and children who cannot vote.

In which case He probably would not be re-elected. However, He might surprise us in that, too.

On the other hand, before we decide to imitate Him, perhaps we should count the cost. The last time He was on this earth He completed only three years of His term! And that was to benefit others.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 363, AN ACT concerning racial or other biased-based policing; amending K.S.A. 2011 Supp. 22-4606, 22-4609, 22-4610, 22-4611, 22-4611a and 22-4611b and repealing the existing sections, by Committee on Federal and State Affairs.

SB 364, AN ACT concerning school districts; relating to changes to the school finance formula; amending K.S.A. 2011 Supp. 72-3607, 72-6407, 72-6410, 72-6412, 72-6414a, 72-6414b, 72-6421, 72-6423, 72-6426, 72-6431, 72-6433, 72-6434, 72-6441, 72-6449, 72-6451, 72-6460, 72-8237, 72-9509, 72-9609 and 79-201x and repealing the existing sections, by Committee on Education.

SB 365, AN ACT concerning property taxation; relating to exemptions; health clubs; amending K.S.A. 2011 Supp. 79-201 and repealing the existing section, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 361**.

Federal and State Affairs: **SB 358**.

Judiciary: **SB 359**, **SB 360**.

Public Health and Welfare: **SB 362**.

CHANGE OF REFERENCE

The President withdrew **SB 357** from the Committee on **Natural Resources**, and referred the bill to the Committee on **Agriculture**.

MESSAGE FROM THE HOUSE

Announcing passage of **SB 191**, as amended by **House Substitute for SB 191**.

Announcing passage of **HB 2273**, **HB 2428**, **HB 2490**.

INTRODUCTION OF HOUSE BILLS

HB 2273, **HB 2428**, **HB 2490** were thereupon introduced and read by title:

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Huntington introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1808—

A RESOLUTION congratulating Shawnee Mission North High School's Naval Junior Reserve Officer Training Corps program.

WHEREAS, The Shawnee Mission North High School's Naval Junior Reserve Officer Training Corps (NJROTC) program is nationally recognized as one of the top five programs in the entire nation. The focus of the program is to develop students' essential life skills, such as selflessness, commitment, responsibility, accountability, leadership and self-discipline. Shawnee Mission North High School's NJROTC program is one of 630 NJROTC programs in the United States. Currently, 152 students ranging from freshmen to seniors participate in Shawnee Mission North High School's NJROTC program; and

WHEREAS, Shawnee Mission North High School's NJROTC program has been one of 25 teams from around the United States selected to participate in the NJROTC national competition for the past six years. Shawnee Mission North High School's NJROTC program was selected to participate in the 2006 national competition and finished 25th overall. In 2007, Shawnee Mission North High School's NJROTC program earned first for armed exhibition drill, received the award for overall drill champion and finished fifth overall at nationals. In 2008, the program earned first in color guard, first in armed regulation drill and finished seventh overall in the national competition. During the 2009 national competition, the program received first for color guard, armed

regulation drill, armed exhibition drill and sit-ups, was named national drill champions and finished third overall. The program received the same awards during the 2010 national competition and placed second overall; and

WHEREAS, Shawnee Mission North High School's NJROTC program finished fifth overall at the 2011 national competition, earning first in color guard, armed regulation drill, sit-ups and push-ups; and

WHEREAS, Chief Warrant Officer Dennis Grayless and Chief Petty Officer Christopher Neven are the coaches for the excellent and accomplished Shawnee Mission North High School's NJROTC program. Both Chief Warrant Officer Grayless and Chief Petty Officer Neven serve as dedicated role models that provide guidance and leadership to the future military officers of the Shawnee Mission North High School's NJROTC program; and

WHEREAS, The cadets representing Shawnee Mission North High School's NJROTC program during the 2011 NJROTC Nationals were: Cadet Noe Alvarez, Cadet Jonathan Altamirano, Cadet Chris Dyche, Cadet Mark Byrd, Cadet Jack Currie, Cadet AJ Reek, Cadet Dylan Rogers, Cadet Luis Gomez, Cadet Sada Kernodle, Cadet Aoifa Mooney, Cadet Sadee Whitaker, Cadet Andrew Nelson, Cadet Daran Wankum, Cadet Jordan Yearsley, Cadet Carlos Nieto, Cadet Angel Guitierrez, Cadet Jesse Patterson, Cadet Ben Muller, Cadet Alex Theissen, Cadet Emily Stava, Cadet Alexis Beck, Cadet Miranda Taylor, Cadet Sabrina Gragg, Cadet Michaela Krzesinski, Cadet Schecania Morinville, Cadet Kylie Wilcox, Cadet Henry Bell, Cadet Jake Buchanan, Cadet Erin Bridges, Cadet Josh Humphrey, Cadet Tyler Hagan, Cadet Mac Bruce, Cadet Autumn Coleman, Cadet Sam Remick, Cadet Anna Whitaker, Cadet Kaitlyn Tieman, Cadet Cody Cress, Cadet Jenny Earnest, Cadet Jacob McDermott and Cadet Conor Mooney: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate Shawnee Mission North High School's Naval Junior Reserve Officer Training Corps program and recognize that such program has earned a reputation of excellence within the state of Kansas; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Huntington.

On emergency motion of Senator Huntington **SR 1808** was adopted unanimously.

Senator Huntington introduced Dr. Gene Johnson, Richard Kramer, Dennis Grayless and Christopher Neven and congratulated the Shawnee Mission North High School's Naval Junior Reserve Officers' Training Corps program. The guests were acknowledged by the Senate with a standing ovation.

Senators Apple, King and Marshall introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1809—

A RESOLUTION congratulating Ottawa City Manager Richard Nienstedt as the 2011 recipient of the Buford Watson, Jr. Award for Excellence in Public Management.

WHEREAS, During the 2011 annual conference of the Kansas Association of City/County Management, Ottawa City Manager Richard Nienstedt was the 2011 recipient of the Buford Watson, Jr. Award for Excellence in Public Management. The Buford Watson, Jr. Award for Excellence in Public Management was established in

1980 and is awarded annually by the Kansas Association of City/County Management to a local government manager who has displayed the attributes of the late Buford M. Watson, Jr., the former city manager of Lawrence, Kansas. Such attributes include service as a role model in dealing with constituents, valuing customer satisfaction and encouraging new members of the profession; and

WHEREAS, Ottawa City Manager Richard Nienstedt embodies the values that city management professionals across Kansas hold dear. Mr. Nienstedt has developed ways to better serve the citizens in the communities he has worked for by enhancing customer service and organizational responsiveness. He has also served as a role model for younger people in the public management profession; and

WHEREAS, Ottawa City Manager Richard Nienstedt has always been a public servant. His commitment to public service began with military service in the United States Air Force. Mr. Nienstedt's desire to make a difference led him to Emporia State University and later to Wichita State University, where he served as a graduate assistant at the Hugo Wall School of Urban and Public Affairs. Upon graduation from Wichita State University, Mr. Nienstedt served as a management intern for the City of Wichita's Department of Housing and Economic Development; and

WHEREAS, From 1980 to 1983, Mr. Nienstedt had the unique pleasure of being one of the last professional managers in Kansas to serve as a "shared" city administrator for two communities at the same time when he served as the city administrator for both the City of Maize, Kansas and City of North Newton, Kansas; and

WHEREAS, Mr. Nienstedt later moved on to manage the City of Stockton, Kansas. From Stockton, Mr. Nienstedt transitioned to the position of city manager of Concordia, Kansas, where he was instrumental in establishing a number of city policies which are still being utilized today; and

WHEREAS, In 1993, Mr. Nienstedt was named city manager for the City of Fort Scott, Kansas. On March 11, 2005, a massive fire raged through Fort Scott's historic downtown, in which nine buildings were destroyed. While no one was injured, the fire damage and destruction to the historic downtown was vast. However, Mr. Nienstedt emerged from this tragic community event as a true city leader: Mr. Nienstedt, his staff and the Fort Scott Area Chamber of Commerce created the Fort Scott Community Visioning Program. Downtown Fort Scott, Kansas is now enjoying the final stages of a remarkable makeover that began under Mr. Nienstedt's leadership; and

WHEREAS, Mr. Nienstedt continues to serve as city manager for the City of Ottawa, Kansas, where he began in 2007. He continues to provide the leadership for which he has been known for over 30 years: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate Ottawa City Manager Richard Nienstedt as the 2011 recipient of the Buford Watson, Jr. Award for Excellence in Public Management; and

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution to Senator Apple, Senator Marshall, Mr. Nienstedt and the Kansas Association of City/County Management.

On emergency motion of Senator Apple **SR 1809** was adopted unanimously.

Senator Apple introduced and congratulated Richard Nienstedt, Ottawa City Manager for being the 2011 recipient of the Buford Watson, Jr. Award for Excellence in Public Management. The Senate recognized his achievement with a standing ovation.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **SB 263** be passed.

Committee on **Public Health and Welfare** recommends **SB 324** be amended on page 3, in line 22, after the semicolon by inserting "and"; in line 23, by striking "or";

On page 7, in line 38, by striking "except retail dealer"; in line 39, by striking "permits"; in line 41, by striking "Retail dealers' permits shall expire"; by striking all in line 42; in line 43, by striking "regulations adopted by the board.": and the bill be passed as amended.

Also, **SB 325** be amended on page 1, in line 6, by striking "Sec. 1." and inserting "Section 1.";

On page 5, following line 6, by inserting:

"New Sec. 3. A controlled substance listed in schedules II through V, excluding schedule V nonnarcotic depressants that have an effect on the central nervous system, shall not be distributed on a gratuitous basis by a manufacturer or distributor to a practitioner, mid-level practitioner, pharmacist or any other person.";

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Reapportionment** recommends **SB 344** be passed.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Teichman in the chair.

On motion of Senator Teichman the following report was adopted:

Recommended **SB 207, SB 259, SB 264, SB 265, SB 275, SB 292, SB 293, SB 294, SB 297; Sub HB 2178** be passed.

SB 249, SB 270, SB 272, SB 274, SB 279, SB 280, SB 289, SB 290, SB 291, SB 303 be amended by adoption of the committee amendments, and the bills be passed as amended.

SB 258 be amended by adoption of the committee amendments, be further amended by motion of Senator Vratil on page 1, in line 6, by striking "and K.S.A. 46-237a"; in line 14, after "university" by inserting ", in such employee's capacity as a state university employee."; in line 15, after "recommendations" by inserting "in relation to the negotiated terms of an agreement."; also in line 15, by striking "effect" and inserting "affect" and **SB 258** be passed as further amended.

SB 300 be amended by adoption of the committee amendments, be further amended by motion of Senator Donovan on page 1, following line 6, by inserting:

"Section 1. K.S.A. 8-127 is hereby amended to read as follows: 8-127. (a) Every owner of a motor vehicle, motorized bicycle, trailer or semitrailer intended to be operated upon any highway in this state, whether such owner is a resident of this state or another state, or such motor vehicle, motorized bicycle, trailer or semitrailer is based in this state or another state ~~shall~~, before any such vehicle is operated in this state, ~~shall~~ apply for and obtain registration in this state under the provisions of K.S.A. 8-126 to 8-149, inclusive, and ~~acts amendatory thereof or supplemental amendments~~ thereto, except as otherwise provided by law or by any interstate contract, agreement, arrangement or declaration made by the director of vehicles.

(b) Any truck or truck tractor bearing registration of a state other than Kansas which is engaged in intrastate movements within this state shall have Kansas registration, except such vehicles which are registered under the provisions of K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments thereto, and except such vehicles as are entitled to engage in intrastate movements within this state under any interstate contract, agreement, consent, arrangement or declaration made by the director of vehicles.

(c) Whenever any person has a current motorcycle, motorized bicycle, passenger vehicle, truck or truck tractor registration and license plate for a vehicle which has been sold, traded or otherwise disposed of not later than ~~30~~ 60 days, inclusive of weekends and holidays, after acquiring another motorcycle, motorized bicycle, passenger vehicle, truck or truck tractor to which the registration and license plate will be transferred and such person has complied with all of the conditions precedent to the transfer of the registration except having the registration transferred in the office of the county treasurer, such person may operate the motorcycle, motorized bicycle, passenger vehicle, truck or truck tractor acquired for a period of not to exceed ~~30~~ 60 days, inclusive of weekends and holidays, after acquiring the same and pending transferral of registration and license plate in the office of the county treasurer by displaying the motorcycle license plate on the motorcycle acquired, the motorized bicycle license plate on the motorized bicycle acquired, the passenger vehicle license plate on the passenger vehicle acquired, or the truck or truck tractor license plate on the truck or truck tractor acquired. If the acquired vehicle is a new vehicle, such person also must carry and have in possession the assigned certificate of title or bill of sale when operating the acquired vehicle during ~~said thirty-day~~ such sixty-day period.";

Also on page 1, in line 7, by striking "Section" and inserting "Sec.";

On page 2, in line 7, by striking "30" and inserting "60";

On page 4, in line 36, by striking "60" and inserting "30";

On page 8, following line 28, by inserting:

"Sec. 3. K.S.A. 2011 Supp. 8-135c is hereby amended to read as follows: 8-135c.

(a) The provisions of this section shall be a part of and supplemental to the provisions of article 1 of chapter 8 of the Kansas Statutes Annotated, and as used in this section, the words and phrases defined by K.S.A. 8-126, and amendments thereto, shall have the meanings respectively ascribed to them therein.

(b) As used in this section:

(1) "Nonrepairable vehicle" means any motor vehicle which: (A) Has been damaged, destroyed, wrecked, burned or submerged in water to the extent that such motor vehicle is incapable of safe operation for use on roads or highways and has no resale value except as a source of parts or scrap only; or (B) the owner irreversibly designates as a source of parts or scrap;

(2) "nonrepairable vehicle certificate" means a motor vehicle ownership document issued by the division designating that vehicle a nonrepairable vehicle.

(c) (1) Except as otherwise provided by this section, the owner of a vehicle that meets the definition of a nonrepairable vehicle shall apply to the division for a nonrepairable vehicle certificate before the ownership of the motor vehicle is transferred. In no event shall such application be made more than ~~30~~ 60 days after the vehicle is determined to be a nonrepairable vehicle.

(2) Every insurance company, which pursuant to a damage settlement, acquires ownership of a vehicle that has incurred damage requiring the vehicle to be designated a

nonrepairable vehicle, shall apply to the division for a nonrepairable vehicle certificate within ~~30~~ 60 days after the title is assigned and delivered by the owner to the insurance company, with all liens released.

(3) Every insurance company which makes a damage settlement for a vehicle that has incurred damage requiring such vehicle to be designated a nonrepairable vehicle, but does not acquire ownership of the vehicle, shall notify the vehicle owner of the owner's obligation to apply to the department for a nonrepairable vehicle certificate for the motor vehicle, and shall notify the division of this fact in accordance with procedures established by the division. The vehicle owner shall apply to the division for a nonrepairable vehicle certificate within ~~30~~ 60 days after being notified by the insurance company.

(4) The lessee of any vehicle which incurs damage requiring the vehicle to be designated a nonrepairable vehicle shall notify the lessor of this fact within 30 days of the determination that the vehicle is a nonrepairable vehicle.

(5) The lessor of any motor vehicle which has incurred damage requiring the vehicle to be titled as a nonrepairable vehicle, shall apply to the division for a nonrepairable vehicle certificate within ~~30~~ 60 days after being notified of this fact by the lessee.

(6) Every person acquiring ownership of a motor vehicle that meets the definition of a nonrepairable vehicle, for which a nonrepairable vehicle certificate has not been issued, shall apply to the division for the required document prior to any further transfer of such vehicle, but in no event, more than ~~30~~ 60 days after ownership is acquired.

(7) Failure to apply for a nonrepairable vehicle certificate as provided by this subsection shall be a class C nonperson misdemeanor.

(d) (1) Upon notification of a vehicle's designation as a nonrepairable vehicle, the division shall issue a nonrepairable vehicle certificate.

(2) Each nonrepairable vehicle certificate shall contain the same identifying information and comply with format, size and security requirements applicable to certificates of title under K.S.A. 8-135, and amendments thereto, and shall be conspicuously labeled with this designation on the face of the certificate.

(3) Each application for a nonrepairable vehicle certificate shall be accompanied by the fee required for an original certificate of title under K.S.A. 8-135, and amendments thereto, and if the application is not made within the time prescribed by subsection (c), an additional fee of \$2.

(e) (1) No motor vehicle for which a nonrepairable vehicle certificate has been issued shall be titled or registered by the division for use on the roads or highways of this state.

(2) Ownership of the motor vehicle for which a nonrepairable vehicle certificate has been issued may only be transferred once.

(3) Any motor vehicle transferred through the use of a nonrepairable vehicle certificate shall be dismantled, disassembled or recycled and may not be sold as a unit at retail.

When the nonrepairable vehicle has been crushed, dismantled, disassembled or recycled and such vehicle is sold to a scrap processor for recycling after the salvageable parts have been removed, the owner shall surrender the nonrepairable vehicle certificate to the division with the word recycled written or stamped across its face and no certificate of title of any type shall be issued nor any registration allowed again for such

vehicle.

(4) A nonrepairable vehicle certificate may be used to transfer ownership of a motor vehicle 10 or more model years of age, in accordance with this section, when the owner does not have a certificate of title in the owner's possession.

(f) The secretary of the department of revenue may adopt rules and regulations as the secretary deems necessary to carry out the provisions of this section.

Sec. 4. K.S.A. 2011 Supp. 8-143 is hereby amended to read as follows: 8-143. (a) All applications for the registration of motorcycles, motorized bicycles and passenger vehicles other than trucks and truck tractors, except as otherwise provided, shall be accompanied by an annual license fee as follows:

- (1) For motorized bicycles, \$11;
- (2) for motorcycles, \$16;
- (3) for passenger vehicles, other than motorcycles, used solely for the carrying of persons for pleasure or business, and for hearses and ambulances a fee of:
 - (A) For those having a gross weight of 4,500 pounds or less, \$30; and
 - (B) for those having a gross weight of more than 4,500 pounds, \$40;
- (4) for each electrically propelled motor vehicle, except electrically propelled vehicles intended for the purpose of transporting any commodity, goods, merchandise, produce or freight, or passengers for hire, a fee of \$14.

(5) Except for motor vehicles, trailers or semitrailers registered under the provisions of K.S.A. 8-1,134, and amendments thereto, the annual registration fee for each motor vehicle, trailer or semitrailer owned by any political or taxing subdivision of this state or by any agency or instrumentality of any one or more political or taxing subdivisions of this state and used exclusively for governmental purposes and not for any private or utility purposes, which is not otherwise exempt from registration, shall be \$2.

(b) (1) As used in this subsection, the term "gross weight" shall mean and include the empty weight of the truck, or combination of the truck or truck tractor and any type trailer or semitrailer, plus the maximum weight of cargo which will be transported on or with the same, except when the empty weight of a truck plus the maximum weight of cargo which will be transported thereon is 12,000 pounds or less. The term gross weight shall not include: The weight of any travel trailer propelled thereby which is being used for private recreational purposes; or the weight of any vehicle or combination of vehicles for which wrecker or towing service, as defined in K.S.A. 66-1329, and amendments thereto, is to be provided by a wrecker or tow truck, as defined in K.S.A. 66-1329, and amendments thereto. Such wrecker or tow truck shall be registered for the empty weight of such vehicle fully equipped for the recovery or towing of vehicles. The gross weight license fees hereinafter prescribed shall only apply to the truck or truck tractor used as the propelling unit for the cargo and vehicle propelled, either as a single vehicle or combination of vehicles. On application for the registration of a truck or truck tractor, the owner thereof shall declare as a part of such application the maximum gross weight the owner desires to be applicable to such vehicle, which declared gross weight in no event shall be in excess of the limitations described by K.S.A. 8-1908 and 8-1909, and amendments thereto, for such vehicle or combination of vehicles of which it will be a part. All applications for the registration of trucks or truck tractors, except as otherwise provided herein, shall be accompanied by an annual license fee as follows:

- (A) Prior to January 1, 2013:

For a gross weight of 12,000 lbs. or less	\$40
For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs.	102
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs.	132
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs.	197
For a gross weight of more than 24,000 lbs. and not more than 26,000 lbs.	312
For a gross weight of more than 26,000 lbs. and not more than 30,000 lbs.	312
For a gross weight of more than 30,000 lbs. and not more than 36,000 lbs.	375
For a gross weight of more than 36,000 lbs. and not more than 42,000 lbs.	475
For a gross weight of more than 42,000 lbs. and not more than 48,000 lbs.	605
For a gross weight of more than 48,000 lbs. and not more than 54,000 lbs.	805
For a gross weight of more than 54,000 lbs. and not more than 60,000 lbs.	1,010
For a gross weight of more than 60,000 lbs. and not more than 66,000 lbs.	1,210
For a gross weight of more than 66,000 lbs. and not more than 74,000 lbs.	1,535
For a gross weight of more than 74,000 lbs. and not more than 80,000 lbs.	1,735
For a gross weight of more than 80,000 lbs. and not more than 85,500 lbs.	1,935
(B) On January 1, 2013, through December 31, 2013:	
For a gross weight of 12,000 lbs. or less	\$40
For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs.	152
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs.	182
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs.	247
For a gross weight of more than 24,000 lbs. and not more than 26,000 lbs.	362
For a gross weight of more than 26,000 lbs. and not more than 30,000 lbs.	362
For a gross weight of more than 30,000 lbs. and not more than 36,000 lbs.	425
For a gross weight of more than 36,000 lbs. and not more than 42,000 lbs.	525
For a gross weight of more than 42,000 lbs. and not more than 48,000 lbs.	655

For a gross weight of more than 48,000 lbs. and not more than 54,000 lbs.	855
For a gross weight of more than 54,000 lbs. and not more than 60,000 lbs.	1,095
For a gross weight of more than 60,000 lbs. and not more than 66,000 lbs.	1,295
For a gross weight of more than 66,000 lbs. and not more than 74,000 lbs.	1,620
For a gross weight of more than 74,000 lbs. and not more than 80,000 lbs.	1,820
For a gross weight of more than 80,000 lbs. and not more than 85,500 lbs.	2,020
(C) On January 1, 2014:	
For a gross weight of 12,000 lbs. or less	\$40
For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs.	202
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs.	232
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs.	297
For a gross weight of more than 24,000 lbs. and not more than 26,000 lbs.	412
For a gross weight of more than 26,000 lbs. and not more than 30,000 lbs.	412
For a gross weight of more than 30,000 lbs. and not more than 36,000 lbs.	475
For a gross weight of more than 36,000 lbs. and not more than 42,000 lbs.	575
For a gross weight of more than 42,000 lbs. and not more than 48,000 lbs.	705
For a gross weight of more than 48,000 lbs. and not more than 54,000 lbs.	905
For a gross weight of more than 54,000 lbs. and not more than 60,000 lbs.	1,145
For a gross weight of more than 60,000 lbs. and not more than 66,000 lbs.	1,345
For a gross weight of more than 66,000 lbs. and not more than 74,000 lbs.	1,670
For a gross weight of more than 74,000 lbs. and not more than 80,000 lbs.	1,870
For a gross weight of more than 80,000 lbs. and not more than 85,500 lbs.	2,070

(2) If the applicant for registration of any truck or truck tractor for a gross weight of more than 12,000 pounds is the state of Kansas or any political or taxing subdivision or agency of the state, except a city or county, whose truck or truck tractor is not otherwise entitled to the \$2 license fee or otherwise exempt from all fees, such vehicle may be licensed for a fee in accordance with the schedule hereinafter prescribed for local trucks

or truck tractors.

(3) If the applicant for registration of any truck or truck tractor for a gross weight of more than 12,000 pounds shall under oath state in writing on a form prescribed and furnished by the director of vehicles that the applicant does not expect to operate it more than 6,000 miles in the calendar year for which the applicant seeks registration, and that if the applicant shall operate it more than 6,000 miles during such registration year such applicant will pay an additional fee equal to the fee required by the schedule under paragraph (1), less the amount of the fee paid at time of registration, such vehicle may be licensed for a fee in accordance with the schedule prescribed for local trucks or truck tractors. Whenever a truck or truck tractor is registered on a local truck or truck tractor fee basis a tab or marker shall be issued in connection with the regular license plate, which tab or marker shall be attached or affixed to and displayed with the regular license plate and the failure to have the same attached, affixed or displayed shall be subject to the same penalties as provided by law for the failure to display the regular license plate; and the secretary of revenue may adopt rules and regulations requiring the owners of trucks and truck tractors so registered on a local truck or truck tractor fee basis to keep such records and make such reports of mileage of such vehicles as the secretary of revenue shall deem proper.

(4) A transporter delivering vehicles not the transporter's own by the driveway method where such vehicles are being driven, towed; or transported singly, or by the saddlemount, towbar; or fullmount methods, or by any lawful combination thereof, may apply for license plates which may be transferred from one such vehicle or combination to another for each delivery without further registration, and the annual license fee for such license plate shall be as follows:

- (A) Prior to January 1, 2013:
 - For the first such set of license plates..... 44
 - For each additional such set of license plates 18
- (B) On January 1, 2013, through December 31, 2013:
 - For the first such set of license plates \$54
 - For each additional such set of license plates 28
- (C) On January 1, 2014:
 - For the first such set of license plates \$64
 - For each additional such set of license plates 38

(5) A truck or truck tractor registered for a gross weight of more than 12,000 pounds, which is operated wholly within the corporate limits of a city or village or within a radius of 25 miles beyond the corporate limits, shall be classified as a local truck except that in no event shall such vehicles operated as contract or common carriers outside a radius of three miles beyond the corporate limits of the city or village in which such vehicles were based when registered and licensed be considered local trucks or truck tractors. The secretary of revenue is hereby authorized and directed to adopt rules and regulations prescribing a procedure for the issuance of permits by the division of vehicles whereby owners of local trucks or truck tractors may operate any such vehicle, empty, beyond the radius hereinbefore prescribed, when such operation is solely for the purpose of having such vehicle repaired, painted or serviced or for adding additional equipment thereto. The annual license fee for a local truck or truck tractor, except as otherwise provided herein, shall be as follows:

- (A) Prior to January 1, 2013:

For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs.	\$62
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs.	102
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs.	132
For a gross weight of more than 24,000 lbs. and not more than 26,000 lbs.	177
For a gross weight of more than 26,000 lbs. and not more than 30,000 lbs.	177
For a gross weight of more than 30,000 lbs. and not more than 36,000 lbs.	215
For a gross weight of more than 36,000 lbs. and not more than 42,000 lbs.	245
For a gross weight of more than 42,000 lbs. and not more than 48,000 lbs.	315
For a gross weight of more than 48,000 lbs. and not more than 54,000 lbs.	415
For a gross weight of more than 54,000 lbs. and not more than 60,000 lbs.	480
For a gross weight of more than 60,000 lbs. and not more than 66,000 lbs.	580
For a gross weight of more than 66,000 lbs. and not more than 74,000 lbs.	760
For a gross weight of more than 74,000 lbs. and not more than 80,000 lbs.	890
For a gross weight of more than 80,000 lbs. and not more than 85,500 lbs.	1,010
(B) On January 1, 2013, through December 31, 2013:	
For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs.	\$112
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs.	152
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs.	182
For a gross weight of more than 24,000 lbs. and not more than 26,000 lbs.	227
For a gross weight of more than 26,000 lbs. and not more than 30,000 lbs.	227
For a gross weight of more than 30,000 lbs. and not more than 36,000 lbs.	265
For a gross weight of more than 36,000 lbs. and not more than 42,000 lbs.	295
For a gross weight of more than 42,000 lbs. and not more than 48,000 lbs.	365
For a gross weight of more than 48,000 lbs. and not more than 54,000 lbs.	465

For a gross weight of more than 54,000 lbs. and not more than 60,000 lbs.	565
For a gross weight of more than 60,000 lbs. and not more than 66,000 lbs.	665
For a gross weight of more than 66,000 lbs. and not more than 74,000 lbs.	845
For a gross weight of more than 74,000 lbs. and not more than 80,000 lbs.	975
For a gross weight of more than 80,000 lbs. and not more than 85,500 lbs.	1,095

(C) On January 1, 2014:

For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs.	\$162
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs.	202
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs.	232
For a gross weight of more than 24,000 lbs. and not more than 26,000 lbs.	277
For a gross weight of more than 26,000 lbs. and not more than 30,000 lbs.	277
For a gross weight of more than 30,000 lbs. and not more than 36,000 lbs.	315
For a gross weight of more than 36,000 lbs. and not more than 42,000 lbs.	345
For a gross weight of more than 42,000 lbs. and not more than 48,000 lbs.	415
For a gross weight of more than 48,000 lbs. and not more than 54,000 lbs.	515
For a gross weight of more than 54,000 lbs. and not more than 60,000 lbs.	615
For a gross weight of more than 60,000 lbs. and not more than 66,000 lbs.	715
For a gross weight of more than 66,000 lbs. and not more than 74,000 lbs.	895
For a gross weight of more than 74,000 lbs. and not more than 80,000 lbs.	1,025
For a gross weight of more than 80,000 lbs. and not more than 85,500 lbs.	1,145

(6) A truck or truck tractor registered for a gross weight of more than 12,000 pounds, which is owned by a person engaged in farming and which truck or truck tractor is used by such owner to transport agricultural products produced by such owner or commodities purchased by such owner for use on the farm owned or rented by the owner of such farm truck or truck tractor, shall be classified as a farm truck or truck tractor and the annual license fee for such farm truck shall be as follows:

(A) Prior to January 1, 2013:

For a gross weight of more than 12,000 lbs. and not

more than 16,000 lbs.	\$37
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs.	42
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs.	52
For a gross weight of more than 24,000 lbs. and not more than 26,000 lbs.	72
For a gross weight of more than 26,000 lbs. and not more than 36,000 lbs.	72
For a gross weight of more than 36,000 lbs. and not more than 54,000 lbs.	75
For a gross weight of more than 54,000 lbs. and not more than 60,000 lbs.	190
For a gross weight of more than 60,000 lbs. and not more than 66,000 lbs.	370
For a gross weight of more than 66,000 lbs.	610
(B) On January 1, 2013, through December 31, 2013:	
For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs.	\$47
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs.	92
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs.	102
For a gross weight of more than 24,000 lbs. and not more than 26,000 lbs.	122
For a gross weight of more than 26,000 lbs. and not more than 36,000 lbs.	122
For a gross weight of more than 36,000 lbs. and not more than 54,000 lbs.	125
For a gross weight of more than 54,000 lbs. and not more than 60,000 lbs.	275
For a gross weight of more than 60,000 lbs. and not more than 66,000 lbs.	455
For a gross weight of more than 66,000 lbs.	695
(C) On January 1, 2014:	
For a gross weight of more than 12,000 lbs. and not more than 16,000 lbs.	\$57
For a gross weight of more than 16,000 lbs. and not more than 20,000 lbs.	142
For a gross weight of more than 20,000 lbs. and not more than 24,000 lbs.	152
For a gross weight of more than 24,000 lbs. and not more than 26,000 lbs.	172
For a gross weight of more than 26,000 lbs. and not more than 36,000 lbs.	172
For a gross weight of more than 36,000 lbs. and not more than 54,000 lbs.	175

For a gross weight of more than 54,000 lbs. and not more than 60,000 lbs. 325
 For a gross weight of more than 60,000 lbs. and not more than 66,000 lbs. 505
 For a gross weight of more than 66,000 lbs. 745

A vehicle licensed as a farm truck or truck tractor may be used by the owner thereof to transport, for charity and without compensation of any kind, commodities for religious or educational institutions. A truck which is licensed as a farm truck may also be used for the transportation of sand, gravel, slag stone, limestone, crushed stone, cinders, black top, dirt or fill material to a township road maintenance or construction site of the township in which the owner of such truck resides. Any applicant for registration of any farm truck or farm truck tractor used in combination with a trailer or semitrailer shall register the farm truck or farm truck tractor for a gross weight which shall include the empty weight of the truck or truck tractor or of the combination of any truck or truck tractor and any type of trailer or semitrailer, plus the maximum weight of cargo which will be transported on or with the same. The applicant for registration of any farm truck or farm truck tractor used to transport a gross weight of more than 54,000 pounds shall durably letter on the side of the motor vehicle the words "farm vehicle—not for hire." If an applicant for registration of any farm truck or farm truck tractor operates such vehicle for any use or purpose not authorized for a farm truck or farm truck tractor, such applicant shall pay an additional fee equal to the fee required for the registration of all trucks or truck tractors not registered as local, 6,000-mile or farm truck or farm truck tractor motor vehicles, less the amount of the fee paid at time of registration. Nothing in this or the preceding paragraph shall authorize a gross weight of a vehicle or combination of vehicles on the national system of interstate and defense highways greater than permitted by laws of the United States congress.

(7) Except as hereinafter provided, the annual license fee for each local urban transit bus used in local urban transit operations exempted under the provisions of subsection (a) of K.S.A. 66-1,109, and amendments thereto, shall be based on the passenger seating capacity of the bus and shall be as follows:

(A) Prior to January 1, 2013:
 8 or more, but less than 31 passengers \$15
 31 or more, but less than 40 passengers 30
 More than 39 passengers 60
 (B) On January 1, 2013, through December 31, 2013:
 8 or more, but less than 31 passengers \$25
 31 or more, but less than 40 passengers 40
 More than 39 passengers 70
 (C) On January 1, 2014:
 8 or more, but less than 31 passengers \$35
 31 or more, but less than 40 passengers 50
 More than 39 passengers 80

The annual license fee for each local urban transit bus which is owned by a metropolitan transit authority established pursuant to articles 25 and 28 of chapter 12 or pursuant to article 31 of chapter 13 of the Kansas Statutes Annotated shall be \$2.

(8) For licensing purposes, station wagons with a carrying capacity of less than 10 passengers shall be subject to registration fees based on the weight of the vehicles, as

provided in subsection (a). Station wagons with a carrying capacity of 10 or more passengers shall be subject to the truck classifications and license fees as provided.

(9) For any trailer, semitrailer, travel trailer or pole trailer the annual license fee shall be as follows:

(A) (i) Until January 1, 2013, for any such vehicle with a gross weight of more than 12,000 pounds the annual fee shall be \$35;

(ii) On January 1, 2013, for any such vehicle with a gross weight of more than 12,000 pounds but less than 54,000 pounds the annual fee shall be \$45, on January 1, 2014, \$55;

(B) any such vehicle grossing more than 8,000 pounds but not over 12,000 pounds, the annual fee shall be \$25, on January 1, 2013, \$35, on January 1, 2014, \$45;

(C) for any such vehicle grossing more than 2,000 pounds but not over 8,000 pounds, the annual fee shall be \$15, on January 1, 2013, \$25, on January 1, 2014, \$35.

Any such vehicle having a gross weight of 2,000 pounds or less may, at the owner's option, be registered and the fee for such registration shall be as provided in paragraph (C).

Any trailer, semitrailer or travel trailer owned by a nonresident of this state and based in another state, which is properly registered and licensed in the state of residence of the owner or in the state where based, may be operated in this state without being registered or licensed in this state if the truck or truck tractor propelling the same is properly registered and licensed in this state, or is registered and licensed in some other state and is entitled to reciprocal privileges of operation in this state, but this provision shall not apply to any trailer or semitrailer owned by a nonresident of this state when such trailer or semitrailer is owned by a person who has proportionately registered and licensed a fleet of vehicles under the provisions of K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments thereto, or under the terms of any reciprocal or proration agreement made pursuant thereto.

At the option of the owner, any trailer, semitrailer or pole trailer, with a gross weight of more than 12,000 pounds, may be issued a multi-year registration for a five-year period upon payment of the appropriate registration fee. The fee for a five-year registration of such trailer shall be five times the annual fee for such trailer. If the annual registration fee is increased during the multi-year registration period, the owner of the trailer with such multi-year registration shall be subject to the amount of the increase of the annual registration fee for the remaining calendar years of such multi-year registration. When the owner of any trailer, semitrailer or pole trailer registered under this multi-year provision transfers or assigns the title, or interest thereto, the registration of such trailer shall expire. The owner shall remove the license plate from such trailer and forward the license plate to the division of vehicles or may have such license plate assigned to another trailer, semitrailer or pole trailer upon the payment of fees required by law. Any owner of a trailer, semitrailer or pole trailer where the multi-year registration fee has been paid and the trailer is sold, junked, repossessed, foreclosed by a mechanic's lien or title transferred by operation of law, and the registration thereon is not going to be transferred to another trailer, may secure a refund for the registration fee for the remaining calendar years by making application to the division of vehicles on a form and in the manner prescribed by the director of vehicles. The secretary of revenue may adopt such rules and regulations necessary to implement the multi-year registration of such trailers, semitrailers and pole trailers.

(c) Any truck or truck tractor having a gross weight of 4,000 pounds or over, using solid tires, shall pay a license fee of double the amount herein charged. The annual fees herein provided for trucks, truck tractors and trailers not subject to K.S.A. 8-134a, and amendments thereto, shall be due January 1 of each year and payable on or before the last day of February in each year. If the fee is not paid by such date a penalty of \$1 shall be added to the fee charged herein for each month or fraction thereof and until December 31 of each registration year. The annual registration fee for all passenger vehicles and vehicles subject to K.S.A. 8-134a, and amendments thereto, shall be due on or before the last day of the month in which the registration plate expires and shall be due for other vehicles as provided by K.S.A. 8-134, and amendments thereto. If the registration fee is not paid by such date a penalty of \$1 shall be added to the fee charged herein for each month or fraction thereof until such registration fee is paid. Members of the armed forces of the United States shall be permitted to apply for registration at any time and be subject to registration fee, less penalties, applicable at the time the application is made. If any motorcycle, motorized bicycle, trailer, semitrailer, travel trailer, or pole trailer is either purchased or acquired after the anniversary or renewal date in any registration year there shall immediately become due and payable a registration fee as follows: If purchased or acquired between the anniversary or renewal date of any registration year and the first six months of such registration year, the annual fee hereinbefore provided; if purchased or acquired during the last six months of any registration year, 50% of such annual fee. If any truck or truck tractor, except trucks subject to K.S.A. 8-134a, and amendments thereto, is purchased or acquired prior to April 1 of any year the fee shall be the annual fee hereinbefore provided, but if such truck or truck tractor is purchased or acquired after the end of March of any year, the license fee for such year shall be reduced $\frac{1}{12}$ for each calendar month which has elapsed since the beginning of the year. If any truck registered for a gross weight of 12,000 pounds or less or passenger vehicle is purchased or acquired and less than 12 months remain in the registration period, the fee shall be $\frac{1}{12}$ of the annual fee for each calendar month remaining in the registration period.

(d) The owner of any motorcycle, motorized bicycle, passenger vehicle, truck, truck tractor, trailer, semitrailer, or electrically propelled vehicle who fails to pay the registration fee or fees herein provided on the date when the same become due and payable shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a penalty in the sum of \$1 for each month or fraction thereof during which such fee has remained unpaid after it became due and payable; and in addition thereto shall be subject to such other punishment as is provided in this act. Upon the transfer of motorcycles, motorized bicycles, passenger vehicles, trailers, semitrailers, trucks or truck tractors, on which registration fees have been paid for the year in which the transfer is made, either (1) to a corporation by one or more persons, solely in exchange for stock or securities in such corporation, or (2) by one corporation to another corporation when all of the assets of such corporation are transferred to the other corporation, then in either case (1) or case (2) the corporation shall be exempt from the payment of registration fees on such vehicles for the year in which such transfer is made. Applications for transfer or registration shall be accompanied by a fee of \$1.50. When the registration of a vehicle has expired at midnight on the last day of any registration year, and such vehicle is not thereafter operated upon the highways, any application for renewal of registration made subsequent to the anniversary or renewal

date of any registration year following the expiration of such registration and for succeeding registration years in which such vehicle has not been registered shall be accompanied by an affidavit of nonoperation and nonuse, and such application for renewal or registration shall be received by the division of vehicles upon payment of the proper fees for the current registration year and without penalty.

(e) Any nonresident of Kansas purchasing a vehicle from a Kansas resident and desiring to secure registration on the vehicle in the state of such person's residence may make application in the office of any county treasurer for a ~~thirty-day~~ *sixty-day* temporary registration. The county treasurer upon presentation of evidence of ownership in the applicant and evidence the sales tax has been paid, if due, shall charge and collect a fee of \$3 for each ~~thirty-day~~ *sixty-day* temporary license and issue a sticker or paper registration as may be determined by the director of vehicles, and the registration so issued shall be valid for a period of ~~30~~ *60* days from the date of issuance.

(f) Any owner of any motor vehicle which is subject to taxation under the provisions of article 51 of chapter 79 of the Kansas Statutes Annotated or any other truck or truck tractor where the annual registration fee has been paid and the vehicle is sold, junked, repossessed, foreclosed by a mechanic's lien or title transferred by operation of law, and the registration thereon is not going to be transferred to another vehicle may secure a refund for the registration fee for the remaining portion of the year by making application to the division of vehicles on a form and in the manner prescribed by the director of vehicles, accompanied by all license plates and attachments issued in connection therewith. If the owner of the registration becomes deceased and the vehicle is not going to be used on the highway, and title is not being currently transferred, the proper representative of the estate shall be entitled to the refund. The refund shall be made only for the period of time remaining in the registration year from the date of completion and filing of the application with and delivery of the license plate and attachments to the division of vehicles. Where the registration is secured under a quarterly payment annual registration fee, as provided for in K.S.A. 8-143a, and amendments thereto, such refund shall be made on the quarterly fee paid and unused and all remaining quarterly payments shall be canceled. Any truck or truck tractor having the registration fee paid on quarterly payment basis, all quarterly payments due or a fraction of quarterly payment due shall be paid before title may be transferred, except that in case of death, the filing of the application and returning of the license plate and attachment shall cancel the remaining annual payments due. Whenever a truck or truck tractor, where the registration is secured on a quarterly payment of the annual registration, the one repossessing the truck or truck tractor, or foreclosing by a mechanic's lien, or securing title by court order, the mortgagor or the assigns of the mortgagor, or the one securing title may pay the balance due on date of application for title, but the payments for the remaining portion of the year shall not be canceled unless application is made and the license plate and attachments are surrendered. Nothing in this subsection shall apply when registration is secured under the provisions of K.S.A. 8-1,101 to 8-1,123, inclusive, and amendments thereto. Notwithstanding any of the foregoing provisions of this section, no refund shall be made under the provisions of this section where the amount thereof does not exceed \$5. The division of vehicles shall furnish such blank forms as may be required under the provisions of this subsection as it deems necessary to be completed by the applicant. Whenever a registration which has been secured on a quarterly basis shall be canceled as provided in this subsection, the

division of vehicles shall notify the county treasurer issuing the original registration of such cancellation so that the county treasurer may, and the county treasurer shall cancel the registration of such vehicle in the county treasurer's office and release any lien issued in connection with such registration.

(g) Every owner of a travel trailer designed for or intended to be moved upon any highway in this state shall, before the same is so moved, apply for and obtain the proper registration thereof as provided in this act, except when such unit is permitted to be moved under the special provisions relating to secured parties, manufacturers, dealers and nonresidents contained in this act. At the time of registering any travel trailer for the purpose of moving any such vehicle upon any highway in this state, the owner thereof shall indicate on the registration form whether or not such vehicle is being moved permanently to a location outside of the county in which such vehicle is being registered. No such vehicle which the owner thereof intends to move to a permanent location outside the boundaries of such county shall be registered for movement on the highways of this state until all taxes levied against such vehicle have been paid. A copy of such registration form shall be sent to the county clerk or assessor of the county to which such vehicle is being moved. When such travel trailer is used for living quarters and not operated on the highways, the owner shall be exempt from the license fees as provided in subsection (b)(9) so long as such travel trailer is not operated on the highway.

Sec. 5. K.S.A. 2011 Supp. 8-198 is hereby amended to read as follows: 8-198. (a) A nonhighway or salvage vehicle shall not be required to be registered in this state, as provided in K.S.A. 8-135, and amendments thereto, but nothing in this section shall be construed as abrogating, limiting or otherwise affecting the provisions of K.S.A. 8-142, and amendments thereto, which make it unlawful for any person to operate or knowingly permit the operation in this state of a vehicle required to be registered in this state.

(b) Upon the sale or transfer of any nonhighway vehicle or salvage vehicle, the purchaser thereof shall obtain a nonhighway certificate of title or salvage title, whichever is applicable, in the following manner:

(1) If the transferor is a vehicle dealer, as defined in K.S.A. 8-2401, and amendments thereto, and a certificate of title has not been issued for such vehicle under this section or under the provisions of K.S.A. 8-135, and amendments thereto, such transferor shall make application for and assign a nonhighway certificate of title or a salvage title, whichever is applicable, to the purchaser of such nonhighway vehicle or salvage vehicle in the same manner and under the same conditions prescribed by K.S.A. 8-135, and amendments thereto, for the application for and assignment of a certificate of title thereunder. Upon the assignment thereof, the purchaser shall make application for a new nonhighway certificate of title or salvage title, as provided in subsection (c) or (d).

(2) Except as provided in subsection (b) of K.S.A. 8-199, and amendments thereto, if a certificate of title has been issued for any such vehicle under the provisions of K.S.A. 8-135, and amendments thereto, the owner of such nonhighway vehicle or salvage vehicle may surrender such certificate of title to the division of vehicles and make application to the division for a nonhighway certificate of title or salvage title, whichever is applicable, or the owner may obtain from the county treasurer's office a form prescribed by the division of vehicles and, upon proper execution thereof, may

assign the nonhighway certificate of title, salvage title or the regular certificate of title with such form attached to the purchaser of the nonhighway vehicle or salvage vehicle. Upon receipt of the nonhighway certificate of title, salvage title or the regular certificate of title with such form attached, the purchaser shall make application for a new nonhighway certificate of title or salvage title, whichever is applicable, as provided in subsection (c) or (d).

(3) If the transferor is not a vehicle dealer, as defined in K.S.A. 8-2401, and amendments thereto, and a certificate of title has not been issued for the vehicle under this section or a certificate of title was not required under K.S.A. 8-135, and amendments thereto, the transferor shall make application to the division for a nonhighway certificate of title or salvage title, whichever is applicable, as provided in this section, except that in addition thereto, the division shall require a bill of sale or such transferor's affidavit, with at least one other corroborating affidavit, that such transferor is the owner of such nonhighway vehicle or salvage vehicle. If the division is satisfied that the transferor is the owner, the division shall issue a nonhighway certificate of title or salvage title, whichever is applicable, for such vehicle, and the transferor shall assign the same to the purchaser, who shall make application for a new nonhighway certificate of title or salvage title, whichever is applicable, as provided in subsection (c) or (d).

(c) Every purchaser of a nonhighway vehicle, whether assigned a nonhighway certificate of title or a regular certificate of title with the form specified in paragraph (2) of subsection (b) attached, shall make application to the county treasurer of the county in which such person resides for a new nonhighway certificate of title in the same manner and under the same conditions as for an application for a certificate of title under K.S.A. 8-135, and amendments thereto. Such application shall be in the form prescribed by the director of vehicles and shall contain substantially the same provisions as required for an application under subsection (c)(1) of K.S.A. 8-135, and amendments thereto. In addition, such application shall provide a place for the applicant to certify that the vehicle for which the application for a nonhighway certificate of title is made is a nonhighway vehicle and other provisions the director deems necessary. Each application for a nonhighway certificate of title shall be accompanied by a fee of \$10, and if the application is not made to the county treasurer within the time prescribed by K.S.A. 8-135, and amendments thereto, for making application for a certificate of title thereunder, an additional fee of \$2.

(d) (1) Except as otherwise provided by this section, the owner of a vehicle that meets the definition of a salvage vehicle shall apply for a salvage title before the ownership of the motor vehicle is transferred. In no event shall such application be made more than ~~30~~ 60 days after the vehicle is determined to be a salvage vehicle.

(2) Every insurance company, which pursuant to a damage settlement, acquires ownership of a vehicle that has incurred damage requiring the vehicle to be designated a salvage vehicle, shall apply for a salvage title within ~~30~~ 60 days after the title is assigned and delivered by the owner to the insurance company, with all liens released.

(3) Every insurance company which makes a damage settlement for a vehicle that has incurred damage requiring such vehicle to be designated a salvage vehicle, but does not acquire ownership of the vehicle, shall notify the vehicle owner of the owner's obligation to apply for a salvage title for the motor vehicle, and shall notify the division of this fact in accordance with procedures established by the division. The vehicle

owner shall apply for a salvage title within ~~30~~ 60 days after being notified by the insurance company.

(4) The lessee of any vehicle which incurs damage requiring the vehicle to be designated a salvage vehicle shall notify the lessor of this fact within 30 days of the determination that the vehicle is a salvage vehicle.

(5) The lessor of any motor vehicle which has incurred damage requiring the vehicle to be titled as a salvage vehicle, shall apply for a salvage title within ~~30~~ 60 days after being notified of this fact by the lessee.

(6) Every person acquiring ownership of a motor vehicle that meets the definition of a salvage vehicle, for which a salvage title has not been issued, shall apply for the required document prior to any further transfer of such vehicle, but in no event, more than ~~30~~ 60 days after ownership is acquired.

(7) Every purchaser of a salvage vehicle, whether assigned a salvage title or a regular certificate of title with the form specified in paragraph (2) of subsection (b) attached, shall make application to the county treasurer of the county in which such person resides for a new salvage title, in the same manner and under the same condition as for an application for a certificate of title under K.S.A. 8-135, and amendments thereto. Such application shall be in the form prescribed by the director of vehicles and shall contain substantially the same provisions as required for an application under subsection (c)(1) of K.S.A. 8-135, and amendments thereto. In addition, such application shall provide a place for the applicant to certify that the vehicle for which the application for salvage title is made is a salvage vehicle, and other provisions the director deems necessary. Each application for a salvage title shall be accompanied by a fee of \$10 and if the application is not made to the county treasurer within the time prescribed by K.S.A. 8-135, and amendments thereto, for making application for a certificate of title thereunder, an additional fee of \$2.

(8) Failure to apply for a salvage title as provided by this subsection shall be a class C nonperson misdemeanor.

(e) A nonhighway certificate of title or salvage title shall be in form and color as prescribed by the director of vehicles. A nonhighway certificate of title or salvage title shall indicate clearly and distinctly on its face that it is issued for a nonhighway vehicle or salvage vehicle, whichever is applicable. A nonhighway certificate of title or salvage title shall contain substantially the same information as required on a certificate of title issued under K.S.A. 8-135, and amendments thereto, and other information the director deems necessary.

(f) (1) A nonhighway certificate of title or salvage title may be transferred in the same manner and under the same conditions as prescribed by K.S.A. 8-135, and amendments thereto, for the transfer of a certificate of title, except as otherwise provided in this section. A nonhighway certificate of title or salvage title may be assigned and transferred only while the vehicle remains a nonhighway vehicle or salvage vehicle.

(2) Upon transfer or sale of a nonhighway vehicle in a condition which will allow the registration of such vehicle, the owner shall assign the nonhighway certificate of title to the purchaser, and the purchaser shall obtain a certificate of title and register such vehicle as provided in K.S.A. 8-135, and amendments thereto. No regular certificate of title shall be issued for a vehicle for which there has been issued a nonhighway certificate of title until there has been compliance with K.S.A. 8-116a, and

amendments thereto.

(3) (A) Upon transfer or sale of a salvage vehicle which has been rebuilt or restored or is otherwise in a condition which will allow the registration of such vehicle, the owner shall assign the salvage title to the purchaser, and the purchaser shall obtain a rebuilt salvage title and register such vehicle as provided in K.S.A. 8-135, and amendments thereto. No rebuilt salvage title shall be issued for a vehicle for which there has been issued a salvage title until there has been compliance with K.S.A. 8-116a, and amendments thereto, and the notice required in paragraph (3)(B) of this subsection has been attached to such vehicle.

(B) As part of the inspection for a rebuilt salvage title conducted under K.S.A. 8-116a, and amendments thereto, the Kansas highway patrol shall attach a notice affixed to the left door frame of the rebuilt salvage vehicle indicating the vehicle identification number of such vehicle and that such vehicle is a rebuilt salvage vehicle. In addition to any fee allowed under K.S.A. 8-116a, and amendments thereto, a fee of \$5 shall be collected from the owner of such vehicle requesting the inspection for the notice required under this paragraph. All moneys received under this paragraph shall be remitted in accordance with subsection (e) of K.S.A. 8-116a, and amendments thereto.

(C) Failure to apply for a rebuilt salvage title as provided by this paragraph shall be a class C nonperson misdemeanor.

(g) The owner of a salvage vehicle which has been issued a salvage title and has been assembled, reconstructed, reconstituted or restored or otherwise placed in an operable condition may make application to the county treasurer for a permit to operate such vehicle on the highways of this state over the most direct route from the place such salvage vehicle is located to a specified location named on the permit and to return to the original location. No such permit shall be issued for any vehicle unless the owner has motor vehicle liability insurance coverage or an approved self-insurance plan under K.S.A. 40-3104, and amendments thereto. Such permit shall be on a form furnished by the director of vehicles and shall state the date the vehicle is to be taken to the other location, the name of the insurer, as defined in K.S.A. 40-3103, and amendments thereto, and the policy number or a statement that the vehicle is included in a self-insurance plan approved by the commissioner of insurance, a statement attesting to the correctness of the information concerning financial security, the vehicle identification number and a description of the vehicle. Such permit shall be signed by the owner of the vehicle. Permits issued under this subsection (g) shall be prepared in triplicate. One copy shall be carried in the vehicle for which it is issued and shall be displayed so that it is visible from the rear of the vehicle. The second copy shall be retained by the county treasurer, and the third copy shall be forwarded by the county treasurer to the division of vehicles. The fee for such permit shall be \$1 which shall be retained by the county treasurer, who shall annually forward 25% of all such fees collected to the division of vehicles to reimburse the division for administrative expenses, and shall deposit the remainder in a special fund for expenses of issuing such permits.

(h) A nonhighway vehicle or salvage vehicle for which a nonhighway certificate of title or salvage title has been issued pursuant to this section shall not be deemed a motor vehicle for the purposes of K.S.A. 40-3101 to 40-3121, inclusive, and amendments thereto, except when such vehicle is being operated pursuant to subsection (g). Any person who knowingly makes a false statement concerning financial security in obtaining a permit pursuant to subsection (g), or who fails to obtain a permit when

required by law to do so is guilty of a class C misdemeanor.

(i) Any person who, on July 1, 1996, is the owner of an all-terrain vehicle, as defined in K.S.A. 8-126, and amendments thereto, shall not be required to file an application for a nonhighway certificate of title under the provisions of this section for such all-terrain vehicle, unless the person transfers an interest in such all-terrain vehicle.

(j) Any person who, on July 1, 2006, is the owner of a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, shall not be required to file an application for a nonhighway certificate of title under the provisions of this section for such work-site utility vehicle, unless the person transfers an interest in such work-site utility vehicle.";

And by renumbering sections accordingly;

On page 9, in line 8, after "K.S.A." by inserting "8-127 and K.S.A."; also in line 8, after "8-135" by inserting ", 8-135c, 8-143, 8-198";

On page 1, in the title, in line 3, after "K.S.A." by inserting "8-127 and K.S.A."; also in line 3, after "8-135" by inserting ", 8-135c, 8-143, 8-198" and **SB 300** be passed as further amended.

SR 1803, SR 1804 be adopted.

HCR 5016 be adopted.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Thursday, February 2, 2012.

Journal of the Senate

EIGHTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 2, 2012, 2:30 p.m.

The Senate was called to order by Vice President John Vratil.
The roll was called with thirty-nine senators present.
Senator Ostmeyer was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

As we mature we take pride in our ability to exercise restraint.
We learn to roll with the punches; stay calm under pressure; or as Kipling put it, "To keep our heads when all around us others are losing theirs and blaming it on us." Or in the current lingo, "Be cool, man."

I believe that composure is an admirable quality most of the time. But you, Lord, have shown us there are times when keeping "cool, calm, and collected" is not always a virtue.

Even Jesus vented His wrath on the money-changers when He chased them out of the Temple because they were cheating the people.

So forgive us, Lord, when we are so stoic nothing outrages us. When in the presence of violence, we just "pass by on the other side."

When we can tolerate injustice with no show of emotion and when we have reached that point, O God, we are no longer just composed, we are dead!

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by Vice President John Vratil.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 366, AN ACT concerning civil procedure; relating to attachment and garnishment; amending K.S.A. 2011 Supp. 60-736, 60-738, 60-739, 61-3509, 61-3511 and 61-3512 and repealing the existing sections, by Committee on Judiciary.

SB 367, AN ACT concerning juries; relating to jury lists; jury commissioners; access to tax records; amending K.S.A. 43-162 and K.S.A. 2011 Supp. 79-3234 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-3234b, by Committee on Judiciary.

SB 368, AN ACT concerning crimes, punishment and criminal procedure; relating to

drug treatment programs; disposition and supervision of offenders; amending K.S.A. 2011 Supp. 21-6604, 21-6805, 21-6824, 75-5291 and 75-52,144 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 75-5291b, by Committee on Judiciary.

SB 369, AN ACT concerning taxation; relating to food sales tax refunds and homestead property tax refunds; certain confined persons; amending K.S.A. 79-3632 and 79-4505 and K.S.A. 2011 Supp. 79-3633 and 79-4502 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 370, AN ACT relating to property taxation; enacting the senior citizen property tax deferral act, by Committee on Assessment and Taxation.

SB 371, AN ACT concerning sales taxation; relating to nexus; amending K.S.A. 2011 Supp. 79-3702 and repealing the existing section, by Committee on Assessment and Taxation.

SB 372, AN ACT concerning the Kansas money transmitters act; amending K.S.A. 2011 Supp. 9-508, 9-509, 9-510, 9-511, 9-512, 9-513, 9-513a and 9-513c and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 373, AN ACT concerning public health care; relating to the interstate health care compact, by Committee on Financial Institutions and Insurance.

SB 374, AN ACT concerning utilities, relating to the Kansas corporation commission; rules and regulations; amending K.S.A. 66-1,150, 66-1,151 and 66-1,153 and repealing the existing sections, by Committee on Utilities.

SB 375, AN ACT concerning solid waste; relating to permit exemptions; amending K.S.A. 2011 Supp. 65-3407c and repealing the existing section, by Committee on Natural Resources.

SB 376, AN ACT concerning taxation; relating to income tax, rates; sales taxation, exemptions, rates and distribution of revenue and imposition of tax on certain services; eliminating food sales tax refund; local compensating use tax; duties of secretary of revenue; local property tax reductions; amending K.S.A. 2011 Supp. 12-198, 79-32,110, 79-3602, 79-3603, 79-3606, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 79-3632, 79-3634, 79-3636 and 79-3638 and K.S.A. 2011 Supp. 79-3606g, 79-3633, 79-3635, 79-3637, 79-3639 and 79-3639a, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 365**.

Education: **SB 364**.

Federal and State Affairs: **SB 363**.

Public Health and Welfare: **HB 2428, HB 2490**.

Transportation: **HB 2273**.

CHANGE OF REFERENCE

The Vice President withdrew **SB 354** from the Committee on **Public Health and Welfare**, and referred the bill to the Committee on **Federal and State Affairs**.

COMMUNICATIONS FROM STATE OFFICERS**KANSAS CORPORATION COMMISSION**

February 1, 2012

Pursuant to the requirements of KSA 2011 Supp. 66-2005 as amended by SB 350, HB 2637 and SB 72, which were enacted by the 2006, 2008 and 2011 Legislatures, respectively, Patti Petersen-Klein, Executive Director, submitted the Annual Price Deregulation Report to the 2012 Legislature.

February 1, 2012

Pursuant to the provisions of KSA 66-117b Patti Petersen-Klein, Executive Director and Jesse Borjon, Director of Public Affairs and Consumer Protection, submitted the 2012 Utilities and Common Carriers Annual Report to the Legislature.

The Vice President announced the above reports are on file in the office of the Secretary of the Senate and are available for review at any time.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2335, HB 2424, HB 2451, HB 2453.**

INTRODUCTION OF HOUSE BILLS

HB 2335, HB 2424, HB 2451, HB 2453 were thereupon introduced and read by title.

FINAL ACTION ON CONSENT CALENDAR

SB 266 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, was considered on final action.

SB 266, AN ACT concerning insurance; relating to risk-based capital requirements for certain insurers; amending K.S.A. 2011 Supp. 40-2c01 and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 207, AN ACT concerning counties; relating to acceptance of credit and debit cards, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed.

SB 249, AN ACT concerning the division of post audit; relating to employees; criminal history record check; amending K.S.A. 46-1103 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed, as amended.

SB 258, AN ACT concerning state officers and employees; relating to state universities; relating to certain negotiated contracts, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed, as amended.

SB 259, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; pertaining to employment after retirement for certain school employees; amending K.S.A. 2011 Supp. 74-4937 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 35; Nays 4; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Marshall, Masterson, McGinn, Morris, Olson, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Lynn, Merrick, Pilcher-Cook, Pyle.

Absent or not voting: Ostmeyer.

The bill passed.

SB 264, AN ACT concerning insurance; relating to life insurance companies; designating trust companies as nominee; amending K.S.A. 2011 Supp. 40-2b20 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not

voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed.

SB 265, AN ACT concerning credit unions; relating to the administrator's approval of bylaw amendments; amending K.S.A. 17-2202 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed.

SB 270, AN ACT concerning the department of revenue; relating to confidentiality of licensure information; exceptions; amending K.S.A. 2011 Supp. 75-5133 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed, as amended.

SB 272, AN ACT concerning water; relating to multi-year flex accounts; amending K.S.A. 2011 Supp. 82a-736 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed, as amended.

SB 274, AN ACT concerning alcoholic beverages; relating to temporary permits under the club and drinking establishment act; authorizing extended permits; amending K.S.A. 2011 Supp. 41-2645 and repealing the existing section, was considered on final

action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed, as amended.

SB 275, AN ACT concerning alcoholic beverages; repealing statutes pertaining to salesperson's permits; repealing K.S.A. 41-333, 41-334, 41-335, 41-336, 41-337, 41-338, 41-339, 41-340 and 41-341, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed.

SB 279, AN ACT concerning crimes, punishment and criminal procedure; relating to unlawful sexual relations; amending K.S.A. 2011 Supp. 21-5512 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed, as amended.

SB 280, AN ACT concerning commitment of sexually violent predators; relating to evaluations; testimony of expert witnesses; amending K.S.A. 59-29a05 and K.S.A. 2011 Supp. 59-29a06 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed, as amended.

SB 289, AN ACT concerning the veterinary practice act; relating to records

inspection fee; powers of the board of veterinary examiners; grounds to suspend or revoke a license; amending K.S.A. 47-821 and K.S.A. 2011 Supp. 47-822, 47-830 and 47-842 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Pilcher-Cook.

Absent or not voting: Ostmeyer.

The bill passed, as amended.

SB 290, AN ACT concerning the addictions counselor licensure act; amending K.S.A. 2011 Supp. 65-6608, 65-6610 and 65-6613 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed, as amended.

SB 291, AN ACT concerning the uniform trust code; relating to modification or termination of noncharitable irrevocable trust; creditor claims against settlors; certification of trusts; amending K.S.A. 58a-505, 58a-1013 and 59-103 and K.S.A. 2011 Supp. 58a-411 and repealing the existing sections; also repealing K.S.A. 58a-818, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed, as amended.

SB 292, AN ACT concerning inheritance rights; relating to revocation upon divorce, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman,

Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed.

SB 293, AN ACT concerning probate; relating to filing of wills; amending K.S.A. 2011 Supp. 59-618a and repealing the existing section; also repealing K.S.A. 59-621, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed.

SB 294, AN ACT concerning certain claims against the state, making appropriations, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed.

SB 297, AN ACT concerning domestic relations; relating to marital property; amending K.S.A. 2011 Supp. 23-2601 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Haley.

Absent or not voting: Ostmeyer.

The bill passed.

SB 300, AN ACT concerning motor vehicles; relating to temporary vehicle registration permits; extending the thirty-day registration to sixty days; amending K.S.A. 8-127 and K.S.A. 2011 Supp. 8-135, 8-135c, 8-143, 8-198, and 8-2409 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed, as amended.

SB 303, AN ACT concerning disposition of unclaimed cremated remains; relating to veterans cremated remains; amending K.S.A. 65-1732 and repealing the existing section; also repealing K.S.A. 65-1733, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The bill passed, as amended.

SR 1803, urging congress to amend the federal highway beautification act to allow businesses in small towns across Kansas to advertise with outdoor highway advertising signs, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The resolution was adopted.

SR 1804, concerning transportation; requesting a multi-year federal transportation funding program at current funding levels, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 5; Present and Passing: 0; Absent or not voting: 1.

Yeas: Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, McGinn, Morris, Olson, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Abrams, Masterson, Merrick, Pilcher-Cook and Pyle.

Absent or not voting: Ostmeyer.

The resolution was adopted.

Sub HB 2178, AN ACT concerning licenses and permits; relating to nonresident military spouses, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco,

Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The substitute bill passed.

HCR 5016, urging the United States Congress to extend equal benefits for the treatment of Agent Orange exposure to Vietnam veterans who served outside of Vietnam, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing: 0; Absent or not voting: 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or not voting: Ostmeyer.

The resolution was adopted.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators A. Schmidt, Abrams, Apple, Bruce, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Reitz, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger and Vratil introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1810—

A RESOLUTION congratulating and commending Fort Hays State University for being named by *U.S. News and World Report* to the top tier of online education universities.

WHEREAS, Fort Hays State University emerges as the number two undergraduate online education program in the nation when *U.S. News & World Report* criteria are compared cumulatively; and

WHEREAS, Out of the many hundreds of universities in the nation that offer online education, Fort Hays State was one of only 40 that were given honor roll status, the highest distinction in the rankings; and

WHEREAS, *U.S. News and World Report* evaluated online bachelor's programs according to three criteria: (1) Teaching practices and student engagement; (2) student services and technology; and (3) faculty credentials and training. Graduate programs were evaluated by the same three criteria plus a fourth criterion, admissions selectivity; and

WHEREAS, Fort Hays State ranked sixth in the nation in the category of teaching practices and student engagement, ahead of universities such as the University of South Carolina, the University of Cincinnati and the University of Florida. In the category of student services and technology, Fort Hays State ranked 10th in the nation, ahead of

Western Kentucky University, Penn State University and the University of Florida. In the category of faculty credentials and training, Fort Hays State ranked 35th in the nation, ahead of Arizona State University, the University of Denver and the University of Missouri; and

WHEREAS, Three of Fort Hays State's graduate online programs also received rankings of distinction and finished ranked ahead of several large and nationally recognized universities; and

WHEREAS, The graduate business program, or master of business administration, ranked fifth in the nation in the student services and technology category, ahead of George Washington University, Indiana University and Arizona State University. The masters in nursing program ranked sixth in the nation, ahead of Loyola University Chicago, St. Louis University and Duke University. The masters in education program ranked 14th in the nation, ahead of the University of Texas, Florida State University and Indiana University; and

WHEREAS, Not only does Fort Hays State's online education program rank highly in quality, but also in affordability. GetEducated.com recently ranked the master of liberal studies with a concentration in justice studies and the bachelor of science in information technology and telecommunications/computer networking as number one in the nation for affordability. Four other Fort Hays State online programs were ranked second most affordable and a fifth program was ranked third most affordable; and

WHEREAS, Such outstanding achievements could not have been accomplished without the hard work and forward thinking of the faculty, staff and administrators of Fort Hays State University: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Fort Hays State University for its distinguished online education program and we wish them continued success in their climb to the top of the rankings; and

Be it further resolved: That the Secretary of the Senate shall send eight enrolled copies of this resolution to Senator Allen Schmidt.

Senator A. Schmidt introduced Dr. Edward Hammond, President, Fort Hays State University, and Tod Powell, Legal Counsel for the University. He congratulated and commended the University for being named by *U.S. News and World Report* to the top tier of online education universities.

He noted that many have marveled over the years as Fort Hays State University has continued to grow and excel as a forward-thinking, liberal and applied arts university on the High Plains of Kansas. Fort Hays is recognized internationally for offering more than 60 degrees in a technology-rich environment.

Founded in 1982 as the western branch of the Kansas Normal School, Fort Hays State University has never wavered from its mission to provide a quality education.

Today, Fort Hays offers over 5,000 students an outstanding on-campus experience to the 66 counties of western Kansas. In addition, this forward-thinking university serves another 7,900 students in greater Kansas, and around the world through its award-winning Virtual College which now offers 34 bachelor's and master's programs and over 50 undergraduate and graduate certificates.

Fort Hays University is the Alma Mater of Senators A. Schmidt, Taddiken and Bruce and seven members of the House of Representatives. The Senators joined Senator A. Schmidt in a standing ovation.

On emergency motion of Senator A. Schmidt **SR 1810** was adopted unanimously.

Senator Emler introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1811—

A RESOLUTION congratulating the economic development efforts of the McPherson, Kansas community.

WHEREAS, The economic development efforts within the McPherson, Kansas community are guided by McPherson Industrial Development Company (MIDC); and

WHEREAS, MIDC, in partnership with the City of McPherson, McPherson County and the McPherson Board of Public Utilities, has worked since 1959 to build a strong industrial base in McPherson that now includes six industrial parks and 50 manufacturers; and

WHEREAS, MIDC, through its visionary leadership for the McPherson community, continually seeks to sharpen the focus of its economic development efforts and further position the community for industrial relocation and expansion; and

WHEREAS, In its vision, MIDC engaged in the CompetitiveReady process, which evaluates and scores communities in 10 categories based on the stringent criteria typically used by site selectors when screening communities for business locations; and

WHEREAS, Under the guidance of the MIDC, McPherson is the first community in Kansas to successfully earn the CompetitiveReady designation; and

WHEREAS, McPherson, Kansas is one of only two communities in the entire nation to have successfully earned the CompetitiveReady designation; and

WHEREAS, A number of factors were credited in the city's CompetitiveReady designation, including a favorable manufacturing environment, business-friendly leadership and a good quality of life; and

WHEREAS, Evaluators in the CompetitiveReady process noted the city's low electric rates, access to rail service, existing infrastructure, quality schools, skilled workforce, low cost of living, strong community pride and amenities such as an opera house, arts center, golf course and parks system as critical factors in attracting and retaining a business base: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate McPherson Industrial Development Company, its board of directors, the City of McPherson, McPherson County, and McPherson Board of Public Utilities for their successful efforts to develop and sustain a strong business base in the McPherson, Kansas community; and

Be it further resolved: That we recognize the McPherson, Kansas community now carries the CompetitiveReady designation as a signal to companies throughout the world that it is fully equipped to support their business growth and expansion and that such designation is a source of great pride for the City of McPherson, McPherson County and the entire state of Kansas; and

Be it further resolved: That we recognize the leadership, public service, dedication and economic development approach of McPherson Industrial Development Company and its board members as a model for communities throughout Kansas and across our nation; and

Be it further resolved: That the Secretary of the Senate shall send two enrolled copies of this resolution to MIDC, one enrolled copy to the City of McPherson, one enrolled

copy to the County of McPherson and one enrolled copy to the McPherson Board of Public Utilities.

Senator Emler introduced Marvin “Pete” Peters, Brett Reber, Kyle Hawk, Colin Hansen, Rick Wilborn, and Tom Brown and congratulated them for the success of the economic development efforts of the McPherson, Kansas community.

On emergency motion of Senator Emler **SR 1811** was adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** begs leave to submit the following report:

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

By the President of the Senate:

Bioscience Authority, Board of Directors: K.S.A. 74-99b04

Kenneth Buchele, serves for a term of 4 years

On motion of Senator Emler, the Senate adjourned until 8:00 a.m., Friday, February 3, 2012.

Journal of the Senate

NINETEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 3, 2012, 8:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-five senators present.
Senators Brungardt, Kelsey, Longbine, Ostmeyer and Steineger were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,
People send us messages
With different things to say.
Some call us with questions
All times of night and day.
Sometimes they are courteous
And understanding, too
But others are unhappy
With everything we do.
In politics we can expect
To get those kind of calls.
But there are other kinds of contacts
That drive us up the wall.
On the phone they are anonymous,
And some won't sign their name.
We have to take their brickbats
And we don't know whom to blame.
You know we're in a fishbowl, Lord,
Where all can watch us swim.
But it's true that even goldfish
Get to see who's watching them!
You know who they are, O God,
Tell them it's a shame;
For we pay no attention
To folks without a name!
I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 377, AN ACT concerning schools; pertaining to teacher certification; pertaining to school employee performance and evaluation; pertaining to professional development; amending K.S.A. 72-1412, 72-1413, 72-1414, 72-1415, 72-9004 and 72-9005 and K.S.A. 2011 Supp. 72-5413, 72-9002, 72-9003 and 72-9608 and repealing the existing sections, by Committee on Education.

SB 378, AN ACT concerning the Kansas bioscience authority; relating to prohibitions on financial benefits to certain individuals; amending K.S.A. 2011 Supp. 74-99b04 and 74-99b08 and repealing the existing sections, by Committee on Commerce.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **HB 2451**.

Assessment and Taxation: **SB 369, SB 370, SB 371, SB 376**.

Financial Institutions and Insurance: **SB 372, SB 373**.

Judiciary: **SB 366, SB 367, SB 368; HB 2335**.

Natural Resources: **SB 375**.

Utilities: **SB 374**.

Ways and Means: **HB 2424, HB 2453**.

REPORT ON ENROLLED BILLS

SR 1808, SR 1809, SR 1810, SR 1811 reported correctly enrolled and properly signed on February 3, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **HCR 5017** be adopted.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Monday, February 6, 2012.

Journal of the Senate

TWENTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 6, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-nine senators present.
Senator Wagle was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

In state government only the Governor has the power to veto. But centuries ago You exercised a veto with far more ramifications than the Governor's.

You vetoed hate and violence;
You vetoed sin and strife;
You vetoed greed and malice;
When Jesus gave His life.

But we are in your image,
Free will You've not denied,
And we still have within us
The power to override.

And it doesn't take much effort,
A lot less than two-thirds.
We can override Your veto
And never say a word.

A proud and stubborn silence
Will surely do the trick.
An absence of commitment
Will override real quick.

So, Lord, help us remember
For us the lamb was slain;
And faith will do our voting
Your veto to sustain.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 379, AN ACT concerning farm wineries; amending K.S.A. 2011 Supp. 41-308a and repealing the existing section, by Committee on Agriculture.

SB 380, AN ACT concerning wildlife; relating to crossbow hunting; amending K.S.A. 2011 Supp. 32-932 and repealing the existing section, by Committee on Natural Resources.

SB 381, AN ACT concerning alcoholic beverages; relating to sales of cereal malt beverage; relating to retailer licenses under the Kansas liquor control act; amending K.S.A. 41-308 and K.S.A. 2011 Supp. 41-102, 41-2703, 41-2704 and 41-2708 and repealing the existing sections; also repealing K.S.A. 41-103, by Senator Steineger.

SB 382, AN ACT concerning insurance; pertaining to the patient protection act; prohibiting the use of certain provisions in agreements; amending K.S.A. 40-4607 and repealing the existing section, by Committee on Federal and State Affairs.

SB 383, AN ACT concerning public utilities; relating to net metering; amending K.S.A. 2011 Supp. 66-1267 and repealing the existing section, by Committee on Utilities.

SB 384, AN ACT concerning the Kansas 911 act; definitions; terms of council members; fees, distribution; amending K.S.A. 2011 Supp. 12-5363, 12-5364 and 12-5374 and repealing the existing sections, by Committee on Utilities.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 377**.

Ethics and Elections: **SB 378**.

MESSAGE FROM THE GOVERNOR

February 6, 2012

Pursuant to Article 1, Section 6(b) of the Constitution of the State of Kansas, I am transmitting this day Executive Reorganization Order No. 41 to both houses of the Kansas Legislature. Simultaneously with this Order, I am transmitting the accompanying Governor's Message.

Following nearly a year long process of stakeholder input and studying Medicaid, Lieutenant Governor Jeff Colyer, M.D. and I announced a comprehensive plan to reform Medicaid to improve the health of vulnerable Kansans while transforming Medicaid into a program that will be sustainable for years to come. A crucial component in the reform plan is to more efficiently administer the state agencies that administer the Medicaid program.

When Dr. Colyer and I came into office, Medicaid was spread across four state agencies, service was highly fragmented, and communication between agencies was a challenge. Following this reorganization, major Medicaid agencies will be consolidated from four to two and each more closely aligned with their core mission. The Kansas Department of Health and Environment Division of Health Care Finance will consolidate the financing arm of Medicaid. The former Department on Aging will

become the Department for Aging and Disability Services, consolidating all disability waiver and mental health services from the Department of Social and Rehabilitation Services into one agency that will manage the programmatic functions of Medicaid. This reorganization will transform the Department of Social and Rehabilitation Services into the new Department for Children and Families which will focus, in a targeted way, on child and family welfare issues. The consolidations and transfers are summarized as follows:

1) The disability and behavioral health services section of the Kansas department for children and families as established by K.S.A. 75-3301, *et. seq*; K.S.A. 75-5375, *et. seq*; and other statutory and rule and regulation authority as set forth more fully in Executive Reorganization Order No. 41, is transferred to the Kansas department for aging and disability services.

2) All institutions, as defined by subsection (b) of K.S.A. 76-12a01 and the programs operated by such institutions shall be transferred from the Kansas department for children and families to the Kansas department for aging and disability services.

3) Parts of the health occupations credentialing program of the department of health and environment under the Kansas act on credentialing, K.S.A. 65-5001 through 65-5011 along with other statutory and rule and regulation authority as set forth more fully in Executive Reorganization Order No. 41, shall be transferred to and shall be administered by the secretary for aging and disability services.

4) The criminal history record check program, as authorized by individual credentialing statutes or rules and regulations, K.S.A. 39-969, K.S.A. 39-970, and subsection (b) of K.S.A. 22-4707, shall be transferred from the department of health and environment to the Kansas department for aging and disability services.

5) The psychiatric residential treatment facility licensure program of the department of health and environment under K.S.A. 65-501 *et seq.* along with other statutory and rule and regulation authority as set forth more fully in Executive Reorganization Order No. 41, is hereby transferred to the Kansas department for aging and disability services and shall be a part thereof.

Kansas is asking providers and consumers of Medicaid to change the way they do business to improve outcomes for the most vulnerable Kansans while managing costs. This reorganization will enhance the Administration's ability to serve those Kansans in an effective and efficient manner. I look forward to working with the Legislature to achieve these important goals for Kansans.

Sam Brownback
Governor

EXECUTIVE REORGANIZATION ORDER No. 41

Section 1. The department on aging is hereby renamed the Kansas department for aging and disability services. Except as otherwise provided by this order, whenever the department on aging, or words of like effect, are referred to or designated by any statute, rule and regulation, contract, or any other document regardless of whether such reference is in regard to any of the powers, duties, or functions transferred pursuant to this order or not, such reference or designation shall be deemed to apply to the Kansas department for aging and disability services. Except as otherwise provided by this order, whenever the secretary of aging, or words of like effect, are referred to or designated by

any statute, rule and regulation, contract, or any other document regardless of whether such reference is in regard to any of the powers, duties, or functions transferred pursuant to this order or not, such reference or designation shall be deemed to apply to the secretary for aging and disability services.

Sec. 2. The department of social and rehabilitation services is hereby renamed the Kansas department for children and families. Whenever the department of social and rehabilitation services, or words of like effect, are referred to or designated by any statute, rule and regulation, contract, or any other document regardless of whether such reference is in regard to any of the powers, duties, or functions transferred pursuant to this order or not, such reference or designation shall be deemed to apply to the Kansas department for children and families. Except as otherwise provided by this order, whenever the secretary of social and rehabilitation services, or words of like effect, are referred to or designated by any statute, rule and regulation, contract, or any other document regardless of whether such reference is in regard to any of the powers, duties, or functions transferred pursuant to this order or not, such reference or designation shall be deemed to apply to the secretary for children and families.

Sec. 3. (a) The disability and behavioral health services section of the Kansas department for children and families is hereby transferred to the Kansas department for aging and disability services and shall be a part thereof. The disability and behavioral health services section transferred to the Kansas department for aging and disability services by this order shall be administered by the secretary for aging and disability services.

The programs to be transferred by this section are:

(1) Mental health and substance abuse, serious emotionally disturbed, developmental disability, physical disability, traumatic brain injury, autism, technology assistance, and money-follows-the-person Medicaid waivers and programs;

(2) licensure and regulation of community mental health centers, as defined by K.S.A. 75-3307b, and amendments thereto;

(3) regulation of community developmental disability organizations, as defined by K.S.A. 75-3307b, and amendments thereto;

(4) licensure of private psychiatric hospitals, as defined by K.S.A. 75-3307b, and amendments thereto;

(5) licensure and regulation of facilities and providers of residential services, as defined by K.S.A. 75-3307b, and amendments thereto;

(6) licensure and regulation of providers of addiction and prevention services, as defined by K.S.A. 75-5375, *et. seq.*; and

(7) any other programs and related grants administered by the disability and behavioral health services section of the Kansas department for children and families prior to the effective date of this order.

(b) Except as otherwise provided by this order, all powers, duties, and functions of the secretary for children and families pertaining to the disability and behavioral health services section transferred by this order, including that agency's designation as the Medicaid single state authority for substance abuse and for mental health, are hereby transferred to and imposed upon the secretary for aging and disability services.

(c) The Kansas department for aging and disability services shall be the successor in every way to the powers, duties, and functions of the Kansas department for children and families pertaining to the disability and behavioral health services section

transferred by this order. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the Kansas department for aging and disability services shall be deemed to have the same force and effect as if performed by the Kansas department for children and families in which such powers, duties, and functions were vested prior to the effective date of this order.

Sec. 4. (a) All institutions, as defined by subsection (b) of K.S.A. 76-12a01, and amendments thereto, and the programs operated by such institutions are hereby transferred from the Kansas department for children and families to the Kansas department for aging and disability services. All such institutions shall be administered by the secretary for aging and disability services.

(b) Except as otherwise provided by this order, all powers, duties, and functions of the secretary for children and families pertaining to the programs and operation of the institutions, as defined by subsection (b) of K.S.A. 76-12a01, and amendments thereto, are hereby transferred to and imposed upon the secretary for aging and disability services.

(c) The Kansas department for aging and disability services shall be the successor in every way to the powers, duties, and functions of the Kansas department for children and families pertaining to the programs and operation of institutions that are transferred by this order. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the Kansas department for aging and disability services shall be deemed to have the same force and effect as if performed by the Kansas department for children and families in which such powers, duties, and functions were vested prior to the effective date of this order.

Sec. 5. (a) Whenever the Kansas department for children and families, the secretary for children and families, or words of like effect, is referred to or designated by a statute, contract, or other document and such reference is in regard to any of the powers, duties, or functions transferred to the Kansas department for aging and disability services from the Kansas department for children and families by this order, such reference or designation shall be deemed to apply to the Kansas department for aging and disability services or the secretary for aging and disability services.

(b) All rules and regulations, orders, and directives of the Kansas department for children and families, or the secretary for children and families, or words of like effect, which relate to the functions transferred by this order and which are in effect on the effective date of this order, shall continue to be effective and shall be deemed to be rules and regulations, orders, and directives of the Kansas department for aging and disability services and the secretary for aging and disability services until revised, amended, revoked, or nullified pursuant to law.

(c) The secretary for aging and disability services shall determine the manner in which disability and behavioral health programs are organized within the Kansas department for aging and disability services.

(d) The secretary for aging and disability services shall determine the manner in which programs provided by the institutions, as defined by subsection (b) of K.S.A. 76-12a01, and amendments thereto, are organized within the Kansas department for aging and disability services.

Sec. 6. (a) The secretary for aging and disability services shall appoint such officers and employees as may be needed to carry out the powers and duties which the secretary assigns to disability and behavioral health functions and institution functions of the

Kansas department for aging and disability services.

(b) All officers and employees in the Kansas department for children and families who, immediately prior to the effective date of this order, were engaged in the exercise and performance of the powers, duties, and functions transferred by this order, and who are determined by the secretary for aging and disability services to be necessary for the exercise and performance of the powers, duties, and functions transferred by this order, are hereby transferred to the Kansas department for aging and disability services. In addition, all officers and employees who are determined jointly by the secretary for aging and disability services and the secretary for children and families to have been engaged in providing necessary administrative, technical or other support to the disability and behavioral health services section and to the institutions, as defined in subsection (b) of K.S.A. 76-12a01, and amendments thereto, immediately prior to the effective date of this order, are hereby transferred to the Kansas department for aging and disability services. All classified employees so transferred shall retain their status as classified employees. Thereafter, the secretary for aging and disability services may convert vacant classified positions to positions in the unclassified service under the Kansas civil service act.

(c) Officers and employees who are transferred by this order to the Kansas department for aging and disability services shall retain all retirement benefits and leave balances and rights which had accrued or vested prior to the date of transfer. The service of each such officer or employee so transferred shall be deemed to have been continuous. Any subsequent transfers, layoffs, or abolition of classified service positions under the Kansas civil service act shall be made in accordance with the civil service laws and any rules and regulations adopted thereunder. Nothing in this order shall affect the classified status of any transferred person employed by the Kansas department for children and families prior to the date of transfer.

(d) Notwithstanding the effective date of this order, the provisions of this section prescribing the transfer of officers and employees from the Kansas department for children and families to the Kansas department for aging and disability services shall be administered so that the date of transfer of such personnel shall be the start of a payroll period.

Sec. 7. (a) The balances of all funds or accounts thereof appropriated or reappropriated for the Kansas department for children and families relating to the powers, duties, and functions transferred by this order are hereby transferred within the state treasury to the Kansas department for aging and disability services and shall be used only for the purpose for which the appropriation was originally made.

(b) Liability for all accrued compensation or salaries of officers and employees who are transferred to the Kansas department for aging and disability services under this order shall be assumed and paid by the Kansas department for aging and disability services.

(c) The problem gambling and addictions grant fund and all fees, grant funds, and loan repayment funds of the Kansas department for children and families dedicated to programs transferred by this order shall be transferred to the Kansas department for aging and disability services.

Sec. 8. (a) The following parts of the health occupations credentialing program of the department of health and environment under the Kansas act on credentialing, K.S.A. 65-5001 through 65-5011, and amendments thereto, shall be transferred to and shall be

administered by the secretary for aging and disability services:

(1) Licensure of adult care home administrators, as defined by subsection (c) of K.S.A. 65-3501, and amendments thereto;

(2) licensure of dietitians, as defined by subsection (f) of K.S.A. 65-5902, and amendments thereto;

(3) certification of residential care facility operators, as defined by subsection (a)(21) of K.S.A. 39-923, and amendments thereto;

(4) certification of activity directors, as defined by subsection (a) of K.A.R. 26-39-100 on the effective date of this order;

(5) certification of social service designees, as defined by subsection (ppp) of K.A.R. 26-39-100 on the effective date of this order;

(6) certification of nurse aides, as defined by subsection (pp) of K.A.R. 26-39-100 on the effective date of this order;

(7) certification of medication aides as defined by subsection (mm) of K.A.R. 26-39-100 on the effective date of this order;

(8) certification of home health aides as defined by subsection (d) of K.S.A. 65-5101, and amendments thereto; and

(9) maintenance of the Kansas nurse aide registry under subsection (c) of K.S.A. 39-936, and amendments thereto, and K.S.A. 39-1411, and amendments thereto.

(b) The criminal history record check program, as authorized by individual credentialing statutes or rules and regulations, K.S.A. 39-969, and amendments thereto, K.S.A. 39-970, and amendments thereto, and subsection (b) of K.S.A. 22-4707, and amendments thereto, is hereby transferred from the department of health and environment to the Kansas department for aging and disability services and shall be a part thereof.

(c) The licensure of adult care home administrators, the licensure of dietitians, the certification of residential care facility operators, the certification of activity directors, the certification of social service designees, the certification of nurse aides, the certification of medication aides, the certification of home health aides, the board of adult care home administrators, the maintenance of the Kansas nurse aide registry, and the criminal history record check program shall be administered by the secretary for aging and disability services. Nothing in this order shall change or diminish the authority of the board of adult care home administrators established by K.S.A. 65-3506, and amendments thereto.

(d) Except as otherwise provided by this order, all powers, duties, and functions of the secretary of health and environment pertaining to the licensure of adult care home administrators, the licensure of dietitians, the certification of residential care facility operators, the certification of activity directors, the certification of social service designees, the certification of nurse aides, the certification of medication aides, the certification of home health aides, the board of adult care home administrators, the Kansas nurse aide registry, and the criminal record check program transferred by this order are hereby transferred to and imposed upon the secretary for aging and disability services.

(e) The Kansas department for aging and disability services shall be the successor in every way to the powers, duties, and functions of the department of health and environment pertaining to those portions of the health occupations credentialing program transferred by this order. Every act performed in the exercise of such

transferred powers, duties, and functions by or under the authority of the Kansas department for aging and disability services shall be deemed to have the same force and effect as if performed by the department of health and environment in which such powers, duties, and functions were vested prior to the effective date of this order.

Sec. 9. (a) The psychiatric residential treatment facility licensure program of the department of health and environment is hereby transferred to the Kansas department for aging and disability services and shall be a part thereof. The psychiatric residential treatment facility licensure program shall be administered by the secretary for aging and disability services. As used in this section, "psychiatric residential treatment facility licensure program" means that portion of the licensure program of the department of health and environment under K.S.A. 65-501 *et seq.*, for licensure of child care facilities, as defined by subsection (c) of K.S.A. 65-503, and amendments thereto, that are psychiatric residential treatment facilities, as defined by subsection (k) of K.A.R. 28-4-1200 on the effective date of this order, and subsection (g)(3) of K.S.A. 72-8187, and amendments thereto.

(b) Except as otherwise provided by this order, all powers, duties, and functions of the secretary of health and environment pertaining to the psychiatric residential treatment facility licensure program transferred by this order are hereby transferred to and imposed upon the secretary for aging and disability services.

(c) The Kansas department for aging and disability services shall be the successor in every way to the powers, duties, and functions of the department of health and environment pertaining to the psychiatric residential treatment facility licensure program transferred by this order. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the Kansas department for aging and disability services shall be deemed to have the same force and effect as if performed by the department of health and environment in which such powers, duties, and functions were vested prior to the effective date of this order.

Sec. 10. (a) Whenever the department of health and environment, the secretary of health and environment, or words of like effect are referred to or designated by a statute, contract, or other document and such reference is in regard to any of the powers, duties, or functions transferred from the department of health and environment to the Kansas department for aging and disability services by this order, such reference or designation shall be deemed to apply to the Kansas department for aging and disability services or the secretary for aging and disability services.

(b) All rules and regulations, orders, and directives of the department of health and environment which relate to the functions transferred to the Kansas department for aging and disability services by this order and which are in effect on the effective date of this order shall continue to be effective and shall be deemed to be rules and regulations, orders, and directives of the Kansas department for aging and disability services until revised, amended, revoked, or nullified pursuant to law.

(c) The secretary for aging and disability services shall determine the manner in which the licensure of adult care home administrators, the licensure of dietitians, the certification of residential care facility operators, the certification of activity directors, the certification of social service designees, the certification of nurse aides, the certification of medication aides, the certification of home health aides, the board of adult care home administrators, the maintenance of the Kansas nurse aide registry programs, and the criminal history record check program are organized within the

Kansas department for aging and disability services.

(d) The secretary for aging and disability services shall determine the manner in which the psychiatric residential treatment facility licensure program shall be organized within the Kansas department for aging and disability services.

Sec. 11. (a) The secretary for aging and disability services shall appoint such officers and employees as may be needed to carry out the powers and duties which the secretary assigns to the licensure of adult care home administrators, the licensure of dieticians, the certification of residential care facility operators, the certification of activity directors, the certification of social service designees, the certification of nurse aides, the certification of medication aides, the certification of home health aides, the maintenance of the Kansas nurse aide registry programs, the criminal history record check program, and the psychiatric residential treatment facility licensure program of the Kansas department for aging and disability services.

(b) All officers and employees in the department of health and environment who, immediately prior to the effective date of this order, were engaged in the exercise and performance of the powers, duties, and functions transferred by this order, and who are determined by the secretary for aging and disability services to be necessary for the exercise and performance of such powers, duties, and functions transferred by this order, are hereby transferred to the Kansas department for aging and disability services. In addition, all officers and employees who are determined jointly by the secretary for aging and disability services and the secretary of health and environment to have been engaged in providing necessary administrative, technical or other support to the transferred programs are hereby transferred to the Kansas department for aging and disability services. All classified employees so transferred shall retain their status as classified employees. Thereafter, the secretary for aging and disability services may convert vacant classified positions to positions in the unclassified service under the Kansas civil service act.

(c) Officers and employees in the department of health and environment transferred by this order shall retain all retirement benefits and leave balances and rights which had accrued or vested prior to the date of transfer. The service of each such employee so transferred shall be deemed to have been continuous. Any subsequent transfers, layoffs, or abolition of classified service positions under the Kansas civil service act shall be made in accordance with the civil service laws and any rules and regulations adopted thereunder. Nothing in this order shall affect the classified status of any transferred person employed by the department of health and environment prior to the date of transfer.

(d) Notwithstanding the effective date of this order, the provisions of this section prescribing the transfer of officers and employees from the department of health and environment to the Kansas department for aging and disability services shall be administered so that the date of transfer of such personnel shall be the start of a payroll period.

Sec. 12. (a) The balances of all funds or accounts thereof appropriated or reappropriated for the department of health and environment relating to the powers, duties, and functions transferred by this order are hereby transferred within the state treasury to the Kansas department for aging and disability services and shall be used only for the purpose for which the appropriation was originally made.

(b) Liability for all accrued compensation or salaries of officers and employees who

are transferred to the Kansas department for aging and disability services under this order shall be assumed and paid by the Kansas department for aging and disability services.

(c) Subject to the acts of the legislature, all fees, grant funds, and loan repayment funds in the department of health and environment dedicated to programs transferred by this order shall be transferred to the Kansas department for aging and disability services.

Sec. 13. (a) The Kansas department for aging and disability services shall succeed to all property, property rights, and records which were used for or pertain to the performance of powers, duties, and functions transferred to it by this order. Any conflict as to the proper disposition of property, personnel, or records arising under this order shall be determined by the governor, whose decision shall be final.

(b) When any conflict arises as to any power, duty, or function resulting from any transfer made by or under the authority of this order, such conflict shall be resolved by the governor, whose decision shall be final.

Sec. 14. (a) No suit, action, or other proceeding, judicial or administrative, lawfully commenced, or which could have been commenced, by or against any state agency or program mentioned in this order, or by or against any officer of the state in such officer's official duties, shall abate by reason of the governmental reorganization effected under the provisions of this order. The court may allow any such suit, action, or other proceeding to be maintained by or against the successor of any such state agency or any officer affected.

(b) No criminal action commenced or which could have been commenced by the state shall abate by the taking effect of this order.

Sec. 15. Except as otherwise provided by this order, all of the provisions of this order shall take effect and have the force of general law on July 1, 2012, unless disapproved by either house of the Kansas legislature as provided by subsection (c) of section 6 of article 1 of the constitution of Kansas, and unless so disapproved, this order is to be published as and with the acts of the legislature and the statutes of this state.

DONE AT The Capitol in Topeka
Under the Great Seal of the
State of Kansas this 6th day
of February 2012.

BY THE GOVERNOR:
Sam Brownback

KRIS W. KOBACH
Secretary of State of Kansas

ERIC RUCKER
Assistant Secretary of State of Kansas

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2456, HB 2471, HB 2502.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2456, HB 2471, HB 2502 were thereupon introduced and read by title.

REPORT ON ENGROSSED BILLS

SB 249, SB 258, SB 270, SB 272, SB 274, SB 279, SB 280, SB 289, SB 290, SB 291, SB 303 reported correctly engrossed February 3, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Ethics and Elections** recommends **SB 102** be amended on page 1, in line 6, by striking "2010" and inserting "2011"; in line 10, by striking "\$500" and inserting "\$1,000"; in line 12, by striking "\$500" and inserting "\$1,000"; in line 15, by striking "\$50" and inserting "\$75"; in line 21, by striking "\$50" and inserting "\$75"; in line 30, by striking "2010" and inserting "2011";

On page 2, in line 35, by striking "\$720" and inserting "\$400"; in line 38, by striking "\$105" and inserting "\$70"; in line 41, by striking "\$60" and inserting "\$40";

On page 3, in line 4, by striking "\$720" and inserting "\$330"; in line 10, by striking "\$45" and inserting "\$80"; in line 16, by striking "2010" and inserting "2011";

On page 4, in line 5, by striking "\$105" and inserting "\$50"; in line 9, by striking "\$900" and inserting "\$400"; in line 14, by striking "\$795" and inserting "\$350"; in line 17, by striking "\$1,080" and inserting "\$450"; following line 33, by inserting:

"Sec. 4. K.S.A. 2011 Supp. 25-4148 is hereby amended to read as follows: 25-4148. (a) Every treasurer shall file a report prescribed by this section. Reports filed by treasurers for candidates for state office, other than officers elected on a state-wide basis, shall be filed ~~in both~~ with the office of the secretary of state. Reports filed by treasurers for candidates for state-wide office shall be filed electronically and only with the secretary of state. Reports filed by treasurers for candidates for local office shall be filed in the office of the county election officer of the county in which the name of the candidate is on the ballot. Except as otherwise provided by subsection (h), all such reports shall be filed in time to be received in the offices required on or before each of the following days:

(1) The eighth day preceding the primary election, which report shall be for the period beginning on January 1 of the election year for the office the candidate is seeking and ending 12 days before the primary election, inclusive;

(2) the eighth day preceding a general election, which report shall be for the period beginning 11 days before the primary election and ending 12 days before the general election, inclusive;

(3) January 10 of the year after an election year, which report shall be for the period beginning 11 days before the general election and ending on December 31, inclusive;

(4) for any calendar year when no election is held, a report shall be filed on the next January 10 for the preceding calendar year;

(5) a treasurer shall file only the annual report required by subsection (4) for those years when the candidate is not participating in a primary or general election.

(b) Each report required by this section shall state:

- (1) Cash on hand on the first day of the reporting period;
 - (2) the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of ~~\$50~~ \$100 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan;
 - (3) the aggregate amount of all proceeds from bona fide sales of political materials such as, but not limited to, political campaign pins, buttons, badges, flags, emblems, hats, banners and literature;
 - (4) the aggregate amount of contributions for which the name and address of the contributor is not known;
 - (5) each contribution, rebate, refund or other receipt not otherwise listed;
 - (6) the total of all receipts;
 - (7) the name and address of each person to whom expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each; the names and addresses of all persons to whom any loan or advance has been made; when an expenditure is made by payment to an advertising agency, public relations firm or political consultants for disbursement to vendors, the report of such expenditure shall show in detail the name of each such vendor and the amount, date and purpose of the payments to each;
 - (8) the name and address of each person from whom an in-kind contribution was received or who has paid for personal services provided without charge to or for any candidate, candidate committee, party committee or political committee, if the contribution is in excess of \$100 and is not otherwise reported under subsection (b)(7), and the amount, date and purpose of the contribution;
 - (9) the aggregate of all expenditures not otherwise reported under this section; and
 - (10) the total of expenditures.
- (c) In addition to the requirements of subsection (b), every treasurer for any political committee and party committee shall report the following:
- (1) (A) The name and address of each candidate for state or local office for whom an expenditure in the form of an in-kind contribution has been made in an aggregate amount or having a fair market value in excess of \$300, with the amount, date and purpose of each. The report shall show in detail the specific service or product provided; and
 - (B) the name and address of each candidate for state or local office who is the subject of an expenditure which:
 - (i) Is made without the cooperation or consent of a candidate or candidate committee;
 - (ii) expressly advocates the nomination, election or defeat of such candidate; and
 - (iii) is an aggregate amount or having a fair market value in excess of \$300.
 - (2) The report shall state the amount, date and purpose of the expenditure in the form of an in-kind contribution. The report shall show in detail the specific service or product provided. The reporting requirements imposed by this subsection shall be in addition to all other requirements required by this section.
 - (d) Treasurers of candidates and of candidate committees shall itemize the purchase of tickets or admissions to testimonial events by a person who purchases such tickets or admissions in an aggregate amount or value in excess of \$50 per event, or who

purchases such a ticket or admission at a cost exceeding \$25 per ticket or admission. All other purchases of tickets or admissions to testimonial events shall be reported in an aggregate amount and shall not be subject to the limitations specified in K.S.A. 25-4154, and amendments thereto.

(e) If a contribution or other receipt from a political committee is required to be reported under subsection (b), the report shall include the full name of the organization with which the political committee is connected or affiliated or, a description of the connection to or affiliation with such organization. If, the committee is not connected or affiliated with any one organization, the report shall state the trade, profession or primary interest of the political committee as reflected by the statement of purpose of such organization.

(f) The commission may require any treasurer to file an amended report for any period for which the original report filed by such treasurer contains material errors or omissions. The notice of the errors or omissions shall be part of the public record. The amended report shall be filed within 30 days after notice by the commission.

(g) The commission may require any treasurer to file a report for any period for which the required report is not on file. The notice of the failure to file shall be part of the public record. Such report shall be filed within five days after notice by the commission.

(h) For the purpose of any report required to be filed pursuant to subsection (a) by the treasurer of any candidate seeking nomination by convention or caucus or by the treasurer of the candidate's committee or by the treasurer of any party committee or political committee, the date of the convention or caucus shall be considered the date of the primary election.

(i) If a report is sent by certified or registered mail on or before the day it is due, the mailing shall constitute receipt by that office.

(j) Any report required by this section may be signed by the candidate in lieu of the candidate's treasurer or the treasurer of the candidate's committee.

Sec. 5. K.S.A. 46-268 is hereby amended to read as follows: 46-268. (a) Except as otherwise provided in subsection (b), every lobbyist shall file with the secretary of state a report of employment and expenditures on a form and in the manner prescribed and provided by the commission. A report shall be filed on or before the ~~10th~~ 15th day of the months of February, March, April, May, September and January. Reports shall include all expenditures which are required to be reported under K.S.A. 46-269, and amendments thereto, or a statement that no expenditures in excess of \$100 were made for such purposes, during the preceding calendar month or months since the period for which the last report was filed.

(b) For any calendar year in which a lobbyist expects to expend an aggregate amount of less than \$100 for lobbying in each reporting period, a lobbyist shall file an affidavit of such intent with the secretary of state. Such lobbyist shall not be required to file the reports required under subsection (a) for the year for which such affidavit is filed ~~but shall file a report on or before January 10, which shall include all expenditures made in the preceding calendar year which are required to be reported under K.S.A. 46-269, and amendments thereto.~~ If in any reporting period a lobbyist filing such affidavit expends in excess of \$100 in reportable expenses, a report shall be filed for such period in the manner prescribed by subsection (a).

Sec. 6. K.S.A. 46-269 is hereby amended to read as follows: 46-269. Each report

required to be filed by K.S.A. 46-268, and amendments thereto, is a public record and shall be open to public inspection upon request. Such report shall disclose the following:

(a) The full name and address of each person who has paid compensation for lobbying to the lobbyist or has paid for expenses of lobbying by the lobbyist during the period reported.

(b) The aggregate amount or value of all expenditures made, except for expenses of general office overhead, by the lobbyist or by the lobbyist's employer for or in direct relation to lobbying during the reporting period, if such expenditures exceed \$100. Individual expenditures of less than \$2 shall not be required to be reported under this subsection. Every lobbyist shall keep detailed accounts of all expenditures required to be reported pursuant to K.S.A. 46-268, and amendments thereto. Such expenditures shall be reported according to the following categories of expenditures:

- (1) Food and beverages provided as hospitality;
 - (2) entertainment, gifts, honoraria or payments;
 - (3) mass media communications;
 - (4) recreation provided as hospitality;
 - (5) communications for the purpose of influencing legislative or executive action;
- and

(6) all other reportable expenditures made in the performance of services as a lobbyist.

With regard to expenditures for entertainment or hospitality which is primarily recreation, food and beverages, only amounts expended on a state officer or employee or on such officer or employee's spouse shall be considered to be for or in direct relation to lobbying. Notwithstanding the requirements of this subsection and subsection (d), no lobbyist shall be responsible to report any expenditure by the lobbyist's employer of which such person has no knowledge.

(c) (1) In addition to the information reported pursuant to subsection (b), each lobbyist expending an aggregate amount of \$100 or more for lobbying in any reporting period shall report any gift, entertainment or hospitality provided to members of the legislature, members of the judicial branch of government and any employees of the legislature or judicial branch of government. Such report shall disclose the full name of the legislator, member of the judicial branch and employee who received such gift, entertainment or hospitality and the amount expended on such gift, entertainment or hospitality and the date the expenditure was made.

(2) No report shall be required to be filed pursuant to this subsection (c) for the following:

- (A) Meals, the provision of which is motivated by a personal or family relationship;
- (B) meals provided at public events in which the person is attending in an official capacity;
- (C) meals provided to a person subject to this section when it is obvious such meals are not being provided because of the person's official position;
- (D) food such as soft drinks, coffee or snack foods not offered as part of a meal; and
- (E) entertainment or hospitality in the form of recreation, food and beverages provided at an event to which the following have been invited:
 - (i) All members of the legislature or all members of either house of the legislature;

or

(ii) all members of a political party caucus of the legislature or all members of a political party caucus of either house of the legislature.

(d) If all members of a legislative committee are invited to an event where a meal is provided, the aggregate amount of the event shall be reported.

~~(d)(e)~~ Except as provided by subsection (c), whenever an individual lobbyist contributes to a single special event, such lobbyist shall report only the aggregate amount or value of the expenditure contributed by such lobbyist. The primary sponsor or sponsors of the event shall itemize such expenditures.

~~(e)(f)~~ Whenever more than one lobbyist is employed by a single employer, the reports required by this section relating to such employer shall be made by only one such lobbyist and that lobbyist shall be the lobbyist who is most directly connected with the particular expenditure or gift, honoraria or payment. No expenditure or gift, honoraria or payment required to be reported by this section shall be reported by more than one lobbyist.

~~(f)(g)~~ All accounts, records and documents of the lobbyist which relate to every expenditure reported or which should have been reported shall be maintained and preserved by the lobbyist for a period of five years from the date of the filing of such report or statement and may be inspected under conditions determined by the commission."

And by renumbering sections accordingly;

Also on page 4, in line 34, by striking all before "are" and inserting "Sec. 7. K.S.A. 46-268 and 46-269 and K.S.A. 2011 Supp. 25-4119f, 25-4145, 25-4148 and 46-265";

On page 1, in the title, in line 1, after "amending" by inserting "K.S.A. 46-268 and 46-269 and"; in line 2, by striking "2010" and inserting "2011"; also in line 2, following "25-4145" by inserting ", 25-4148"; and the bill be passed as amended.

Also, **SB 309** be amended on page 2, in line 1, after "ad" by inserting "or I approve of this ad"; in line 11, after "ad" by inserting "or I approve of this ad"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 39** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 39," as follows:

"Substitute for SENATE BILL No. 39

By Committee on Judiciary

"AN ACT concerning the Kansas offender registration act; relating to aggravated sex offenders; amending K.S.A. 2011 Supp. 22-4902, 22-4904 and 22-4913 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 22-4902a."; and the substitute bill be passed.

Also, **HCR 5007**, as amended by House Committee, be adopted.

Committee on **Natural Resources** recommends **SB 316** be amended on page 39, in line 31, following the period by inserting "The wildlife and parks nonrestricted fund is hereby redesignated as the wildlife, parks and tourism nonrestricted fund."; in line 32, by striking "and parks" and inserting ", parks and tourism"; in line 36, by striking the second "and"; in line 37, by striking "parks" and inserting ", parks and tourism"; in line 38, by striking "and parks" and inserting ", parks and tourism"; in line 42, by striking "and parks" and inserting ", parks and tourism";

On page 114, in line 9, by striking all following "the"; in line 10, by striking "fund-federal" and inserting "plant and animal disease and pest control fund"; and the bill be

passed as amended.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Tuesday, February 7, 2012.

Journal of the Senate

TWENTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 7, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-nine senators present.
Senator Wagle was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,
Where were the men Sunday evening?
If the truth were told...
Most of them were probably
Watching the Super Bowl.

A wife once said if she desired
Her husband to attract,
She'd walk in front of the TV
With a number on her back!

Yes, I watched the Super Bowl,
But I'm aware that I've been told
If we expect to please You, Lord,
You've provided a Super Goal.

Our goal is to serve constituents
And we play a Super Role
By providing opportunities
For the young and for the old.

In every free society
Predators take their toll
By convincing the vulnerable
To even sell their soul.

Lord, guide us through this session;
Make us wise and bold.
Show us how to use our time
To reach Your Super Goal!

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 385, AN ACT concerning certain county officers; amending K.S.A. 19-304, 19-305, 19-306, 19-309, 19-310, 19-311, 19-312, 19-315, 19-318, 19-322, 19-323, 19-324, 19-502a, 19-506, 19-506a, 19-507, 19-508, 19-508a, 19-508b, 19-509, 19-510, 19-510a, 19-511, 19-514, 19-515, 19-516, 19-517, 19-518, 19-519, 19-520, 19-521, 19-524, 19-525, 19-531, 19-532, 19-533, 19-534, 19-535, 19-547, 19-548, 19-1204, 19-1205, 19-1206, 19-1209, 19-1210, 19-1211, 19-1213, 19-1216, 19-1217, 19-1218 and 19-1219 and K.S.A. 2011 Supp. 19-1207 and repealing the existing sections, by Senator Steineger.

SB 386, AN ACT concerning income taxation; relating to credits; business and job development; amending K.S.A. 2011 Supp. 79-32,153 and repealing the existing section, by Committee on Assessment and Taxation.

SB 387, AN ACT concerning the state fire marshal; relating to the qualifications of the office; amending K.S.A. 2011 Supp. 75-1510 and repealing the existing section, by Committee on Federal and State Affairs.

SB 388, AN ACT concerning elections; relating to education of election workers, by Committee on Ethics and Elections.

SB 389, AN ACT concerning elections; relating to voter education, by Committee on Ethics and Elections.

SB 390, AN ACT concerning farm wineries; relating to farm winery license; authority of licensee; amending K.S.A. 2011 Supp. 41-308a and repealing the existing section, by Committee on Agriculture.

SB 391, AN ACT concerning oil and gas; relating to leases; civil procedure; amending K.S.A. 55-201, 55-202 and 60-2106 and repealing the existing sections, by Senator Olson.

SB 392, AN ACT concerning community colleges; pertaining to using the internet for official publications; amending K.S.A. 64-101 and repealing the existing section, by Legislative Educational Planning Committee.

SB 393, AN ACT concerning school districts; creating the excellence in career technical education act; pertaining to career technical education; amending K.S.A. 72-4417, 72-4419, 72-4463 and 72-6419 and K.S.A. 2011 Supp. 10-1116a, 71-201, 71-609, 72-6413, 72-64c03, 72-6624, 72-6625 and 74-32,141 and repealing the existing sections; also repealing K.S.A. 72-6422 and K.S.A. 2011 Supp. 72-6421, by Committee on Education.

SB 394, AN ACT concerning the secretary of corrections; relating to transfer or discharge of certain offenders; amending K.S.A. 2011 Supp. 75-5220 and repealing the existing section, by Committee on Judiciary.

SB 395, AN ACT concerning the Kansas probate code; relating to intestate succession; amending K.S.A. 59-6a209 and repealing the existing section; also repealing K.S.A. 59-505, by Committee on Judiciary.

SB 396, AN ACT concerning real property; relating to lateral support; party walls, by Committee on Judiciary.

SB 397, AN ACT providing for a change in terminology in the statutes from the term mental retardation and similar terms to the term intellectual disability and similar terms;

amending K.S.A. 17-1762, 19-4001, 19-4002, 19-4002a, 19-4002b, 19-4003, 19-4004, 19-4005, 19-4007, 19-4009, 19-4010, 19-4011, 39-927, 39-971, 39-1001, 39-1002, 39-1005, 39-1006, 39-1007, 39-1201, 39-1202, 39-1205, 39-1207, 39-1803, 58-24a16, 59-2946, 59-2972, 59-3077, 65-5a14, 65-3501, 65-4202, 65-4212, 65-4411, 65-4412, 65-4413, 65-4414, 65-4415, 65-5601, 72-6203, 74-8917, 75-4375, 75-5399, 75-6508, 76-12b01, 76-12b02, 76-12b03, 76-12b07, 76-12b11 and 76-17c01 and K.S.A. 2011 Supp. 12-1675, 21-5417, 21-6622, 39-923, 39-936, 39-1401, 39-1702, 40-3401, 50-676, 65-180, 65-1124, 65-1626, 65-4915, 65-4921, 65-6805, 72-962, 74-5344, 75-4265, 75-5321a, 75-6506, 75-6609, 75-6610, 75-7303 and 79-3606 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-3606g, by Committee on Ways and Means.

SB 398, AN ACT concerning KAN-ED; amending K.S.A. 2011 Supp. 75-7222, 75-7223, 75-7224 and 75-7226 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 75-7228, by Committee on Utilities.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and ERO were referred to Committees as indicated:

Agriculture: **HB 2502**.

Federal and State Affairs: **SB 379**, **SB 381**.

Financial Institutions and Insurance: **SB 382**.

Natural Resources: **SB 380**.

Public Health and Welfare: **HB 2471**.

Utilities: **SB 383**, **SB 384**; **HB 2456**.

Ways and Means: **ERO 41**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Ostmeyer the Senate nonconcurrent in the House amendments to **SB 191** and requested a conference committee be appointed.

The President appointed Senators Ostmeyer, McGinn and Francisco as a conference committee on the part of the Senate.

REPORT ON ENGROSSED BILLS

SB 300 reported correctly engrossed February 6, 2012.

REPORT ON ENROLLED BILLS

SR 1803, **SR 1804** reported correctly enrolled and properly signed and presented to the Secretary of the Senate on February 7, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **SB 306** be passed.

Also, **SB 305** be amended on page 3, by striking all in lines 15 through 17; and the bill be passed as amended.

Committee on **Local Government** recommends **SB 348** be amended on page 3, in line 13, by striking "no such presumption shall exist"; also in line 13, by striking "regard" and inserting "respect"; in line 35, after "thereto," by inserting "and required to be numbered pursuant to K.S.A. 32-1110, and amendments thereto,";

On page 8, in line 13, by striking "no such presumption shall"; in line 14, by striking "exist"; also in line 14, by striking "regard" and inserting "respect"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 335** be passed.

Also, **SR 1805** be amended on page 1, in line 19, after "walking," by inserting "motorized scooters, wheelchairs,,"; in line 23, after "bicycling" by inserting ", motorized scooters, wheelchairs"; in line 32, by striking "are required" and inserting "is encouraged"; and the resolution be adopted as amended.

Committee on **Public Health and Welfare** recommends **HB 2490** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Kelsey in the chair.

On motion of Senator Kelsey the following report was adopted:

Recommended **SB 257**, **SB 261** be passed.

SB 260 be amended by the adoption of the committee amendments, and **SB 260** be passed as amended.

SB 263 be amended by motion of Senator Teichman, on page 1, in line 30, after "duties" by inserting a period and **SB 263** be passed as amended.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Wednesday, February 8, 2012.

Journal of the Senate

TWENTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 8, 2012, 2:30 p.m.

The Senate was called to order by Vice President John Vratil.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

You told one of Your churches in the Book of Revelation “Because you are lukewarm, neither cold nor hot, I will spit you out of my mouth.”

Forgive us for being lukewarm about things that matter. When it comes to doing what is best for the people of Kansas, we pray You will find us:

On fire, not lukewarm.
Going full speed, not idling.
A participator, not a spectator.
Enthused, rather than defused.
More intense, not straddling the fence.
More fanatic, than static.

After all, Lord, at the Judgment we hope to hear You say, “Well done!” –not “Medium rare!”

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by Vice President John Vratil.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were read and introduced by title:

SB 399, AN ACT establishing the Kansas business workers and community partnership act, by Committee on Federal and State Affairs.

SB 400, AN ACT concerning municipalities; relating to landlords and tenants; amending K.S.A. 12-16,123 and repealing the existing section, by Committee on Federal and State Affairs.

SB 401, AN ACT concerning colleges and universities, relating to tuition; amending K.S.A. 2011 Supp. 76-729 and repealing the existing section, by Senators Holland, Kultala, Abrams, Francisco, Haley, Hensley, Kelly, Marshall, McGinn, Merrick, Morris,

Olson, Owens, Petersen, A. Schmidt, Umbarger and Vratil.

SB 402, AN ACT concerning sales taxation; relating to exemptions; live free ministries, inc.; amending K.S.A. 2011 Supp. 79-3606 and repealing the existing section; also repealing K.S.A. 2011 Supp. 79-3606g, by Committee on Assessment and Taxation.

SB 403, AN ACT concerning the uniform principal and income act; relating to conversion of a trust into a unitrust; amending K.S.A. 2011 Supp. 58-9-105 and repealing the existing section, by Committee on Judiciary.

SB 404, AN ACT concerning the Kansas uniform trust code; relating to spendthrift trusts; amending K.S.A. 58a-502 and repealing the existing section, by Committee on Judiciary.

SB 405, AN ACT concerning wastewater; relating to private wastewater systems, by Senator Ostmeyer.

SB 406, AN ACT concerning the Kansas storage tank act; relating to the underground storage tank fund; amending K.S.A. 65-34,123 and K.S.A. 2011 Supp. 65-34,102, 65-34,110, 65-34,117, 65-34,131, 65-34,132, 65-34,133 and 65-34,134 and repealing the existing sections, by Committee on Natural Resources.

SB 407, AN ACT concerning mammography examinations; providing for certain information and notice to the patient, by Committee on Ways and Means.

SB 408, AN ACT concerning the employment security law; pertaining to the waiting week; pertaining to benefits; amending K.S.A. 2011 Supp. 44-705 and 44-706 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 44-706b, by Senators Hensley, Faust-Goudeau, Francisco, Haley, Holland, Kultala and A. Schmidt.

SB 409, AN ACT concerning taxation; relating to the local ad valorem tax reduction fund; amending K.S.A. 2011 Supp. 79-2959 and repealing the existing section, by Senators Holland, Faust-Goudeau, Francisco, Hensley, Kultala, A. Schmidt and Umbarger.

SB 410, AN ACT concerning school districts; relating to the identification and instruction of pupils with dyslexia, by Committee on Education.

SB 411, AN ACT concerning income taxation; relating to benefits received under the promoting employment across Kansas act; amending K.S.A. 2011 Supp. 74-50,211, 74-50,212 and 74-50,213 and repealing the existing sections, by Committee on Assessment and Taxation.

SENATE CONCURRENT RESOLUTION No. 1612—

By Committee on Assessment and Taxation

A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas, relating to property taxation.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 1 of article 11 of the constitution of the state of Kansas is hereby

amended to read as follows:

"§ 1. **System of taxation; classification; exemption.** (a) The provisions of this subsection shall govern the assessment and taxation of property on and after January 1, 1993, and each year thereafter. Except as otherwise hereinafter specifically provided, the legislature shall provide for a uniform and equal basis of valuation and rate of taxation of all property subject to taxation. *The legislature may provide by law to limit valuation increases on single-family residential real property which is owned by and the principal place of residence of a Kansas resident who is 65 years of age or older as of January 1 of the tax year, and the legislature may enact legislation to limit application of this provision and enact such other legislation as is necessary to administer this provision.* The legislature may provide for the classification and the taxation uniformly as to class of recreational vehicles, as defined by the legislature, or may exempt such class from property taxation and impose taxes upon another basis in lieu thereof. The provisions of this subsection shall not be applicable to the taxation of motor vehicles, except as otherwise hereinafter specifically provided, mineral products, money, mortgages, notes and other evidence of debt and grain. Property shall be classified into the following classes for the purpose of assessment and assessed at the percentage of value prescribed therefor:

Class 1 shall consist of real property. Real property shall be further classified into seven subclasses. Such property shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Real property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located.....11½%
- (2) Land devoted to agricultural use which shall be valued upon the basis of its agricultural income or agricultural productivity pursuant to section 12 of article 11 of the constitution.....30%
- (3) Vacant lots.....12%
- (4) Real property which is owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to section 501 of the federal internal revenue code, and which is included in this subclass by law.....12%
- (5) Public utility real property, except railroad real property which shall be assessed at the average rate that all other commercial and industrial property is assessed.....33%
- (6) Real property used for commercial and industrial purposes and buildings and other improvements located upon land devoted to agricultural use.....25%
- (7) All other urban and rural real property not otherwise specifically subclassified.....30%

Class 2 shall consist of tangible personal property. Such tangible personal property shall be further classified into six subclasses, shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Mobile homes used for residential purposes.....11½%
- (2) Mineral leasehold interests except oil leasehold interests the average daily production from which is five barrels or less, and natural gas leasehold interests the average daily production from which is 100 mcf or less, which shall be assessed at 25%.....30%
- (3) Public utility tangible personal property including inventories thereof, except railroad personal property including inventories thereof, which shall be assessed at the average rate all other commercial and industrial property is assessed.....33%
- (4) All categories of motor vehicles not defined and specifically valued and taxed pursuant to law enacted prior to January 1, 1985.....30%
- (5) Commercial and industrial machinery and equipment which, if its economic life is seven years or more, shall be valued at its retail cost when new less seven-year straight-line depreciation, or which, if its economic life is less than seven years, shall be valued at its retail cost when new less straight-line depreciation over its economic life, except that, the value so obtained for such property, notwithstanding its economic life and as long as such property is being used, shall not be less than 20% of the retail cost when new of such property.....25%
- (6) All other tangible personal property not otherwise specifically classified.....30%
- (b) All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than public utility inventories included in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. This amendment would authorize the legislature to limit valuation increases of single-family residential real property which is owned by and the principal place of residence of a Kansas resident who is 65 years of age or older in certain circumstances.

"A vote for this proposition would authorize the legislature to limit valuation increases of single-family residential real property which is owned by and the principal place of residence of a Kansas resident who is 65 years of age or older. The amendment would also allow the legislature to enact legislation to limit application of this provision and enact other legislation as necessary to administer this provision.

"A vote against this proposition would maintain the current system of property taxation which provides no such authorization to limit such valuation increases."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate, and two-thirds of the members elected (or appointed) and qualified to the House of Representatives shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election to be held on the first Tuesday after the first Monday in November, 2012 unless a special election is called at

a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 386**.
Education: **SB 392, SB 393**.
Ethics and Elections: **SB 388, SB 389**.
Federal and State Affairs: **SB 387, SB 390**.
Judiciary: **SB 394, SB 395, SB 396**.
Local Government: **SB 385**.
Natural Resources: **SB 391**.
Public Health and Welfare: **SB 397**.
Utilities: **SB 398**.

COMMUNICATIONS FROM STATE OFFICERS

DEPARTMENT OF COMMERCE

February 7, 2012

In accordance with KSA 12-17,169(c), Pat George, Secretary of Commerce, submitted the 2011 Star Bond Annual Report.

The Vice President announced the above report is on file in the office of the Secretary of the Senate and is available for review at any time.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2298, HB 2460, HB 2461**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2298, HB 2460, HB 2461 were introduced and read by title.

CONFIRMATION OF APPOINTMENTS

In accordance with Senate Rule 56, the following appointment, submitted by the President of the Senate to the Senate for confirmation, was considered.

Senator Emler moved the following appointment be confirmed as recommended by the Standing Senate Committee.

By the President of the Senate:

On the appointment to the:

Kansas Bioscience Authority:

Ken Buchele, term expires March 15, 2015

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 257, AN ACT concerning school districts; relating to calculation of local option budget; amending K.S.A. 2011 Supp. 72-6433d and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 260, AN ACT concerning school districts; relating to special education state aid; amending K.S.A. 2011 Supp. 72-978 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 261, AN ACT concerning the Kansas private and out-of-state post-secondary educational institution act; relating to fees and the expiration thereof; amending K.S.A. 2011 Supp. 74-32,181 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 263, AN ACT concerning credit unions; relating to the credit committee of a credit union; amending K.S.A. 17-2208, 17-2210 and 17-2211 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Holland introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1812—

A RESOLUTION congratulating Ted Zuzzio on being named the 2011 National Coach of the Year for girls outdoor track and field.

WHEREAS, Baldwin High School girls track coach, Ted Zuzzio was named the 2011 National High School Girls Track and Field Coach of the Year for all classes by the National Federation of State High School Coaches Association; and

WHEREAS, Mr. Zuzzio was also named the Kansas girls track and field coach of the year for all classes in 2011 and the Kansas 4A high school girls state track and field coach of the year in 2010; and

WHEREAS, Mr. Zuzzio is now in his 36th year of teaching at Baldwin Junior and Senior High Schools. He has served as the head coach of the Baldwin High School girls track program during all 36 years; and for their contributions to his success and award-winning seasons; and

WHEREAS, In addition to his contributions to Baldwin track and field, Mr. Zuzzio has helped guide Baldwin High School athletes to state titles in basketball and football during his coaching career: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Ted Zuzzio for being named the 2011 national coach of the year for girls outdoor track and field; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Baldwin High School in Baldwin City, Kansas.

On emergency motion of Senator Holland **SR 1812** was adopted unanimously.

Senator Holland congratulated Ted Zuzzio on being named the 2011 National Coach of the Year for girls outdoor track and field. Also introduced were his wife Karen Zuzzio, grandson Brylar Zuzzio, Joyce Grundon and Sarah Lober. The Baldwin High School girls track team were introduced as follows: Kaitlyn Barnes, Hannah Hutton, Katie Jones, Jessie Katzer, Katie Kehl, Morgan Lober, Elizabeth Sigvaldson, Elena Watson and Carol Whaley. Also in attendance were coach Mike Spielman and assistant coach Angie Spielman. The Senate recognized all guests with a standing ovation.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 299**, **SB 313** be passed.

Committee on **Financial Institutions and Insurance** recommends **SB 315** be amended on page 2, in line 42, after "board" by inserting "annually"; and the bill be

passed as amended.

Committee on **Public Health and Welfare** recommends **SB 331** be amended on page 2, in line 13, after "salon" by inserting "and clinic"; and the bill be passed as amended.

Also, **HB 2428** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Transportation** recommends **HB 2273**, as amended by House Committee, be passed.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of a bill on the calendar under the heading of General Orders with Senator Brungardt in the chair.

On motion of Senator Brungardt the following report was adopted:

Recommended **SB 344** be passed.

A motion by Senator Reitz to amend **SB 344** failed and the following amendment was rejected: on page 1, by striking all in lines 35 and 36;

By striking all on pages 2 through 5;

On page 6, by striking all in line 1 and inserting the following:

"Sec. 4. Congressional district 1 shall consist of all of Barber county; and all of Barton county; and all of Brown county; and all of Chase county; and all of Cheyenne county; and all of Clark county; and all of Clay county; and all of Cloud county; and the following blocks in voting district (000010), tract 9661.00, block group 2, in Coffey county: block 306, block 312, block 313, block 314, block 315, block 316, block 323, block 333, block 334, block 335, block 336, block 337, block 338, block 339, block 340, block 341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 349, block 350, block 351, block 352, block 353, block 354, block 355, block 356, block 357, block 358, block 359, block 360, block 361, block 362, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 378, block 379, block 380, block 381, block 382, block 383, block 384, block 385, block 386, block 387, block 388, block 389, block 390, block 391, block 392, block 398, block 399, block 400, block 405, block 406, block 409, block 410, block 411, block 412, block 413, block 484, block 485, block 486, block 487, block 490, block 491, block 786, block 788, block 809; and the following voting districts in Coffey county: (000020), (000030), (00004A), (00004B), (00005A), (00005B), (00005C), (000060), (000070); and the following blocks in voting district (000090), tract 9662.00, block group 1, in Coffey county: block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block

115, block 116, block 117, block 118, block 119, block 120, block 121, block 125, block 126, block 127, block 140, block 183, block 184, block 186, block 187, block 188; and the following blocks in voting district (000090), tract 9662.00, block group 2, in Coffey county: block 213, block 214, block 215, block 216, block 217, block 218, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 293, block 294, block 295, block 296, block 297; and the following voting districts in Coffey county: (000100); and the following blocks in voting district (000110), tract 9661.00, block group 2, in Coffey county: block 526; and the following blocks in voting district (000110), tract 9662.00, block group 1, in Coffey county: block 005, block 006, block 007, block 008, block 009, block 012, block 013, block 014, block 015, block 020, block 128; and the following voting districts in Coffey county: (000120), (000130), (000140), (000150), (000170), (900010), (900020), (900030); and all of Comanche county; and all of Decatur county; and all of Dickinson county; and all of Doniphan county; and all of Edwards county; and all of Ellis county; and all of Ellsworth county; and all of Finney county; and all of Ford county; and all of Geary county; and all of Gove county; and all of Graham county; and all of Grant county; and all of Gray county; and all of Greeley county; and all of Hamilton county; and the following blocks in voting district (000070), tract 9617.00, block group 1, in Harper county: block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 127, block 128, block 195, block 196, block 197, block 198, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 300, block 301, block 302, block 303, block 304, block 311, block 312, block 313, block 647, block 648, block 653, block 654, block 655, block 656, block 657, block 658; and the following blocks in voting district (000070), tract 9617.00, block group 2, in Harper county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block

013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190; and all of Haskell county; and all of Hodgeman county; and all of Jewell county; and all of Kearny county; and all of Kingman county; and all of Kiowa county; and all of Lane county; and all of Lincoln county; and all of Logan county; and all of Lyon county; and all of McPherson county; and all of Marion county; and all of Marshall county; and all of Meade county; and all of Mitchell county; and all of Morris county; and all of Morton county; and all of Nemaha county; and all of Ness county; and all of Norton county; and all of Osage county; and all of Osborne county; and all of Ottawa county; and all of Pawnee county; and all of Phillips county; and all of Pratt county; and all of Rawlins county; and all of Reno county; and all of Republic county; and all of Rice county; and all of Rooks county; and all of Rush county; and all of Russell county; and all of Saline county; and all of Scott county; and all of Seward county; and all of Sheridan county; and all of Sherman county; and all of Smith county; and all of Stafford county; and all of Stanton county; and all of Stevens county; and all of Thomas county; and all of Trego county; and all of Wabaunsee county; and all of Wallace county; and all of Washington county; and all of Wichita county.

Sec. 5. Congressional district 2 shall consist of all of Allen county; and all of Anderson county; and all of Atchison county; and all of Bourbon county; and all of Cherokee county; and the following blocks in voting district (000010), tract 9661.00, block group 2, in Coffey county: block 393, block 394, block 395, block 396, block 397, block 401, block 402, block 403, block 404, block 407, block 408, block 414, block 415, block 416, block 417, block 418, block 419, block 420, block 421, block 422, block 423, block 424, block 431, block 441; and the following voting districts in Coffey county: (000080); and the following blocks in voting district (000090), tract

9662.00, block group 1, in Coffey county: block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 122, block 123, block 124, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 176, block 177, block 178, block 179, block 180, block 181, block 185, block 189; and the following blocks in voting district (000110), tract 9661.00, block group 2, in Coffey county: block 525, block 527, block 528, block 529, block 533, block 534, block 535, block 693, block 694, block 695, block 696, block 697, block 698, block 699, block 700, block 701, block 702, block 703, block 704, block 705, block 706, block 707, block 708, block 709, block 710, block 711, block 712, block 713, block 714, block 715, block 716, block 717, block 718, block 719, block 720, block 721, block 722, block 723, block 724, block 725, block 730, block 731, block 732, block 747, block 752; and the following blocks in voting district (000110), tract 9662.00, block group 1, in Coffey county: block 010, block 011, block 016, block 017, block 018, block 019, block 129, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 182; and the following voting districts in Coffey county: (000160); and all of Crawford county; and all of Douglas county; and all of Franklin county; and all of Jackson county; and all of Jefferson county; and all of Labette county; and the following voting districts in Leavenworth county: (000010); and the following blocks in voting district (000030), tract 0712.03, block group 1, in Leavenworth county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 041; and the following blocks in voting district (000030), tract 0712.03, block group 2, in Leavenworth county: block 000, block 001, block 017, block 018, block 039, block 040, block 047, block 057, block 061, block 062, block 063, block 066, block 068, block 069, block 085; and the following voting districts in Leavenworth county: (000040), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (00017A), (00017B), (000180), (00019A), (00019B), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (00027A), (000280), (00029A), (00029C), (00029D), (000300), (000310), (000330), (000340), (000350), (000360), (000370), (000380), (300010), (800010), (900040), (900050), (900060), (900080); and all of Linn county; and all of Miami county; and all of Neosho county; and all of Pottawatomie county; and all of Riley county; and all of Shawnee county; and all of Wilson county; and all of Woodson county.

Sec. 6. Congressional district 3 shall consist of all of Johnson county; and the following voting districts in Leavenworth county: (000020); and the following blocks in voting district (000030), tract 0712.03, block group 1, in Leavenworth county: block 028, block 029, block 047, block 048, block 049, block 050, block 057; and the following blocks in voting district (000030), tract 0712.03, block group 2, in Leavenworth county: block 054, block 055, block 056, block 067, block 070, block 075, block 077, block 086; and the following blocks in voting district (000030), tract

0712.03, block group 3, in Leavenworth county: block 000, block 008, block 009, block 010, block 011, block 012, block 013, block 016, block 022; and the following blocks in voting district (000030), tract 0712.03, block group 4, in Leavenworth county: block 001, block 015, block 041; and the following voting districts in Leavenworth county: (000050), (000320), (000390), (900010), (900020), (900030); and all of Wyandotte county.

Sec. 7. Congressional district 4 shall consist of all of Butler county; and all of Chautauqua county; and all of Cowley county; and all of Elk county; and all of Greenwood county; and the following voting districts in Harper county: (000010), (000020), (000030), (000040), (000050), (000060); and the following blocks in voting district (000070), tract 9617.00, block group 1, in Harper county: block 003, block 004, block 005, block 006, block 007, block 008, block 042, block 043, block 044, block 045, block 046, block 052, block 053, block 054, block 055, block 073, block 074, block 075, block 088, block 089, block 090, block 091, block 092, block 093, block 103, block 104, block 110, block 111, block 112, block 113, block 114, block 119, block 120, block 121, block 123, block 124, block 125, block 126, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 158, block 159, block 160, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 199, block 200, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 651, block 652; and the following voting districts in Harper county: (000080), (000100), (800010), (800020), (800030), (800040), (800050), (800060), (900010), (900020), (900030), (900040), (900050), (900060), (900070); and all of Harvey county; and all of Montgomery county; and all of Sedgwick county; and all of Sumner county."

The motion failed and the amendment was rejected.

A motion by Senator Petersen to amend **SB 344** failed and the following amendment was rejected: on page 1, by striking all in lines 35 and 36;

By striking all on pages 2 through 5;

On page 6, by striking all in line 1 and inserting the following:

"Sec. 4. Congressional district 1 shall consist of all of Barber county; and all of Barton county; and all of Chase county; and all of Cheyenne county; and all of Clark county; and all of Comanche county; and all of Decatur county; and all of Dickinson county; and all of Edwards county; and all of Ellis county; and all of Ellsworth county; and all of Finney county; and all of Ford county; and all of Gove county; and all of Graham county; and all of Grant county; and all of Gray county; and all of Greeley county; and all of Greenwood county; and all of Hamilton county; and all of Haskell county; and all of Hodgeman county; and all of Jewell county; and all of Kearny county; and the following blocks in voting district (000010), tract 9611.00, block group 1, in Kingman county: block 005, block 048, block 056; and the following blocks in voting district (000010), tract 9611.00, block group 2, in Kingman county: block 403, block 404, block 405, block 406, block 407, block 416, block 478, block 479, block 539; and the following voting districts in Kingman county: (000020); and the following blocks in voting district (000030), tract 9611.00, block group 1, in Kingman county: block 057, block 135, block 144, block 145, block 184, block 185, block 186, block 211; and the following voting districts in Kingman county: (000040), (000050),

(000070), (000080), (000090), (000130), (000180), (000200), (000210), (000220), (000230), (000240), (000250); and all of Kiowa county; and all of Lane county; and all of Lincoln county; and all of Logan county; and all of Lyon county; and all of McPherson county; and all of Marion county; and all of Meade county; and all of Mitchell county; and all of Morris county; and all of Morton county; and all of Ness county; and all of Norton county; and all of Osage county; and all of Osborne county; and all of Pawnee county; and all of Phillips county; and all of Pratt county; and all of Rawlins county; and all of Reno county; and all of Rice county; and all of Rooks county; and all of Rush county; and all of Russell county; and all of Saline county; and all of Scott county; and all of Seward county; and the following voting districts in Shawnee county: (000080), (000180), (000190), (000210), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000350), (000370), (000410), (000420), (000430), (000440), (000480), (000490), (000500), (000510), (000520), (000530), (000540), (000550), (000560), (000570), (000580), (000590), (000600), (000610), (000630), (000640), (000650), (000660), (000690), (000700), (000710), (000740), (000750), (000760), (000770), (000780), (000790), (000800), (000820), (000830), (000840), (000850), (000860), (000870), (000880), (000890), (000910), (000920), (000930), (000940), (000950), (000960), (000970), (000980), (000990), (001010), (001030), (001040), (001050), (001060), (001070), (001080), (001090), (001100), (001120), (001130), (001140), (001150), (001160), (001170), (001180), (001190), (001200), (001210), (001220), (001230), (001240), (001250), (001260), (001270), (001280), (001290), (001300), (001310), (001320), (001330), (001340), (001350), (001360); and the following blocks in voting district (001370), tract 0024.00, block group 1, in Shawnee county: block 047, block 048, block 049, block 050; and the following blocks in voting district (001370), tract 0024.00, block group 2, in Shawnee county: block 001, block 004; and the following voting districts in Shawnee county: (001380), (001400), (001410), (001420), (001430), (001440), (001450); and the following blocks in voting district (001460), tract 0024.00, block group 1, in Shawnee county: block 124, block 134, block 135, block 136, block 137; and the following blocks in voting district (001460), tract 0024.00, block group 2, in Shawnee county: block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 027, block 031, block 032, block 043, block 044, block 045, block 046, block 047, block 048, block 049; and the following blocks in voting district (001460), tract 0026.01, block group 1, in Shawnee county: block 007; and the following blocks in voting district (001460), tract 0036.07, block group 2, in Shawnee county: block 048, block 058; and the following voting districts in Shawnee county: (001470), (001480), (001490), (001500), (001510), (001520), (001530), (001540), (001550), (001560), (001680); and the following blocks in voting district (001880), tract 0034.00, block group 1, in Shawnee county: block 020, block 040, block 041, block 042; and the following voting districts in Shawnee county: (001910), (100060), (200010); and the following blocks in voting district (200020), tract 0007.00, block group 2, in Shawnee county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 045, block 046, block 047; and the following blocks in voting district (200020), tract 0034.00, block group 1, in Shawnee county: block 014, block 021, block 023, block 024; and the following blocks in voting district (200020), tract 0034.00, block group 4, in Shawnee

county: block 000, block 001, block 033, block 034; and the following voting districts in Shawnee county: (200050), (200090), (400100), (500070), (500080), (500120), (500130), (500160); and the following blocks in voting district (600010), tract 0007.00, block group 1, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 010; and the following blocks in voting district (600010), tract 0007.00, block group 2, in Shawnee county: block 000, block 012, block 013, block 014; and the following blocks in voting district (600010), tract 0008.00, block group 1, in Shawnee county: block 007, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 037, block 038, block 039, block 064, block 065, block 066, block 067, block 097; and the following blocks in voting district (600010), tract 0033.01, block group 1, in Shawnee county: block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 035; and the following blocks in voting district (600010), tract 0034.00, block group 1, in Shawnee county: block 044, block 045, block 046, block 047, block 048, block 052, block 053, block 056, block 057, block 058, block 059, block 060; and the following voting districts in Shawnee county: (600020), (600030); and the following blocks in voting district (600040), tract 0039.02, block group 2, in Shawnee county: block 022, block 025, block 026, block 027, block 028, block 029, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 058, block 061, block 062, block 063, block 064, block 065, block 066, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 114, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 166, block 167, block 168, block 170, block 171, block 172, block 175, block 176, block 177, block 178, block 179, block 182, block 183, block 186, block 187, block 188, block 189, block 191, block 192, block 193; and the following voting districts in Shawnee county: (600130), (600140), (600210), (600420), (600430), (600440), (600570); and the following blocks in voting district (600580), tract 0024.00, block group 1, in Shawnee county: block 072, block 073; and the following blocks in voting district (600580), tract 0024.00, block group 2, in Shawnee county: block 002, block 003, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 026, block 028, block 030; and the following voting districts in Shawnee county: (900010), (900020); and the following blocks in voting district (900030), tract 0007.00, block group 1, in Shawnee county: block 014, block 015, block 016, block 017; and the following blocks in voting district (900030), tract 0007.00, block group 2, in Shawnee county: block 023, block 024, block 025, block 028, block 035, block 036, block 038, block 039, block 040, block 041, block 042, block 043,

block 044, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 085, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 153, block 154, block 155, block 156, block 157, block 162, block 163, block 165, block 166, block 167, block 171, block 172, block 175, block 176; and the following blocks in voting district (900030), tract 0022.00, block group 1, in Shawnee county: block 000; and the following blocks in voting district (900030), tract 0034.00, block group 4, in Shawnee county: block 042, block 045; and the following blocks in voting district (900030), tract 0035.00, block group 1, in Shawnee county: block 159, block 160; and the following voting districts in Shawnee county: (900040), (900050); and the following blocks in voting district (900070), tract 0039.02, block group 2, in Shawnee county: block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 071, block 180, block 181; and all of Sheridan county; and all of Sherman county; and all of Smith county; and all of Stafford county; and all of Stanton county; and all of Stevens county; and all of Thomas county; and all of Trego county; and all of Wallace county; and all of Wichita county.

Sec. 5. Congressional district 2 shall consist of all of Allen county; and all of Anderson county; and all of Atchison county; and all of Bourbon county; and all of Brown county; and all of Cherokee county; and all of Clay county; and all of Cloud county; and all of Coffey county; and all of Crawford county; and all of Doniphan county; and all of Douglas county; and all of Franklin county; and all of Geary county; and all of Jackson county; and all of Jefferson county; and all of Labette county; and all of Leavenworth county; and all of Linn county; and all of Marshall county; and the following voting districts in Miami county: (000010), (000020), (00004B), (00004C), (000050), (000060), (000090), (000100), (00011A), (00011B), (00012A), (00012B), (00013A), (00013B), (00013C), (000140), (00016A), (00016B), (000170), (00018A), (00018B), (00019A), (00019B), (000200); and the following blocks in voting district (000210), tract 1001.00, block group 1, in Miami county: block 119; and the following blocks in voting district (000210), tract 1001.00, block group 2, in Miami county: block 114, block 201, block 228; and the following blocks in voting district (000210), tract 1001.00, block group 3, in Miami county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 045, block 048, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 065, block 066, block 067; and the following blocks in voting district

(000210), tract 1002.00, block group 2, in Miami county: block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 259, block 260, block 261, block 262; and the following blocks in voting district (000210), tract 1005.00, block group 3, in Miami county: block 023, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 043; and the following blocks in voting district (000210), tract 1006.01, block group 5, in Miami county: block 002, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 053; and the following blocks in voting district (000210), tract 1006.02, block group 1, in Miami county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 048; and the following voting districts in Miami county: (000240), (000250), (000270), (000280), (200010), (200020), (900010), (900020), (900030), (900040), (900050), (900070), (900080), (900120), (900140), (900150), (900160), (900180); and all of Nemaha county; and all of Neosho county; and all of Ottawa county; and all of Pottawatomie county; and all of Republic county; and all of Riley county; and the following voting districts in Shawnee county: (000090), (000150), (000240), (000330), (000340), (001000); and the following blocks in voting district (001370), tract 0024.00, block group 1, in Shawnee county: block 002, block 003, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 074, block 138; and the following blocks in voting district (001370), tract 0024.00, block group 2, in Shawnee county: block 000; and the following blocks in voting district (001370), tract 0035.00, block group 1, in Shawnee county: block 171, block 172; and the following blocks in voting district (001460), tract 0024.00, block group 1, in Shawnee county: block 082, block 089, block 092, block 093, block 094, block 096, block 101, block 126, block 127, block 128, block 129, block 130, block 131, block 133; and the following voting districts in Shawnee county: (001570), (001590), (001600), (001610), (001620), (001630), (001640), (001650), (001670), (001710), (001720), (001760), (001780), (001850); and the following blocks in voting district (001880), tract 0034.00, block group 1, in Shawnee county: block 015, block 016, block 019, block 022, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 038, block 039, block 051; and the following voting districts in Shawnee county: (001890), (100030), (100040), (100050); and the following blocks in voting district (200020), tract 0034.00, block group 1, in Shawnee county: block 002, block 003, block 004, block 009, block 010, block 011, block 012, block 013; and the following voting districts in Shawnee county: (200070), (200080), (200120), (200130), (200140), (200150), (200160), (300090), (400070), (500010), (500110), (500140); and the following blocks in voting district (600010), tract 0034.00, block group 1, in Shawnee county: block 037, block 049, block 050, block 055; and the following blocks in voting district (600040), tract 0039.02, block group 2, in Shawnee county: block 059, block 060; and the following voting districts in Shawnee county: (600050), (600060), (600080), (600090), (600110), (600150), (600160), (600170), (600180), (600190), (600220), (600230), (600240), (600250), (600260), (600270), (600280), (600290), (600300), (600310), (600330), (600340), (600350), (600360), (600370), (600380), (600390), (600470), (600490), (600500), (600510), (600530); and the following blocks in voting district (600580), tract 0024.00, block group 2, in Shawnee county: block 015, block 016; and the following voting districts in Shawnee county: (700010), (700020),

(800010), (800020), (800030), (800040), (800060), (800070); and the following blocks in voting district (900030), tract 0007.00, block group 2, in Shawnee county: block 164; and the following blocks in voting district (900030), tract 0035.00, block group 1, in Shawnee county: block 161, block 163, block 166, block 167, block 168, block 169, block 170, block 184; and the following voting districts in Shawnee county: (900060); and the following blocks in voting district (900070), tract 0027.02, block group 1, in Shawnee county: block 023, block 035, block 037, block 039, block 041, block 047, block 051; and the following blocks in voting district (900070), tract 0036.05, block group 2, in Shawnee county: block 000, block 001, block 002, block 003, block 038, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 052; and the following blocks in voting district (900070), tract 0037.00, block group 1, in Shawnee county: block 101, block 106; and the following blocks in voting district (900070), tract 0039.02, block group 2, in Shawnee county: block 057; and the following voting districts in Shawnee county: (900080), (900090); and all of Wabaunsee county; and all of Washington county; and all of Wilson county; and all of Woodson county.

Sec. 6. Congressional district 3 shall consist of all of Johnson county; and the following voting districts in Miami county: (00003B), (00007A), (00007B), (000080); and the following blocks in voting district (000210), tract 1001.00, block group 1, in Miami county: block 082, block 083, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 120, block 121, block 122, block 123; and the following blocks in voting district (000210), tract 1001.00, block group 2, in Miami county: block 110, block 111, block 117, block 118, block 119, block 120, block 121, block 200, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 220, block 221, block 222, block 223, block 224; and the following blocks in voting district (000210), tract 1001.00, block group 3, in Miami county: block 041, block 042, block 043, block 044, block 046, block 047, block 049; and the following blocks in voting district (000210), tract 1002.00, block group 2, in Miami county: block 058, block 059, block 060, block 065, block 066, block 067, block 068, block 255; and the following blocks in voting district (000210), tract 1002.00, block group 3, in Miami county: block 029; and the following voting districts in Miami county: (000220), (00023A), (00023B), (00023C), (00023D), (000260), (300010), (300020), (900090), (900100), (900110), (900130); and all of Wyandotte county.

Sec. 7. Congressional district 4 shall consist of all of Butler county; and all of Chautauqua county; and all of Cowley county; and all of Elk county; and all of Harper county; and all of Harvey county; and the following blocks in voting district (000010), tract 9611.00, block group 1, in Kingman county: block 000, block 001, block 002, block 003, block 004, block 049, block 050, block 051, block 052, block 053, block 055, block 064; and the following blocks in voting district (000010), tract 9611.00, block group 2, in Kingman county: block 480, block 481, block 482, block 492, block 493, block 494, block 495, block 496, block 497, block 498, block 499, block 500, block 501, block 502, block 503, block 504, block 505, block 506, block 507, block 525, block 534, block 553; and the following blocks in voting district (000030), tract 9611.00, block group 1, in Kingman county: block 054, block 058, block 059, block

060, block 061, block 062, block 063, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 141, block 142, block 143, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 235; and the following voting districts in Kingman county: (000060), (000100), (000110), (000120), (00014A), (00014B), (000150), (000160), (000170), (000190), (000260), (00027A), (00027B), (00027C); and all of Montgomery county; and all of Sedgwick county; and all of Sumner county."

On the showing of five hands a roll call vote was requested;

On roll call, the vote was: Yeas 17; Nays 22; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Donovan, Emler, Kelsey, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Reitz, Taddiken, Wagle.

Nays: Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Marshall, McGinn, Morris, Owens, A. Schmidt, V. Schmidt, Schodorf, Steineger, Umbarger, Vratil.

Present and Passing: Teichman.

The motion failed and the amendment was rejected.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Emler an emergency was declared by a 2/3 constitutional majority, and **SB 344** was advanced to Final Action and roll call.

SB 344, AN ACT concerning congressional districts; providing for the redistricting thereof; repealing K.S.A. 2011 Supp. 4-136, 4-137, 4-138, 4-139, 4-140, 4-141 and 4-142.

On roll call, the vote was: Yeas 23; Nays 17; Present and Passing 0; Absent or Not Voting 0.

Yeas: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Marshall, McGinn, Morris, Ostmeyer, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Umbarger, Vratil.

Nays: Abrams, Apple, Bruce, Donovan, King, Longbine, Love, Lynn, Masterson, Merrick, Olson, Petersen, Pilcher-Cook, Pyle, Taddiken, Teichman, Wagle.

The bill passed.

EXPLANATION OF VOTE

MR. PRESIDENT: The Lyon County Republican Central Committee passed a resolution this past summer expressing their desire to move to the 2nd Congressional District. This was based on their concerns of community interests with the 1st district. There was also concern of the time and distance required to attend district meetings. I would like to commend the committee and the Senators who spent countless hours working on what they thought was the best possible solution. I felt that I needed to vote with the wishes of my constituents in my home county. – JEFF LONGBINE

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Thursday, February 9, 2012.

Journal of the Senate

TWENTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 9, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.

The roll was called with forty senators present.

President Morris introduced as guest chaplain, Pastor Herman Hicks, Greater Pentecostal COGIC; President, Greater Wichita Ministerial League, Wichita, Kansas.

Eternal God,

We evoke your presence on this Kansas Senate Meeting. This Senate has some difficult decisions to make. They will make decisions today and in the next few months that will guide this State not only for now, but for years to come. Making decisions will not be easy. The economy is bad. Funds are low. Our State is losing jobs every day. People are hurting. So as this Senate make decisions that will affect your people, give them wisdom and boldness to do what is right.

Even when their decisions are not popular, guide them, protect them and may they trust you and allow you to direct their path, so their decisions will glorify you. Give them an ear to hear the people of this great State. But most of all give them an ear to hear from you. Bless them as they bless the people of the great State of Kansas.

In your Holy Name, Amen

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 412, AN ACT concerning water; relating to appropriation of water for sand and gravel projects; amending K.S.A. 2011 Supp. 82a-734 and repealing the existing section, by Committee on Agriculture.

SB 413, AN ACT concerning employment; creating the professional employer organization registration act, by Committee on Commerce.

SB 414, AN ACT concerning agriculture; relating to animal health; amending K.S.A. 47-120, 47-121, 47-122, 47-237, 47-238, 47-419, 47-422, 47-424, 47-656, 47-1001, 47-1002, 47-1005, 47-1010, 47-1102, 47-1213, 47-1217, 47-1219, 47-1301, 47-1305, 47-1306, 47-1509, 47-1701, 47-1710, 47-1711, 47-1712, 47-1723, 47-1725, 47-1727, 47-1801, 47-1804, 47-1807 and 47-2306 and K.S.A. 2011 Supp. 47-1008, 47-1302, 47-1706, 47-1707, 47-1708, 47-1709, 47-1809 and 47-1826 and repealing the existing

sections; also repealing K.S.A. 47-619, 47-621, 47-636, 47-637, 47-638, 47-639, 47-641, 47-642, 47-643, 47-644, 47-647, 47-648, 47-649, 47-650, 47-651, 47-652, 47-653, 47-653d, 47-653e, 47-653f, 47-653g, 47-653h, 47-666, 47-667, 47-668, 47-669, 47-670, 47-671, 47-921, 47-922, 47-923 and 47-1005b and K.S.A. 2011 Supp. 47-672 and 47-1307, by Committee on Agriculture.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and senate concurrent resolution were referred to Committees as indicated:

Assessment and Taxation: **SB 402, SB 409, SB 411; SCR 1612.**

Commerce: **SB 408.**

Education: **SB 401, SB 410.**

Federal and State Affairs: **SB 399, SB 400; HB 2298.**

Judiciary: **SB 403, SB 404.**

Natural Resources: **SB 405, SB 406.**

Public Health and Welfare: **SB 407.**

Ways and Means: **HB 2460, HB 2461.**

COMMUNICATIONS FROM STATE OFFICERS

REGIONAL ECONOMIC AREA PARTNERSHIP

January 9, 2012

In compliance with Kansas law, the Kansas Affordable Airfares Program Fiscal Year 2012 Financial Status Report was submitted by the Regional Economic Area Partnership.

The President announced the above report is on file in the office of the Secretary of the Senate and is available for review at any time.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2420, HB 2458, HB 2459, HB 2606.**

The House accedes to the request of the Senate for a conference on **House Substitute for SB 191** and has appointed Representatives Schwartz, Schroeder and Carlin as conferees on the part of the House.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2420, HB 2458, HB 2459, HB 2606 were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Morris, Emler, Hensley, Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1813—

A RESOLUTION congratulating and commending Alan D. Conroy for his service to the Kansas Legislature and the State of Kansas and for his appointment as Executive Director of the Kansas Public Employees Retirement System.

WHEREAS, Alan D. Conroy has served the Kansas Legislature for nearly 29 years as Legislative Fiscal Analyst, Chief Fiscal Analyst and Director of Legislative Research from July 25, 1983, through February 10, 2012, after serving as a Governor's Budget Analyst in the Division of the Budget from 1979 to 1983; and

WHEREAS, Alan D. Conroy, as Director, has provided the leadership, guidance and motivation to continue and improve the outstanding nonpartisan professional analysis and service provided by all members of the Kansas Legislative Research Department; and

WHEREAS, Alan D. Conroy has responded to countless inquiries from Kansas Legislators of both parties with a friendly willingness and has employed his ability to gather and analyze information and to provide objective, nonpolitical responses; and

WHEREAS, Alan D. Conroy has shown himself to be highly motivated and has applied his skills, knowledge and understanding of state budgets, finance and government policy to anticipate issues and to inform and assist members of the Kansas Legislature in their formulation of public policy; and

WHEREAS, Alan D. Conroy is known and highly respected by members of the Kansas Legislature as a consummate professional whose diligence, insight and knowledge has been relied upon by the members of the Kansas Legislature with absolute confidence; and

WHEREAS, Alan D. Conroy has served with distinction and honor as an integral member and leader of the State General Fund Consensus Revenue Estimating Group; and

WHEREAS, Alan D. Conroy has been selected for a new and challenging professional position to serve as Executive Director of the Kansas Public Employees Retirement System (KPERs) for which he is uniquely talented and experienced, including having provided fiscal and policy analysis regarding pensions, investments and benefits for several legislative study committees, including studies of KPERs in particular; and

WHEREAS, Alan D. Conroy served as a member *ex officio* of the KPERs Study Commission during 2011; and

WHEREAS, Alan D. Conroy was awarded a Bachelor of Science in Political Science with an emphasis in Public Administration from the University of South Dakota in 1977, and was awarded a Master of Arts with an emphasis in Public Administration from Wichita State University in 1979, after a year's full-time internship as a Kansas Governor's Fellow serving as a management intern with various Governor's cabinet members; and

WHEREAS, Alan D. Conroy was born in Kearney, Nebraska, and is married to Julie Conroy and they have a son, Joseph, and three daughters, Anna Keller, who is married to Joel Keller, and Jessie Conroy and Nicole Conroy: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Alan D. Conroy on more than 33 years of public service to the Kansas Legislative Research Department, the Kansas Legislature and to the State of Kansas and

for the legacy of professional excellence and nonpartisan public service that he leaves after his many years as Legislative Fiscal Analyst, Chief Fiscal Analyst and Director of Legislative Research; and

Be it further resolved: That we congratulate and commend Alan D. Conroy upon his appointment as Executive Director of the Kansas Public Employees Retirement System and look forward to the good work he will do for the KPERS Board of Trustees, the active and retired members and beneficiaries of KPERS and the people of Kansas, and look forward to our continued interaction with him in his new role; and

Be it further resolved: That the Secretary of the Senate provide enrolled copies of this resolution to: Alan D. Conroy and the members of his family, at 3651 SE Shoreline Drive, Topeka, KS 66605.

On emergency motion of Senator Hensley **SR 1813** was adopted unanimously.

Senator Hensley congratulated and commended Alan D. Conroy for his service to the Kansas Legislature and for his appointment as Executive Director of the Kansas Public Employees Retirement System. Other Senators joined Senator Hensley in paying tribute to Alan Conroy. His wife Julie, and the following family and friends were in attendance: Nicole Conroy, Jessie Conroy, Joseph Conroy, Johanna Barnes, Anna Keller, Joel Keller, Emma Keller, Riley Keller, Rowen Keller, Russ Conroy, Cyndy Novacek, Jon Novacek, Stephanie Novacek, Morgan Novacek, Connor Novacek, Raegan Novacek, Elizabeth Novacek, Jennifer Head, Torrey Head, Father Jon Hulinger and Lois Mason. The Senate acknowledged Alan Conroy with a standing ovation.

REPORT ON ENGROSSED BILLS

SB 260, SB 263 reported correctly engrossed February 8, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 369, SB 386** be passed.

Committee on **Federal and State Affairs** recommends **SB 277** be amended on page 1, in line 8, by striking "during"; in line 9, by striking "the license" and inserting "per"; in line 15, after "premises" by inserting "and at special events, monitored and regulated by the division of alcoholic beverage control,";

On page 4, in line 10, by striking "distillery" and inserting "facility which produces spirits from any source or substance that is"; in line 33, after "microbrewery" by inserting ", microdistillery"; and the bill be passed as amended.

Also, **SB 358** be amended on page 1, in line 16, by striking all after the period; by striking all in line 17; and the bill be passed as amended.

On motion of Senator Emler, the Senate adjourned until 8:00 a.m., Friday, February 10, 2012.

Journal of the Senate

TWENTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 10, 2012, 8:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-seven senators present.
Senators Brungardt, Faust-Goudeau and Kelsey were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

This Sunday marks the two hundred and third birthday anniversary of Abraham Lincoln who became the 16th President of the United States.

He was a man, who though not perfect, honored You, O God, as the author of the Bible and the One from whom he sought strength and wisdom.

I have not always respected President Lincoln, having been born and raised in the deep South which was totally segregated at the time. We were so proud to be southerners, that I remember as a child in southwest Georgia, the most disappointing news I had ever heard was when I was told that I lived in NORTH America!

Today, Lord, I have a great respect for Lincoln, considering him to be one of our greatest presidents, and a man who turned to You over and over again for wisdom, strength, and endurance.

I close my prayer, dear Lord, with a quote, that I think, summarizes his submission to You.

During the Civil War, Lincoln overheard someone say, "I hope the Lord is on the Union side." To which President Lincoln responded, "...I know that the Lord is always on the right side. But it is my constant anxiety and prayer that I and this nation will always be on the Lord's side."

This quote expresses my deep desire, also, as I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 415, AN ACT concerning motor vehicles; relating to competitive bidding; amending K.S.A. 2011 Supp. 75-3740 and repealing the existing section, by Committee on Assessment and Taxation.

SB 416, AN ACT concerning the state workplace health and safety program; relating

to implementation and administration of the program; pertaining to transfer of the program from the department of health and environment to the department of labor; amending K.S.A. 2011 Supp. 44-575 and repealing the existing section, by Committee on Commerce.

SB 417, AN ACT concerning economic development; relating to the powers, duties and functions transferred to the secretary of commerce from Kansas, Inc.; making changes in references and transfers to state officers and agencies with respect thereto; amending K.S.A. 74-5007a, 74-50,101, 74-8009a, 74-8013, 74-8015, 74-8016, 74-8204, 74-8310 and 74-9306 and K.S.A. 2011 Supp. 12-17,169, 12-17,177, 74-5001a, 74-5049, 74-5089, 74-5095, 74-50,151, 74-8004, 74-8006, 74-8010, 74-8106, 74-8111, 74-8136, 74-8317, 74-8405, 74-99b09, 74-99c07, 74-99e02, 75-2935, 75-2935b, 75-3702k, 75-3702l, 75-3702m and 75-3702n and repealing the existing sections; also repealing K.S.A. 74-8003, 74-8011, 74-8012 and 74-8014 and K.S.A. 2011 Supp. 74-50,134, 74-8001, 74-8002, 74-8005, 74-8007, 74-8102 and 74-99c10, by Committee on Commerce.

SB 418, AN ACT concerning oil and gas; relating to horizontal drilling; amending K.S.A. 55-1304 and 55-1305 and repealing the existing sections, by Committee on Utilities.

SB 419, AN ACT concerning energy; relating to renewable energy resource investment; amending K.S.A. 2011 Supp. 66-1260 and repealing the existing section, by Committee on Utilities.

SB 420, AN ACT enacting the Kansas financial incentive protection act; providing requirements, procedures and penalties for violations thereof; duties of business entities receiving financial assistance from the state, by Committee on Assessment and Taxation.

SB 421, AN ACT concerning personal property taxation; relating to motor vehicles; computation of amount of tax; amending K.S.A. 79-5105 and repealing the existing section, by Committee on Assessment and Taxation.

SB 422, AN ACT concerning courts; relating to judges pro tem; amending K.S.A. 20-310a and repealing the existing section, by Committee on Judiciary.

SB 423, AN ACT concerning the judicial branch of government; relating to judges; authority of supreme court; amending K.S.A. 4-202, 4-203, 4-204, 4-205, 4-206, 4-207, 4-208, 4-209, 4-210, 4-211, 4-212, 4-213, 4-214, 4-215, 4-216, 4-217, 4-218, 4-219, 4-220, 4-221, 4-222, 4-223a, 4-224, 4-225, 4-226, 4-227, 4-228, 4-229, 4-230, 4-231 and 4-232 and repealing the existing sections; also repealing K.S.A. 20-301b and 20-338, by Committee on Judiciary.

SB 424, AN ACT concerning the Kansas law enforcement training act; amending K.S.A. 74-5601 and 74-5622 and K.S.A. 2011 Supp. 74-5602, 74-5603, 74-5605, 74-5607, 74-5607a, 74-5608a and 74-5616 and repealing the existing sections; also repealing K.S.A. 74-5618, by Committee on Judiciary.

SB 425, AN ACT concerning courts; relating to court fees and costs; judiciary technology fund; amending K.S.A. 20-1a12, 20-371, 60-2101 and 65-409 and K.S.A. 2011 Supp. 8-2107, 8-2110, 20-362, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 38-2215, 38-2312, 38-2314, 59-104, 60-2001, 60-2203a, 61-2704 and 61-4001 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c, 22-2410a, 28-177a, 38-2312a and 38-2312b, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **SB 412, SB 414.**

Commerce: **SB 413.**

Local Government: **HB 2420.**

Reapportionment: **HB 2606.**

Transportation: **HB 2458, HB 2459.**

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 262** be amended on page 1, in line 6, by striking "any" and inserting "a"; also in line 6, by striking "shall" and inserting "may"; in line 7, by striking "preference" and inserting "consideration"; in line 20, after "(c)" by inserting "The provisions of this section shall not apply to actions filed under the Kansas adoption and relinquishment act, K.S.A. 59-2111, *et seq.*, and amendments thereto.

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

Committee on **Financial Institutions and Insurance** recommends **SB 64** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 64," as follows:

"Substitute for SENATE BILL No. 64

By Committee on Financial Institutions and Insurance

"AN ACT concerning banking; allowing the obtaining of fingerprints from certain individuals for certain purposes; amending K.S.A. 9-1722 and 9-1801 and K.S.A. 2011 Supp. 9-509 and repealing the existing sections.";
and the substitute bill be passed.

Also, **SB 287** be amended on page 2, in line 14, after the period by inserting:

"A credit union also may do all things necessary to obtain, continue, pay for and terminate private insurance coverage of its shares and share certificates in excess of the coverage for such shares and share certificates provided by the national credit union share insurance fund or its successor. Such excess coverage shall be obtained from an insurer approved by the commissioner of insurance.";

On page 3, in line 43, after the period by inserting:

"Confidential information may be disclosed to the private insurer of any credit union regarding the credit union insured by such insurer when necessary in the performance of their official duties or functions. No employees of such private insurer may disclose such confidential information without express written authorization of the administrator.";

On page 4, in line 1, by inserting "(e)" before "Confidential"; in line 7, by striking "(e)" and inserting "(f)"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 311** be amended on page 1, by striking all in lines 28 through 36;

On page 2, by striking all in lines 1 and 2;

On page 3, by striking all in lines 24 through 41;

On page 4, by striking all in lines 10 through 22;

On page 5, by striking all in lines 18 through 39;

On page 6, in line 19, by striking all after "(a)"; by striking all in lines 20 through

23; in line 24, by striking "(b)"; by striking all in lines 41 through 43;

On page 7, by striking all in lines 1 through 8;

On page 8, following line 19, by inserting:

"(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2012, the following:

Air service incentive fund.....\$2,000,000

Provided, That 50% of all expenditures from the air service incentive fund during fiscal year 2012 shall be made to participate in air passenger service support agreements with the Manhattan area chamber of commerce, inc., and airlines providing air passenger service at Manhattan regional airport, related to any quarter during fiscal year 2012 when flights provided by an airline that is a party to an air passenger service support agreement are filled to less than 70% of capacity, or as determined under a formula finalized and agreed upon by the Manhattan area chamber of commerce, inc., in such support agreements: *Provided however*; That no expenditures shall be made from the air service incentive fund unless the Manhattan area chamber of commerce, inc., has made payments to such airlines for such purpose of \$250,000 or more for fiscal year 2012: *Provided further*; That expenditures from the air service incentive fund to such airlines for such purpose for fiscal year 2012 shall not exceed \$1,000,000: *And provided further*; That 50% of all expenditures from the air service incentive fund during fiscal year 2012 shall be for a competitive grant program developed and administered by the secretary of commerce for the purposes of expanding air travel options and airport improvements across the state: *And provided further*; That in addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in the air service incentive fund for fiscal year 2012, expenditures may be made by the secretary of commerce to enter into an agreement for competitive grants or to produce market research studies to determine the economic benefits of providing incentives to expand air travel options and airport improvements in the state: *And provided further*; That expenditures from the air service incentive fund for competitive grants for fiscal year 2012 shall not exceed \$1,000,000.

(f) On the effective date of this act, of the \$2,203,172 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 103 (b) of chapter 118 of the 2011 Session Laws of Kansas from the state economic development initiatives fund in the rural opportunity zones program account, the sum of \$300,000 is hereby lapsed.";

On page 9, following line 2, by inserting:

"(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training grant fund.....No limit";

Also on page 9, by striking all in lines 15 through 19;

On page 10, following line 19, by inserting:

"Renovations at rainbow mental health facility.....\$1,500,000";

On page 11, following line 4, by inserting:

"(n) In addition to the other purposes for which expenditures may be made by the above agency from the state operations account of the state general fund for fiscal year 2012 as authorized by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas, expenditures shall be made by the above agency from the state operations

account of the state general fund for fiscal year 2012 to provide reimbursement to the cities of Ft. Scott, Lawrence, Marysville, McPherson and Pratt for expenses incurred in keeping open each such city's local social and rehabilitation services office: *Provided*, That such expenditures from the state operations account of the state general fund for fiscal year 2012 shall not exceed \$448,977.";

On page 13, in line 24, by striking "\$2,427,906" and inserting "\$2,603,283"; following line 24, by inserting:

"(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the VA burial reimbursement fund – federal of the Kansas commission of veterans affairs is hereby increased from \$80,538 to \$101,942.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the veterans' home fee fund of the Kansas commission of veterans affairs is hereby increased from \$3,000,003 to \$3,133,615.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the veterans' home federal fund of the Kansas commission of veterans affairs is hereby increased from \$2,924,231 to \$3,308,745. ";

Also on page 13, following line 31, by inserting:

"(b) On the effective date of this act, the appropriation for the above agency for the fiscal year ending June 30, 2012, by section 128(a) of chapter 118 of the 2011 Session Laws of Kansas of any unencumbered balance in the southwest Kansas access project account of the state general fund, is hereby lapsed.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Midwest higher education commission.....\$5,462";

Also on page 13, following line 37, by inserting:

"Operating expenditures (including official hospitality).....\$50,000";

On page 14, following line 36, by inserting:

"(d) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Purchase of services.....\$870,540";

On page 16, in line 22, by striking all after "(b)"; by striking all in lines 23 and 24 and inserting "There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2012, the following:

State parks operating fund.....\$300,000

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2012, for the water plan project of projects specified, the following:

State parks water projects fund.....\$423,267";

Also on page 16, following line 35, by inserting:

"Sec. 38.

KANSAS ARTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Operating expenditures..... \$172,000

Sec. 39.

KANSAS HUMAN RIGHTS COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 94(a) of chapter 118 of the 2011 Session Laws of Kansas on expenditures for official hospitality from the operating expenditures account of the Kansas human rights commission is hereby increased from \$150 to \$275.

Sec. 40.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Court appointed special advocates.....\$50,000

(b) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2011 Supp. 21-5933, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the medicaid fraud prosecution revolving fund of the attorney general to the state general fund.

Sec. 41.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Judiciary operations.....\$1,200,000

Sec. 42. (a) During the fiscal year ending June 30, 2012, notwithstanding the provisions of chapter 118 of the 2011 Session Laws of Kansas, in addition to the other purposes for which expenditures may be made by any state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2012 for the state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the state agency from moneys appropriated by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature from the state general fund or from any such special revenue fund or funds for fiscal year 2012 to purchase bottled drinking water for water dispensers.";

And by renumbering sections accordingly;

And the bill be passed as amended.

REPORT ON ENROLLED BILLS

SR 1812, SR 1813 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 10, 2012.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Monday, February 13, 2012.

Journal of the Senate

TWENTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 13, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-eight senators present.
Senators Haley and Masterson were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

There is an old saying: "Prayer changes things."
But does it, Lord?
Does this seventy seconds we stand with heads bowed make a difference?
Would we really miss the invocation if we didn't have it?
What it really boils down to, God, is whether prayer really accomplishes anything?
Or even more to the point, do You, O God, really care about what happens in the State House.

Do You really care about clean-up amendments, or points of order, or resolutions, or conference committees, or rules suspended, or any other such things?

I believe You do, O God.

Jesus said the very hairs of our head are numbered. And although that is not a remarkable accomplishment on some of our heads, it shows Your remarkable attention to details.

Jesus also said, "The birds of the air do not sow or reap or stow away in barns, and yet Your Heavenly Father feeds them."

So I will continue to believe what I have found to be true for a long time: "If it's worth worrying about, it's worth praying about."

And I thank You for all the prayers You have answered, whether "yes" or "no" or "wait". And I thank You in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 426, AN ACT concerning income taxation; relating to credits; adoption expenses; amending K.S.A. 2011 Supp. 79-32,202 and repealing the existing section, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 421**.

Commerce: **SB 416, SB 417, SB 420**.

Judiciary: **SB 422, SB 423, SB 424, SB 425**.

Utilities: **SB 418, SB 419**.

Ways and Means: **SB 415**.

COMMUNICATIONS FROM STATE OFFICERS**KANSAS INSURANCE DEPARTMENT**

In compliance with KSA 40-108, Sandy Praeger, Commissioner of Insurance, submitted the 2011 Annual Report of the Kansas Insurance Department.

The President announced the above report is on file in the office of the Secretary of the Senate and is available for review at any time.

MESSAGE FROM THE HOUSE

Announcing passage of **Substitute HB 2055; HB 2441, HB 2472, HB 2491, HB 2507**.

INTRODUCTION OF HOUSE BILLS AND RESOLUTIONS

Substitute HB 2055; HB 2441, HB 2472, HB 2491, HB 2507 were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Huntington introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1814—

A RESOLUTION congratulating the Shawnee Mission East girls' tennis team on winning the class 6A state tournament.

WHEREAS, The Shawnee Mission East girls' tennis team won the Kansas Class 6A state tournament; and

WHEREAS, Shawnee Mission East swept the singles, doubles and team competition; and

WHEREAS, Shawnee Mission East won the team competition with a score of 55 points, barely edging out the second-place Blue Valley North by three points; and

WHEREAS, Senior Mimi Fotopoulos won the state singles title in 2011 and 2010. In 2011, she won the final match 6-1, 6-1. Ms. Fotopoulos will play tennis at the University of Tennessee starting this fall; and

WHEREAS, Senior Mollie Cooper and junior Elizabeth Wilcox won the state doubles title in 2011 and 2010. In 2011, they won the state title with a 6-4, 6-2 victory; and

WHEREAS, Freshman Elizabeth Barnickel finished fifth in singles and sophomore Meredith Shackelford and freshman Stephanie Wilcox took seventh in doubles; and

WHEREAS, Susan Chipman coached the Shawnee Mission East team to victory and contends the team's depth led to the state title: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the Shawnee Mission East girls' tennis team on their class 6A state title.

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Huntington.

On emergency motion of Senator Huntington **SR 1814** was adopted unanimously.

Senator Huntington congratulated the Shawnee Mission East girls tennis team on winning the Kansas Class 6A state tournament. The Shawnee Mission East girls team were introduced as follows: Head Coach Sue Chipman, Assistant Coach Debbie Ogden, Mollie Cooper, Mimi Fotopoulos, Elizabeth Wilcox, Elizabeth Barnickel, Meredith Shackelford and Stephanie Wilcox. Also in attendance were Ted Barnickel, Tracy Cooper, Angie Fotopoulos, Sam Fotopoulos, Martha Shackelford, Kathy Wilcox and Kelly Barnickel. The Senate acknowledged their achievement with a standing ovation.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 269** be amended on page 2, in line 11, by striking "malt beverage" and inserting "beer"; also in line 11, after "premises" by inserting ", or adjacent premises, monitored and regulated by the division of alcoholic beverage control,"; in line 20, after "premises" by inserting ", or adjacent premises, monitored and regulated by the division of alcoholic beverage control,"; in line 23, by striking "package store"; in line 26, by striking "holder of a nonresident seller's or manufacturer's agent's"; in line 27, by striking "permit" and inserting "supplier or its agent"; in line 28, by striking "wholesaler's" and inserting "distributor's"; and the bill be passed as amended.

Also, **SB 288** be amended on page 2, in line 10, by striking "an individual serving of a beverage"; by striking all in line 11; in line 12, by striking "(m) "Individual serving" means"; in line 15, by striking "serving" and inserting "drink";

And redesignating the remaining subsections accordingly;

On page 3, by striking all in lines 21 through 23;

And by redesignating paragraphs accordingly;

Also on page 3, in line 32, by striking "(5)" and inserting "(4)"; in line 37, by striking "or"; in line 38, after "(3)" by inserting "sell, offer to sell and serve individual drinks at different prices throughout any day; or

(4)";

On page 4, following line 10, by inserting:

"Sec. 3. K.S.A. 41-2722 is hereby amended to read as follows: 41-2722. (a) No retailer, or employee or agent of a retailer, licensed to sell cereal malt beverage for consumption on the licensed premises shall:

(1) Offer or serve any free cereal malt beverage to any person;

(2) offer or serve to any person a drink at a price that is less than the acquisition cost of the drink to the licensee;

(3) sell, offer to sell or serve to any person an unlimited number of drinks during any set period of time for a fixed price, except at private functions not open to the general public;

~~(4) sell, offer to sell or serve any drink to any person at any time at a price less than that charged the general public on that day, except at private functions not open to the general public;~~

~~(5) increase the size of a drink of cereal malt beverage without increasing proportionately the price regularly charged for the drink on that day;~~

~~(6) encourage or permit, on the licensed premises, any game or contest which involves drinking cereal malt beverage or the awarding of drinks as prizes; or~~

~~(7) (5) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (a)(1) through (6) (4).~~

~~(b) Nothing in subsection (a) shall be construed to prohibit A retailer from offering may:~~

~~(1) Offer free food or entertainment at any time;~~

~~(2) sell, offer to sell and serve individual drinks at different prices throughout any day; or~~

~~(3) sell or serve cereal malt beverage in a pitcher capable of containing not more than 64 fluid ounces.~~

(c) Violation of any provisions of this section is a misdemeanor punishable as provided by K.S.A. 41-2711, and amendments thereto.

(d) Violation of any provision of this act shall be grounds for suspension or revocation of the retailer's license as provided by K.S.A. 41-2708, and amendments thereto.

(e) Every licensee subject to the provisions of this section shall make available at any time upon request a price list showing the licensee's current prices for all cereal malt beverages.

~~(f) As used in this section, "drink" means an individual serving of cereal malt beverage.~~

~~(g) This section shall be part of and supplemental to K.S.A. 41-2701 through 41-2721, and amendments thereto.";~~

~~And by renumbering sections accordingly;~~

~~Also on page 4, in line 11, after "41-2640" by inserting "and 41-2722";~~

~~On page 1, in the title, in line 2, after "41-2640" by inserting "and 41-2722"; and the bill be passed as amended.~~

SB 345 be amended on page 1, in line 4, by striking "This act" and inserting "The provisions of sections 1 through 25, and amendments thereto,";

On page 3, in line 21, by striking "Except as provided by section 5, and amendments thereto,"; by striking all in lines 22 through 29; in line 30, by striking "(b)"; also in line 30, by striking "required by subsection (a)";

On page 4, in line 14, by striking "14" and inserting "11"; in line 24, by striking "15" and inserting "12"; in line 27, by striking "16" and inserting "13"; in line 37, by striking "18" and inserting "16"; by striking all in lines 38 and 39 and inserting the following:

"(b) The board shall review each application that is properly submitted and either issue the registration to the applicant or deny such application in accordance with the provisions of this act.";

On page 6, in line 25, by striking "26" and inserting "23";

On page 9, in line 2, before "If" by inserting "(a)"; in line 10, by striking "Sec. 12." and inserting "(b)"; in line 13, by striking "Sec. 13." and inserting "(c)"; in line 18, by striking "Sec. 14." and inserting "(d)"; in line 23, by striking "(a)" and inserting "(1)"; in line 25, by striking "(b)" and inserting "(2)";

On page 10, following line 18, by inserting:

"Sec. 15. Except as provided by section 5, and amendments thereto, it shall be unlawful for any person to do any of the following without first obtaining a registration issued by the board pursuant to section 4, and amendments thereto:

- (a) Directly or indirectly engage or attempt to engage in business as an AMC;
- (b) directly or indirectly perform or attempt to perform appraisal management services as an AMC; or
- (c) advertise or hold such person out as engaging in or conducting business as an AMC.";

On page 12, in line 40, by striking "18" and inserting "16";

On page 14, by striking all in lines 15 through 17; in line 18, by striking "refuse to issue an initial or renewal"; in line 19, by striking "registration" and inserting "deny the issuance of a registration or a renewal of a registration to an applicant for failure to comply with any requirement of this act, or any rule or regulation adopted pursuant thereto, or";

On page 15, in line 3, before "The" by inserting "(a)"; in line 8, by striking "(a)" and inserting "(1)"; in line 9, by striking "(b)" and inserting "(2)"; in line 11, by striking "(c)" and inserting "(3)"; in line 13, by striking "(d)" and inserting "(4)"; in line 16, by striking "Sec. 27." and inserting "(b)"; following line 17, by inserting:

"(c) A violation of this act, or of any rule or regulation adopted pursuant thereto, shall be a class C misdemeanor.";

And by renumbering sections accordingly;

On page 16, in line 5, by striking "October 1, 2012, and";

On page 1, in the title, in line 1, after "Kansas" by inserting "appraisal"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 320**, **SB 403**, **SB 404** be passed.

Also, **SB 307** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 307," as follows:

"Substitute for SENATE BILL No. 307

By Committee on Judiciary

"AN ACT concerning crimes, punishment and criminal procedure; relating to lesser included crimes; murder in the first degree; amending K.S.A. 2011 Supp. 21-5109 and repealing the existing section.";

and the substitute bill be passed.

SB 395 be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

SB 281 be amended on page 1, in line 7, before "The" by inserting "(a)"; following line 15 by inserting: "(b) The provisions of K.S.A. 20-3201 through 20-3207, and amendments thereto, shall expire on January 1, 2015."; and the bill be passed as amended.

Committee on **Local Government** recommends **SB 341** be passed.

FEBRUARY 13, 2012

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On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Tuesday, February 14, 2012.

Journal of the Senate

TWENTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 14, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

On Valentine's we hear a lot
About love that is so true.
But to know what love is all about
We must begin, O God, with You.

Your love is so much greater
Than what we often see:
Like behavior meant for privacy
Splashed across TV.

People we don't even like
You can make us love.
You could even make the hawks
Learn to love the doves.

You can help Republicans
Love the Democrats.
You can even cause the Jayhawks
Learn to love the Wildcats.

There's not a single barrier
Your love cannot erase.
So on this day of Valentine.
We praise You for Your grace.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 427, AN ACT concerning the Kansas housing loan deposit program; relating to the building or rehabilitation of adult care homes; amending K.S.A. 2011 Supp. 75-4277, 75-4278 and 75-4279 and repealing the existing sections, by Committee on Ways and Means.

SB 428, AN ACT concerning sales and use taxation; relating to rate on sales of food and food ingredients, exemption; eliminating food sales tax refunds; amending K.S.A. 2011 Supp. 79-3603, 79-3606 and 79-3703 and repealing the existing sections; also repealing K.S.A. 79-3632, 79-3634, 79-3636 and 79-3638 and K.S.A. 2011 Supp. 79-3606g, 79-3633, 79-3635, 79-3637, 79-3639 and 79-3639a, by Committee on Ways and Means.

SB 429, AN ACT concerning retirement and pensions; enacting the Kansas public employees retirement system act of 2014; providing terms, conditions and requirements relating thereto for certain new members; relating to benefits and contributions; elimination of service credit purchases; repealing K.S.A. 74-4919a, 74-4919g, 74-4919i, 74-4919k, 74-4919n, 74-4919p, 74-4919q, 74-4919r and 74-4919s and K.S.A. 2011 Supp. 74-4919h, 74-4919j, 74-4919l, 74-4919m, 74-4919o, 74-4919u and 74-4919v, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 426**.

Financial Institutions and Insurance: **HB 2507**.

Judiciary: **Sub HB 2055**.

Natural Resources: **HB 2472, HB 2491**.

Transportation: **HB 2441**.

MESSAGE FROM THE GOVERNOR

February 7, 2012

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback
Kansas Governor

Secretary, Social and Rehabilitation Services, Phyllis Gilmore (R), Overland Park, pursuant to the authority vested in me by KSA 75-5301 effective upon the date of confirmation by the Senate, to serve at the pleasure of the Governor.

Member, University of Kansas Hospital Authority, Greg Graves (R), Stilwell, pursuant to the authority vested in me by KSA 76-3304 effective upon the date of confirmation by the Senate to serve a four year term, to expire March 15, 2015.

Member, University of Kansas Hospital Authority, Sharon Lindenbaum (R), Leawood, pursuant to the authority vested in me by KSA 76-3304 effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2015.

Member, University of Kansas Hospital Authority, Alex Ammar (R), Wichita, pursuant to the authority vested in me by KSA 76-3304 effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2014.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2503, HB 2515, HB 2525, HB 2588.**

Also, passage of **SB 211**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2503, HB 2515, HB 2525, HB 2588 were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Schodorf introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1815—

A RESOLUTION congratulating and commending the 2011 Kansas National Board Certified Teachers.

WHEREAS, Thirteen of Kansas' finest educators have satisfied the highest professional qualifications of the National Board for Professional Teaching Standards to be designated as National Board Certified Teachers. They will be recognized as such at a program on February 23; and

WHEREAS, The 2011 Kansas National Board Certified Teachers are: Deena Amont, Lawrence High School, Lawrence USD 497; Lindsey Colling, Olathe East Sr. High School, Olathe USD 233; Amy Compton, Jefferson Elementary School, Independence USD 446; Karla Fickes, Clay Center Community Middle School, Clay Center USD 379; Lisa Frahm, Manchester Park Elementary School, Olathe USD 233; Lori Hamilton, Burlington High School, Burlington USD 244; Mary Ann James, Aubry Bend Middle School, Blue Valley USD 229; Jean Johnson, Fort Riley Middle School, Geary County USD 475; Kimberly Kime, Mission Trail Elementary School, Blue Valley USD 229; Elizabeth McKnight, Oak Hill Elementary School, Blue Valley USD 229; DeAnn Nelson, Truesdell Middle School, Wichita USD 259; Raj Narayan Sharma, Wichita South High School, Wichita USD 259; Dena Steen, Washington Elementary School, Olathe USD 233; and

WHEREAS, National Board Certification, a voluntary process established by the National Board for Professional Teaching Standards, is a symbol of professional teaching excellence. It is achieved through a performance-based assessment process that measures a teacher's practice against high and rigorous advanced standards to demonstrate accomplished practice. Through a series of assessments, teachers demonstrate their subject matter knowledge, provide evidence that they know how to teach their subjects to students most effectively and demonstrate their ability to manage and measure student learning; and

WHEREAS, The National Board for Professional Teaching Standards is an independent, nonprofit, nonpartisan and nongovernmental organization. Its mission is to advance the quality of teaching and learning by: Maintaining high and rigorous standards for what accomplished teachers should know and be able to do; providing a national voluntary system certifying teachers who meet these standards; and advocating related education reforms to integrate National Board Certification in American education and to capitalize on the expertise of National Board Certified Teachers: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend each of these outstanding educators who have attained the status of National Board Certified Teachers; and

Be it further resolved: That the Secretary of the Senate provide 13 enrolled copies of this resolution to the Commissioner of Education for forwarding to each of the teachers so honored plus a copy to the Commissioner of Education.

On emergency motion of Senator Schodorf **SR 1815** was adopted unanimously.

Senator Schodorf introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1816—

A RESOLUTION congratulating and commending the Kansas recipient of the 2011 Milken Family Foundation Educator Award.

WHEREAS, Lisa Gruman, Associate Principal at Shawnee Mission Northwest High School, Shawnee Mission USD 512, has been selected as the Kansas recipient of the 2011 Milken Family Foundation Educator Award. She will receive an unrestricted award of \$25,000 plus recognition by her community, school and peers; and

WHEREAS, The Milken Educator Awards program was established by the Milken Family Foundation in 1985 and the first awards were presented in 1987; and

WHEREAS, The Milken Family Foundation Educator Awards program provides public recognition and financial awards to elementary and secondary school teachers, principals and other educational professionals who are furthering excellence in education. By honoring outstanding educators, the program strives to attract, retain and motivate talented people to the challenge and adventure of teaching; and

WHEREAS, The Milken Educator Awards are announced each fall at surprise notifications held in all-school assemblies. Foundation representatives and the chief state school officer make the announcements. Lisa Gruman was one of up to 40 educators around the country recognized with the award this year. By publicizing these awards our communities are reminded of the crucial, positive impact of educators. Furthermore, it is hoped these awards will attract the attention of those who might consider teaching as a rewarding career choice: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Lisa Gruman upon her selection as the Kansas recipient of the 2011 Milken Family Foundation Educator Award; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the Commissioner of Education for forwarding to the 2011 Milken Educator.

On emergency motion of Senator Schodorf **SR 1816** was adopted unanimously.

Senator Schodorf introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1817—

A RESOLUTION congratulating and commending the 2012 Kansas Cable Telecommunications Horizon Award Program educators.

WHEREAS, Thirty-one beginning educators from across the state have been named as Kansas Cable Telecommunications Horizon Award Program educators; and

WHEREAS, The Kansas Cable Telecommunications Horizon Award Program, sponsored by Kansas State Department of Education identifies and recognizes representatives of excellent teaching in the elementary and secondary classrooms of the state. The mission of the Kansas Cable Telecommunications Horizon Award Program is to recognize exemplary first-year teachers who perform in a way that distinguishes them as outstanding; and

WHEREAS, The Kansas Cable Telecommunications Horizon Award Program, currently in its 10th year, allows all school districts in the state an opportunity to nominate one elementary and one secondary teacher for the award. To be eligible for the Kansas Cable Telecommunications Horizon Award Program, teachers must have successfully completed their first year of teaching and have performed in such a way as to distinguish themselves as outstanding. The Kansas Cable Telecommunications Horizon Award Program is a regional competition with four regions corresponding to the state's United States congressional districts. Four elementary and four secondary classroom teachers may be selected for the award from each district; and

WHEREAS, This year's recipients are: Region 1: Stephanie Beardslee, Emporia High School, Emporia USD 353; Lindsey Frank, Coronado Elementary School, Salina USD 305; Sarah Gerhardt, Canton-Galva Elementary School, Canton-Galva USD 419; Emily Greer, Lincoln Elementary School, McPherson USD 418; Katelyn Kennedy, Walnut Elementary School, Emporia USD 253; Joshua Massey, Salina High School South, Salina USD 305; Sarah Peterson, Buhler High School, Buhler USD 313; Heather Reimer, Ashland High School, Ashland USD 220; and

Region 2: Brooke Henry, Seaman High School, Seaman USD 345; Jessica Mainz, Washburn Rural Middle School, Auburn-Washburn USD 437; Kenya Patzer, Topeka High School, Topeka USD 501; Robyn Studebaker, Central Heights High School, Central Heights USD 288; Katlin Sullins, Garnett Elementary School, Garnett USD 365; Kimberlyn Uhl, Shawnee Heights High School, Shawnee Heights USD 450; Emily Vosseler, West Intermediate School, Leavenworth USD 453; and

Region 3: Andrew Addington, Bonner Springs High School, Bonner Springs USD 204; Abigail Clark, Indian Valley Elementary School, Blue Valley USD 229; Jessica Edwards, Blue Valley High School, Blue Valley USD 229; Sara Gehrt, Clear Creek Elementary School, De Soto USD 232; Lindsay Hothan, De Soto High School, De Soto USD 232; Jason Karlin, Lawrence High School, Lawrence USD 497; Andrea Kirkwood, Nieman Elementary School, Shawnee Mission USD 512; April Peavey, Eudora Elementary School, Eudora USD 491; and

Region 4: Cassie Banka, Goddard Middle School, Goddard USD 265; Jenna Nash, Field Kindley Memorial High School, Coffeyville USD 445; Traci Wood, Prairie Creek Elementary School, Andover USD 385; Kelly Cocking, Clark Davidson School, Goddard USD 265; Eunice Periz, Washington Elementary School, Wichita USD 259; Blake Smith, Maize South High School, Maize USD 266; Garrett Scott, Derby Middle

School, Derby USD 260; Nathan Holcomb, Belle Plaine Elementary School, Belle Plaine USD 357.

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the 2012 Kansas Cable Telecommunications Horizon Award Program educators for outstanding performance in their chosen career; and

Be it further resolved: That the Secretary of the Senate provide 31 enrolled copies of this resolution to the Commissioner of Education for forwarding to each educator so honored plus one copy to the Commissioner of Education.

On emergency motion of Senator Schodorf **SR 1817** was adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 148** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 148," as follows:

"Substitute for SENATE BILL No. 148

By Committee on Agriculture

"AN ACT concerning water; relating to administrative division of water right."; and the substitute bill be passed.

Also, **HB 2451** be passed.

Committee on **Federal and State Affairs** recommends **SB 276** be amended on page 1, in line 8, by striking "(a)"; in line 10, by striking "(1)" and inserting "(a)"; by striking all in lines 12 through 22; in line 23, by striking "(4)" and inserting "(b)"; in line 27, by striking "(5)" and inserting "(c)"; in line 30, by striking "(6)" and inserting "(d)"; in line 35, by striking "(7)" and inserting "(e)";

On page 2, by striking all in lines 1 through 5; and the bill be passed as amended.

Committee on **Natural Resources** recommends **SB 310** be passed.

Committee on **Transportation** recommends **SB 334** be passed.

Also, **SB 298** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Wednesday, February 15, 2012.

Journal of the Senate

TWENTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 15, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.

The roll was called with forty senators present.

The President introduced as guest chaplain, Reverend Joe Hishmeh, Lead Pastor, Fellowship Bible Church, Topeka, Kansas, who delivered the invocation.

Father in Heaven,

Thank you for each of these senators and for the opportunity they have to represent and respond to the needs and opportunities of the people of this blessed state of Kansas.

As they begin this session, I ask for them: your insight to see the truth; your grace to humble them; and your love to guide their thoughts, word and actions this session. I entrust each leader to you and for your glory on earth as it is in heaven.

In the name of Jesus I pray, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 430, AN ACT concerning taxation; relating to income tax rates, adjustment, procedure and requirements; credits; sales taxation, nexus presumptions; severance tax, exemptions; amending K.S.A. 79-32,176 and K.S.A. 2011 Supp. 40-2246, 79-32,110, 79-32,143, 79-32,197, 79-32,205, 79-32,210, 79-32,211a, 79-3635, 79-3702 and 79-4217 and repealing the existing sections, by Committee on Ways and Means.

SB 431, AN ACT concerning the credit union administrator; pertaining to certain positions in the unclassified service; amending K.S.A. 17-2234 and repealing the existing section, by Committee on Ways and Means.

SB 432, AN ACT concerning solid waste; relating to yard waste; amending K.S.A. 2011 Supp. 65-3402 and repealing the existing section, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **HB 2503**, **HB 2588**.

Assessment and Taxation: **SB 428**.

KPERS Select: **SB 429**.

Public Health and Welfare: **HB 2525**.
Ways and Means: **SB 427**; **HB 2515**.

REFERRAL OF APPOINTMENTS

The following appointments made by the Governor and submitted to the Senate for confirmation, were referred to Committees as indicated:

By the Governor:

Social and Rehabilitation Services, Secretary:
Phyllis Gilmore, serves at the pleasure of the Governor.
(Ways and Means)

University of Kansas Hospital Authority, Member:
Greg Graves, to serve a four year term to expire March 15, 2015.
(Public Health and Welfare)

University of Kansas Hospital Authority, Member:
Sharon Lindenbaum, to serve a four year term to expire March 15, 2015.
(Public Health and Welfare)

University of Kansas Hospital Authority, Member:
Alex Ammar, to serve a four year term to expire March 15, 2014.
(Public Health and Welfare)

MESSAGE FROM THE HOUSE

Announcing passage of **Substitute HB 2207, HB 2486, HB 2489, HB 2505, HB 2510, HB 2526**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Substitute HB 2207; HB 2486, HB 2489, HB 2505, HB 2510, HB 2526 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator V. Schmidt the Senate nonconcurred in the House amendments to **SB 211** and requested a conference committee be appointed.

The President appointed Senators V. Schmidt, Brungardt and Kelly as a conference committee on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Marshall introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1818—

A RESOLUTION congratulating and commending the Pittsburg State University football team for winning the 2011 NCAA Division II National Championship.

WHEREAS, The Pittsburg State University Gorillas football team defeated Wayne State University Warriors by a score of 35-21 to win the 2011 NCAA Division II Football National Championship in Florence, Alabama on December 17, 2011; and

WHEREAS, Pittsburg State University finished the 2011 season with a 13-1 record and won the MIAA Conference Championship; and

WHEREAS, Pittsburg State University had 12 players earn All-MIAA honors in 2011. Pittsburg State University also had 15 players earn All-Super Region Four honors and nine players captured NCAA Division II All-America recognition. Sophomore linebacker Nate Dreiling was named the Division II Defensive Player of the Year by Don Hansen and senior quarterback Zac Dickey was chosen to play in the Casino Del Sol College All-Star Game; and

WHEREAS, Four Pittsburg State Gorillas earned national or district academic honors, including one Capital One Academic All-American selection and one winner of the NCAA Elite 89 Award; and

WHEREAS, The Pittsburg State University football program has produced 17 Academic All-Americans since 2000, the highest total among all Division II football programs over that period; and

WHEREAS, The 110-student team posted a cumulative 3.0 grade point average during the fall 2011 semester. During the fall 2011 semester, seven football players achieved a perfect 4.0 GPA and 17 others earned Dean's Scholastic Honors; and

WHEREAS, Pittsburg State University football team earned the MIAA Community Engagement Award of Excellence for their program's many civic and charitable activities, including the creation of Coach Tim Beck's "Ladies Night at the Pitt" fundraiser, which benefits the Via Christi Cancer Center and Angels Among Us. The football team also took part in the relief efforts for the victims of the May 22, 2011, Joplin tornado; and

WHEREAS, Pittsburg State University has the most all-time wins of any football program in NCAA Division II; and

WHEREAS, The 2011 National Championship is the fourth football national championship in the history of Pittsburg State University: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the Pittsburg State University Gorillas for winning the 2011 NCAA Division II National Championship. We also commend PSU for its history of outstanding athletic and academic achievements and wish all the coaches, staff and players continued success in the future; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Marshall.

On emergency motion of Senator Marshall **SR 1818** was adopted unanimously.

Senator Marshall congratulated and commended the Pittsburg State University football team for winning the 2011 NCAA Division II National Championship. The Pittsburg State University football team were introduced as follows: John Brown, Jake Catloth, Andrew Castaneda, Zac Dickey, Nate Dreiling, Will Grissom, Ty Henry, Cody Holland, J.R. Jones, Aaron Kolich, Levi Kuntzsch, Chase McCoy, Cody Moore, Elijah Olabode, Jason Peete, Nick Pugh, Luke Rumpy, Bryant Sanchez, Aaron Sawyer, Kell Smalley, Chas Smith, Jason Spradling, Luke Stringer, Jon Thomas, Gus Toca, Joe Uzzel, Solomon Watkins, Briceton Wilson, Joe Windscheffel, Spencer Worthington, Shawn Naccarato, Jim Johnson, Chris Kelly, Joan Cleland, Malcolm Turner, Jacob

Anselmi and Paul Beck. Also in attendance were Pittsburg State University President Dr. Steve Scott, Coach Tim Beck, Coach Steve Rumpy, Coach Dave Wiemers and Coach John Pierce. The Senate acknowledged their achievement with a standing ovation.

Senator Marshall introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1819—

A RESOLUTION congratulating and commending Pittsburg State University's Coach Tim Beck for being named the 2011 Liberty Mutual NCAA Division II Football Coach of the Year.

WHEREAS, Coach Tim Beck began his coaching career with Pittsburg State University as a graduate assistant in 1987; and

WHEREAS, Coach Beck has served on the coaching staff of his alma mater for 25 years, including 16 years as offensive coordinator, and was named PSU's 14th head football coach in 2009; and

WHEREAS, Coach Beck, in his second year as head coach of the Gorillas, led the team to a 13-1 record, the MIAA Conference Championship and the NCAA Division II National Championship; and

WHEREAS, Coach Beck and his team earned the MIAA Community Engagement Award of Excellence for their program's many civic and charitable activities, including the creation of Coach Beck's "Ladies Night at the Pitt" fundraiser which benefits the Via Christi Cancer Center and Angels Among Us; and

WHEREAS, Coach Beck and his team took part in relief efforts for the victims of the May 22, 2011, Joplin tornado; and

WHEREAS, Coach Beck was selected the 2011 Liberty Mutual NCAA Division II Coach of the Year. In recognition of this award, Pittsburg State received \$20,000 for its general scholarship fund and Liberty Mutual donated \$50,000 to the charities of Coach Beck's choosing: Angels Among Us, Mirza Shrine Temple-Hospital Dads, Bradley Richard Research Fund of the Aplastic Anemica and MDS International Fund and Our Lady of Lourdes Catholic Church Memorial Fund. Coach Beck also was selected as the 2011 MIAA Conference Coach of the Year, the 2011 FieldTurf NCAA Division II Coach of the Year as well as the 2011 Don Hansen NCAA Division II Coach of the Year: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Pittsburg State University's Coach Tim Beck for being named the 2011 Liberty Mutual NCAA Division II Football Coach of the Year and for his many civic and charitable activities. We wish Coach Beck continued success, both on and off the football field, in the future; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Bob Marshall.

On emergency motion of Senator Marshall **SR 1819** was adopted unanimously.

Senator Marshall introduced and congratulated Pittsburg State University's Coach Tim Beck for being named the 2011 Liberty Mutual NCAA Division II Football Coach of the Year. The Senate acknowledged Tim Beck with a standing ovation.

Senator McGinn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1820—

A RESOLUTION proclaiming and celebrating the 125th anniversary of the founding of Bethel College, North Newton, Kansas.

WHEREAS, Bethel College was founded on May 11, 1887, by members of the Newton community and the Kansas Conference of Mennonites with the goal of educating good citizens and passing on the Christian faith, named "Bethel" for the Hebrew Bible term meaning "house of God"; and

WHEREAS, Bethel College was incorporated by the State of Kansas on May 23, 1887, when the charter signed by its 33 founders was submitted to the Secretary of State; and

WHEREAS, Bethel College was the first institution of higher learning to be established under the auspices of the Mennonite denomination in North America; and

WHEREAS, Bethel College honors with gratitude the vision of its three founding fathers, prominent leaders in the City of Newton and Harvey County; David Goerz, John J. Krehbiel and Bernhard Warkentin; and of its first president, Cornelius H. Wedel; and

WHEREAS, Bethel College has, through its history, educated and graduated citizens of and leaders for Newton, North Newton, Harvey County, the State of Kansas, the nation and the world; and

WHEREAS, Bethel College is the only Kansas private college to be listed by Forbes.com in "America's Best Colleges 2011-12," is the highest-ranking Kansas institution in the Washington Monthly college guide for 2011-12, and consistently appears in the top tier of U.S. News & World Report's annual college rankings; and

WHEREAS, Bethel College is first in the state and in the top 100 nationally in percentage of bachelor's degree graduates who go on to earn Ph.D. degrees; and

WHEREAS, Bethel College is one of only a handful of colleges or universities nationwide to offer its students a four-year graduation guarantee; and

WHEREAS, Bethel College is today a thriving liberal arts institution known for academic excellence, character and service: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we do hereby proclaim the year 2012 as Bethel College's quasiquicentennial year. We celebrate its rich legacy, consistent progress and wide-ranging achievements and applaud its continued growth. We recognize Bethel College as the first Mennonite college in North America and as a distinguished institution of higher learning dedicated to the liberal arts; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the President of Bethel College and to the Chairman of the board of directors of Bethel College.

On emergency motion of Senator McGinn **SR 1820** was adopted unanimously.

Senator McGinn introduced Bethel College President Perry White, his wife Darlene, former Bethel College President LaVerne Epp and his wife Marilyn for recognition of their support of celebrating the 125th anniversary of the founding of Bethel College, Newton, Kansas. The Senate acknowledged the guests with a standing ovation.

Senator Huntington introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1821—

A RESOLUTION recognizing and honoring Gayle Addington for 19 years of service to the Kansas Senate.

WHEREAS, Gayle Addington provided 19 years of exemplary service to the Kansas Senate. Gayle served as an assistant to Senator Audrey Langworthy, district 7, for eight years; Senator David Corbin, district 16, for four years; Senator David Wysong, district 7, for five years and Senator Terrie Huntington, district 7, for two years; and

WHEREAS, Gayle professionally and efficiently handled all correspondence, wrote thank you notes, calmed worried and anxious callers, became a close personal friend and knew as much about senate district 7 as the senators for whom she worked; and

WHEREAS, When working for Senator Corbin, Gayle made a seamless transition from communicating by phone and mail to primarily communicating by e-mail. Gayle's knowledge of computers and e-mail helped make contacting constituents very manageable and easy for her senators; and

WHEREAS, Gayle developed agendas for all budget subcommittees and kept her senators on schedule; and

WHEREAS, Gayle always received compliments from constituents, who recognized her knowledge of issues, her calming voice and her always cheerful and friendly personality: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize and honor Gayle Addington for her 19 years of service to the Kansas Senate and thank her for her outstanding work. We wish her success in all her future endeavors; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Terrie Huntington.

On emergency motion of Senator Huntington **SR 1821** was adopted unanimously.

Senator Huntington introduced and recognized Gayle Addington for nineteen years of service to the Kansas Senate. Also in attendance were Senator Audrey Langworthy, Senator David Corbin and Senator David Wysong. The Senate acknowledged Gayle Addington's achievement with a standing ovation.

REPORT ON ENROLLED BILLS

SR 1814, SR 1815, SR 1816, SR 1817 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 15, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **SB 355, SB 416** be passed.

Also, **SB 352** be amended on page 2, in line 16, by striking "matter" and inserting "manner";

On page 6, in line 16, by striking "of K.S.A. 44-703,"; in line 17, by striking "and amendments thereto";

On page 29, following in line 12, by inserting:

"(iii) violation of a written drug or alcohol policy of the employer of which the employee had knowledge and which constituted a required condition of employment;";

Also, on page 29, in line 13, by striking "(iii)" and inserting "(iv)";

On page 30, in line 18, by striking the period and inserting “; or “; in line 19, by striking “(iv)” and inserting “(v)”;

On page 51, following line 37, by inserting:

"Sec. 7. K.S.A. 2011 Supp. 44-710a is hereby amended to read as follows: 44-710a.

(a) Classification of employers by the secretary. The term "employer" as used in this section refers to contributing employers. The secretary shall classify employers in accordance with their actual experience in the payment of contributions on their own behalf and with respect to benefits charged against their accounts with a view of fixing such contribution rates as will reflect such experience. If, as of the date such classification of employers is made, the secretary finds that any employing unit has failed to file any report required in connection therewith, or has filed a report which the secretary finds incorrect or insufficient, the secretary shall make an estimate of the information required from such employing unit on the basis of the best evidence reasonably available to the secretary at the time, and notify the employing unit thereof by mail addressed to its last known address. Unless such employing unit shall file the report or a corrected or sufficient report as the case may be, within 15 days after the mailing of such notice, the secretary shall compute such employing unit's rate of contributions on the basis of such estimates, and the rate as so determined shall be subject to increase but not to reduction on the basis of subsequently ascertained information. The secretary shall determine the contribution rate of each employer in accordance with the requirements of this section.

(1) New employers. (A) No employer will be eligible for a rate computation until there have been 24 consecutive calendar months immediately preceding the computation date throughout which benefits could have been charged against such employer's account.

(B) (i) For the rate year 2007 and each rate year thereafter, each employer who is not eligible for a rate contribution shall pay contributions equal to 4% of wages paid during each calendar year with regard to employment except such employers engaged in the construction industry shall pay a rate equal to 6%.

(ii) For rate years prior to 2007, employers who are not eligible for a rate computation shall pay contributions at an assigned rate equal to the sum of 1% plus the greater of the average rate assigned in the preceding calendar year to all employers in such industry sector or the average rate assigned to all covered employers during the preceding calendar year, except that in no instance shall any such assigned rate be less than 2%. Employers engaged in more than one type of industrial activity shall be classified by principal activity. All rates assigned will remain in effect for a complete calendar year. If the sale or acquisition of a new establishment would require reclassification of the employer to a different industry sector, the employer would be promptly notified, and the contribution rate applicable to the new industry sector would become effective the following January 1.

(iii) For purposes of this subsection (a), employers shall be classified by industrial activity in accordance with standard procedures as set forth in rules and regulations adopted by the secretary.

(C) "Computation date" means June 30 of each calendar year with respect to rates of contribution applicable to the calendar year beginning with the following January 1. In arriving at contribution rates for each calendar year, contributions paid on or before July 31 following the computation date for employment occurring on or prior to the

computation date shall be considered for each contributing employer who has been subject to this act for a sufficient period of time to have such employer's rate computed under this subsection (a).

(2) Eligible employers. (A) A reserve ratio shall be computed for each eligible employer by the following method: Total benefits charged to the employer's account for all past years shall be deducted from all contributions paid by such employer for all such years. The balance, positive or negative, shall be divided by the employer's average annual payroll, and the result shall constitute the employer reserve ratio.

(B) Negative account balance employers as defined in subsection (d) shall pay contributions at the rate of 5.4% for each calendar year.

(C) Eligible employers, other than negative account balance employers, who do not meet the average annual payroll requirements as stated in subsection (a)(2) of K.S.A. 44-703, and amendments thereto, will be issued the maximum rate indicated in subsection (a)(3)(C) of this section until such employer establishes a new period of 24 consecutive calendar months immediately preceding the computation date throughout which benefits could have been charged against such employer's account by resuming the payment of wages. Contribution rates effective for each calendar year thereafter shall be determined as prescribed below.

(D) As of each computation date, the total of the taxable wages paid during the 12-month period prior to the computation date by all employers eligible for rate computation, except negative account balance employers, shall be divided into 51 approximately equal parts designated in column A of schedule I as "rate groups," except, with regard to a year in which the taxable wage base changes. The taxable wages used in the calculation for such a year and the following year shall be an estimate of what the taxable wages would have been if the new taxable wage base had been in effect during the entire twelve-month period prior to the computation date. The lowest numbered of such rate groups shall consist of the employers with the most favorable reserve ratios, as defined in this section, whose combined taxable wages paid are less than 1.96% of all taxable wages paid by all eligible employers. Each succeeding higher numbered rate group shall consist of employers with reserve ratios that are less favorable than those of employers in the preceding lower numbered rate groups and whose taxable wages when combined with the taxable wages of employers in all lower numbered rate groups equal the appropriate percentage of total taxable wages designated in column B of schedule I. Each eligible employer, other than a negative account balance employer, shall be assigned an experience factor designated under column C of schedule I in accordance with the rate group to which the employer is assigned on the basis of the employer's reserve ratio and taxable payroll. If an employer's taxable payroll falls into more than one rate group the employer shall be assigned the experience factor of the lower numbered rate group. If one or more employers have reserve ratios identical to that of the last employer included in the next lower numbered rate group, all such employers shall be assigned the experience factor designated to such last employer, notwithstanding the position of their taxable payroll in column B of schedule I.

SCHEDULE I—Eligible Employers

Column A Rate group	Column B Cumulative taxable payroll	Column C Experience factor (Ratio to total wages)
1	Less than 1.96% .....	.025%
2	1.96% but less than 3.92 .....	.40
3	3.92 but less than 5.88 .....	.80
4	5.88 but less than 7.84 .....	.12
5	7.84 but less than 9.80 .....	.16
6	9.80 but less than 11.76 .....	.20
7	11.76 but less than 13.72 .....	.24
8	13.72 but less than 15.68 .....	.28
9	15.68 but less than 17.64 .....	.32
10	17.64 but less than 19.60 .....	.36
11	19.60 but less than 21.56 .....	.40
12	21.56 but less than 23.52 .....	.44
13	23.52 but less than 25.48 .....	.48
14	25.48 but less than 27.44 .....	.52
15	27.44 but less than 29.40 .....	.56
16	29.40 but less than 31.36 .....	.60
17	31.36 but less than 33.32 .....	.64
18	33.32 but less than 35.28 .....	.68
19	35.28 but less than 37.24 .....	.72
20	37.24 but less than 39.20 .....	.76
21	39.20 but less than 41.16 .....	.80
22	41.16 but less than 43.12 .....	.84
23	43.12 but less than 45.08 .....	.88
24	45.08 but less than 47.04 .....	.92
25	47.04 but less than 49.00 .....	.96
26	49.00 but less than 50.96	1.00
27	50.96 but less than 52.92	1.04
28	52.92 but less than 54.88	1.08
29	54.88 but less than 56.84	1.12
30	56.84 but less than 58.80	1.16
31	58.80 but less than 60.76	1.20
32	60.76 but less than 62.72	1.24
33	62.72 but less than 64.68	1.28
34	64.68 but less than 66.64	1.32
35	66.64 but less than 68.60	1.36
36	68.60 but less than 70.56	1.40
37	70.56 but less than 72.52	1.44
38	72.52 but less than 74.48	1.48
39	74.48 but less than 76.44	1.52
40	76.44 but less than 78.40	1.56
41	78.40 but less than 80.36	1.60
42	80.36 but less than 82.32	1.64
43	82.32 but less than 84.28	1.68

44	84.28 but less than 86.24	1.72
45	86.24 but less than 88.20	1.76
46	88.20 but less than 90.16	1.80
47	90.16 but less than 92.12	1.84
48	92.12 but less than 94.08	1.88
49	94.08 but less than 96.04	1.92
50	96.04 but less than 98.00	1.96
51	98.00 and over	2.00

(E) Negative account balance employers shall, in addition to paying the rate provided for in subsection (a)(2)(B) of this section, pay a surcharge based on the size of the employer's negative reserve ratio, the calculation which is provided for in subsection (a)(2) of this section. The amount of the surcharge shall be determined from column B2 of schedule II of this section for calendar years 2012, 2013, 2014 and from column B1 of schedule II of this section for each calendar year after 2014. Each negative account balance employer who does not satisfy the requirements to have an average annual payroll, as defined by subsection (a)(2) of K.S.A. 44-703, and amendments thereto, shall be assigned a surcharge of equal to the maximum negative ratio surcharge from column B2 of schedule II of this section for calendar years 2012, 2013 and 2014. From calendar year 2015 forward each negative account balance employer who does not satisfy the requirements to have an average annual payroll, as defined by subsection (a)(2) of K.S.A. 44-703, and amendments thereto, shall be assigned a surcharge equal to the maximum negative ratio surcharge from column B1 of schedule II of this section. Funds from the surcharge paid according to this subsection (a)(2)(E), and amendments thereto, shall be used to pay principal and interest due on funds received from the federal unemployment account under title XII of the social security act, (42 U.S.C. § 1321 to 1324), in the following manner:

(i) For each calendar year 2012, 2013 and 2014, an additional 0.10% of the taxable wages paid by all negative account balance employers with a negative reserve ratio between 0.0% and 19.9% shall be designated an interest assessment surcharge and paid into the employment security interest assessment fund for the purpose of paying interest due and owing on funds received from the federal unemployment account under title XII of the social security act. The total surcharges assessed, including the additional 0.10% surcharge mentioned above, on such employers are listed in schedule II column B2. For the calendar year 2015, and each calendar year thereafter, the surcharge rate for negative balance employers with a negative reserve ratio between 0.0% and 19.9% shall be as listed in schedule II column B1.

(ii) For the calendar year 2012, and each calendar year thereafter, an additional surcharge on negative balance employers with negative reserve ratio of 20.0% and higher shall be designated an interest assessment surcharge and deposited in the employment security interest assessment fund. The additional surcharge shall be used for the purposes of paying interest due and owing on fund received from the federal unemployment account under title XII of the social security act. The total surcharge including the additional surcharge on such employers is listed in schedule II column B3 of this section.

(iii) For any succeeding year in which interest is due and owing on funds received from the federal unemployment account under title XII of the social security act, the secretary of labor may adjust the surcharge amounts necessary to pay such interest;

(iv) the portion of such surcharge used for the payment of such interest shall not be included in the calculation of such employers reserve ratio pursuant to subsection (a)(2). The portion of such surcharge used for the payment of principal shall be included in the calculation of such employers reserve ratio pursuant to subsection (a)(2); and

(v) if the amounts collected under this subsection are in excess of the amounts needed to pay interest due, the amounts in excess shall remain in the employment security interest assessment fund to be used to pay interest in future years. Whenever the secretary certifies all interest payments have been paid pursuant to this section, any excess funds remaining in the employment security interest assessment fund shall be transferred to the employment security trust fund for the purpose of paying any remaining principal amount due for advances described in this section. In the event that the amount transferred from the employment security interest assessment fund exceeds such remaining amount of principal due, the balance shall be used for the purposes of the employment security trust fund.

SCHEDULE II—Surcharge on Negative Accounts

Column A Negative Reserve Ratio	Column B1 Surcharge as a percent of taxable wages	Column B2 Surcharge as a percent of taxable wages	Column B3 Surcharge as a percent of taxable wages
Less than.....	2.0%.....	0.20%.....	0.30%
2.0% but less than.....	4.0.....	0.40.....	0.50
4.0 but less than.....	6.0.....	0.60.....	0.70
6.0 but less than.....	8.0.....	0.80.....	0.90
8.0 but less than.....	10.0.....	1.00.....	1.10
10.0 but less than.....	12.0.....	1.20.....	1.30
12.0 but less than.....	14.0.....	1.40.....	1.50
14.0 but less than.....	16.0.....	1.60.....	1.70
16.0 but less than.....	18.0.....	1.80.....	1.90
18.0 but less than.....	20.0.....	2.00.....	2.10
20.0 but less than.....	22.0.....	2.00.....	2.20
22.0 but less than.....	24.0.....	2.00.....	2.40
24.0 but less than.....	26.0.....	2.00.....	2.60
26.0 but less than.....	28.0.....	2.00.....	2.80
28.0 but less than.....	30.0.....	2.00.....	3.00
30.0 but less than.....	32.0.....	2.00.....	3.20
32.0 but less than.....	34.0.....	2.00.....	3.40
34.0 but less than.....	36.0.....	2.00.....	3.60
36.0 but less than.....	38.0.....	2.00.....	3.80
38.0 and over.....		2.00.....	4.00

(3) Planned yield. (A) The average required yield shall be determined from schedule III of this section, and the planned yield on total wages in column B of schedule III shall be determined by the reserve fund ratio in column A of schedule III. The reserve fund ratio shall be determined by dividing total assets in the employment security fund provided for in subsection (a) of K.S.A. 44-712, and amendments thereto, excluding all monies credited to the account of this state pursuant to section 903 of the federal social security act, as amended, which have been appropriated by the state legislature, whether or not withdrawn from the trust fund, and excluding contributions

not yet paid on July 31 by total payrolls for contributing employers for the preceding fiscal year which ended June 30.

SCHEDULE III—Fund Control

Column A	Column B
Ratios to Total Wages	Planned Yield
Reserve Fund Ratio	
4.500 and over	0.00
4.475 but less than 4.500.....	0.01
4.450 but less than 4.475.....	0.02
4.425 but less than 4.450.....	0.03
4.400 but less than 4.425.....	0.04
4.375 but less than 4.400.....	0.05
4.350 but less than 4.375.....	0.06
4.325 but less than 4.350.....	0.07
4.300 but less than 4.325.....	0.08
4.275 but less than 4.300.....	0.09
4.250 but less than 4.275.....	0.10
4.225 but less than 4.250.....	0.11
4.200 but less than 4.225.....	0.12
4.175 but less than 4.200.....	0.13
4.150 but less than 4.175.....	0.14
4.125 but less than 4.150.....	0.15
4.100 but less than 4.125.....	0.16
4.075 but less than 4.100.....	0.17
4.050 but less than 4.075.....	0.18
4.025 but less than 4.050.....	0.19
4.000 but less than 4.025.....	0.20
3.950 but less than 4.000.....	0.21
3.900 but less than 3.950.....	0.22
3.850 but less than 3.900.....	0.23
3.800 but less than 3.850.....	0.24
3.750 but less than 3.800.....	0.25
3.700 but less than 3.750.....	0.26
3.650 but less than 3.700.....	0.27
3.600 but less than 3.650.....	0.28
3.550 but less than 3.600.....	0.29
3.500 but less than 3.550.....	0.30
3.450 but less than 3.500.....	0.31
3.400 but less than 3.450.....	0.32
3.350 but less than 3.400.....	0.33
3.300 but less than 3.350.....	0.34
3.250 but less than 3.300.....	0.35
3.200 but less than 3.250.....	0.36
3.150 but less than 3.200.....	0.37
3.100 but less than 3.150.....	0.38
3.050 but less than 3.100.....	0.39
3.000 but less than 3.050.....	0.40

2.950 but less than 3.000.....	0.41
2.900 but less than 2.950.....	0.42
2.850 but less than 2.900.....	0.43
2.800 but less than 2.850.....	0.44
2.750 but less than 2.800.....	0.45
2.700 but less than 2.750.....	0.46
2.650 but less than 2.700.....	0.47
2.600 but less than 2.650.....	0.48
2.550 but less than 2.600.....	0.49
2.500 but less than 2.550.....	0.50
2.450 but less than 2.500.....	0.51
2.400 but less than 2.450.....	0.52
2.350 but less than 2.400.....	0.53
2.300 but less than 2.350.....	0.54
2.250 but less than 2.300.....	0.55
2.200 but less than 2.250.....	0.56
2.150 but less than 2.200.....	0.57
2.100 but less than 2.150.....	0.58
2.050 but less than 2.100.....	0.59
2.000 but less than 2.050.....	0.60
1.975 but less than 2.000.....	0.61
1.950 but less than 1.975.....	0.62
1.925 but less than 1.950.....	0.63
1.900 but less than 1.925.....	0.64
1.875 but less than 1.900.....	0.65
1.850 but less than 1.875.....	0.66
1.825 but less than 1.850.....	0.67
1.800 but less than 1.825.....	0.68
1.775 but less than 1.800.....	0.69
1.750 but less than 1.775.....	0.70
1.725 but less than 1.750.....	0.71
1.700 but less than 1.725.....	0.72
1.675 but less than 1.700.....	0.73
1.650 but less than 1.675.....	0.74
1.625 but less than 1.650.....	0.75
1.600 but less than 1.625.....	0.76
1.575 but less than 1.600.....	0.77
1.550 but less than 1.575.....	0.78
1.525 but less than 1.550.....	0.79
1.500 but less than 1.525.....	0.80
1.475 but less than 1.500.....	0.81
1.450 but less than 1.475.....	0.82
1.425 but less than 1.450.....	0.83
1.400 but less than 1.425.....	0.84
1.375 but less than 1.400.....	0.85
1.350 but less than 1.375.....	0.86
1.325 but less than 1.350.....	0.87

1.300 but less than 1.325.....	0.88
1.275 but less than 1.300.....	0.89
1.250 but less than 1.275.....	0.90
1.225 but less than 1.250.....	0.91
1.200 but less than 1.225.....	0.92
1.175 but less than 1.200.....	0.93
1.150 but less than 1.175.....	0.94
1.125 but less than 1.150.....	0.95
1.100 but less than 1.125.....	0.96
1.075 but less than 1.100.....	0.97
1.050 but less than 1.075.....	0.98
1.025 but less than 1.050.....	0.99
1.000 but less than 1.025.....	1.00
0.900 but less than 1.000.....	1.01
0.800 but less than 0.900.....	1.02
0.700 but less than 0.800.....	1.03
0.600 but less than 0.700.....	1.04
0.500 but less than 0.600.....	1.05
0.400 but less than 0.500.....	1.06
0.300 but less than 0.400.....	1.07
0.200 but less than 0.300.....	1.08
0.100 but less than 0.200.....	1.09
Less than 0.100%.....	1.10

(B) Adjustment to taxable wages. The planned yield as a percent of total wages, as determined in this subsection (a)(3), shall be adjusted to taxable wages by multiplying by the ratio of total wages to taxable wages for all contributing employers for the preceding fiscal year ending June 30, except, with regard to a year in which the taxable wage base changes. The taxable wages used in the calculation for such a year and the following year shall be an estimate of what the taxable wages would have been if the new taxable wage base had been in effect during all of the preceding fiscal year ending June 30.

(C) Effective rates. (i) Except with regard to rates for negative account balance employers, employer contribution rates to be effective for the ensuing calendar year shall be computed by adjusting proportionately the experience factors from schedule I of this section to the required yield on taxable wages. For the purposes of this subsection (a)(3), all rates computed shall be rounded to the nearest .01% and for calendar year 1983 and ensuing calendar years, the maximum effective contribution rate shall not exceed 5.4%.

(ii) For rate year 2007 and subsequent rate years, employers who are current in filing quarterly wage reports and in payment of all contributions due and owing, shall be issued a contribution rate based upon the following reduction: for rate groups 1 through 5, the rates would be reduced to 0.00%; for rate groups 6 through 28, the rates would be reduced by 50%; for rate groups 29 through 51, the rates would be reduced by 40%.

(iii) In order to be eligible for the reduced rates for rate year 2007, the employer must file all late reports and pay all contributions due and owing within a 30-day period following the date of mailing of the amended rate notice.

(iv) In order to be eligible for the reduced rates for rate year 2008 and subsequent rate years, employers must file all reports due and pay all contributions due and owing on or before January 31 of the applicable year, except that the reduced rates for otherwise eligible employers shall not be effective for any rate year if the average high cost multiple of the employment security trust fund balance falls below 1.2 as of the computation date of that year's rates. For the purposes of this provision, the average high cost multiple is the reserve fund ratio, as defined by subsection (a)(3)(A), divided by the average high benefit cost rate. The average high benefit cost rate shall be determined by averaging the three highest benefit cost rates over the last 20 years from the preceding fiscal year which ended June 30. The high benefit cost rate is defined by dividing total benefits paid in the fiscal year by total payrolls for covered employers in the fiscal year.

(b) Successor classification. (1) (A) For the purposes of this subsection (b), whenever an employing unit, whether or not it is an "employing unit" within the meaning of subsection (g) of K.S.A. 44-703, and amendments thereto, becomes an employer pursuant to subsection (h)(4) of K.S.A. 44-703, and amendments thereto, or is an employer at the time of acquisition and meets the definition of a "successor employer" as defined by subsection (dd) of K.S.A. 44-703, and amendments thereto, and thereafter transfers its trade or business, or any portion thereof, to another employer and, at the time of the transfer, there is substantially common ownership, management or control of the two employers, then the unemployment experience attributable to the transferred trade or business shall be transferred to the employer to whom such business is so transferred. These experience factors consist of all contributions paid, benefit experience and annual payrolls of the predecessor employer. The transfer of some or all of an employer's workforce to another employer shall be considered a transfer of trade or business when, as the result of such transfer, the transferring employer no longer performs trade or business with respect to the transferred workforce, and such trade or business is performed by the employer to whom the workforce is transferred.

(B) If, following a transfer of experience under subparagraph (A), the secretary determines that a substantial purpose of the transfer or business was to obtain a reduced liability for contributions, then the experience rating accounts of the employers involved shall be combined into a single account and a single rate assigned to such account.

(2) A successor employer as defined by subsection (h)(4) or subsection (dd) of K.S.A. 44-703, and amendments thereto, may receive the experience rating factors of the predecessor employer if an application is made to the secretary or the secretary's designee in writing within 120 days of the date of the transfer.

(3) Whenever an employing unit, whether or not it is an "employing unit" within the meaning of subsection (g) of K.S.A. 44-703, and amendments thereto, acquires or in any manner succeeds to a percentage of an employer's annual payroll which is less than 100% and intends to continue the acquired percentage as a going business, the employing unit may acquire the same percentage of the predecessor's experience factors if: (A) The predecessor employer and successor employing unit make an application in writing on the form prescribed by the secretary, (B) the application is submitted within 120 days of the date of the transfer, (C) the successor employing unit is or becomes an employer subject to this act immediately after the transfer, (D) the percentage of the experience rating factors transferred shall not be thereafter used in computing the

contribution rate for the predecessor employer, and (E) the secretary finds that such transfer will not tend to defeat or obstruct the object and purposes of this act.

(4) (A) The rate of both employers in a full or partial successorship under paragraph (1) of this subsection shall be recalculated and made effective on the first day of the next calendar quarter following the date of transfer of trade or business.

(B) If a successor employer is determined to be qualified under paragraph (2) or (3) of this subsection to receive the experience rating factors of the predecessor employer, the rate assigned to the successor employer for the remainder of the contributions year shall be determined by the following:

(i) If the acquiring employing unit was an employer subject to this act prior to the date of the transfer, the rate of contribution shall be the same as the contribution rate of the acquiring employer on the date of the transfer.

(ii) If the acquiring employing unit was not an employer subject to this act prior to the date of the transfer, the successor employer shall have a newly computed rate for the remainder of the contribution year which shall be based on the transferred experience rating factors as they existed on the most recent computation date immediately preceding the date of acquisition. These experience rating factors consist of all contributions paid, benefit experience and annual payrolls.

(5) Whenever an employing unit is not an employer at the time it acquires the trade or business of an employer, the unemployment experience factors of the acquired business shall not be transferred to such employing unit if the secretary finds that such employing unit acquired the business solely or primarily for the purpose of obtaining a lower rate of contributions. Instead, such employing unit shall be assigned the applicable industry rate for a "new employer" as described in subsection (a)(1) of this section. In determining whether the business was acquired solely or primarily for the purpose of obtaining a lower rate of contributions, the secretary shall use objective factors which may include the cost of acquiring the business, whether the employer continued the business enterprise of the acquired business, how long such business enterprise was continued, or whether a substantial number of new employees were hired for performance of duties unrelated to the business activity conducted prior to acquisition.

(6) Whenever an employer's account has been terminated as provided in subsections (d) and (e) of K.S.A. 44-711, and amendments thereto, and the employer continues with employment to liquidate the business operations, that employer shall continue to be an "employer" subject to the employment security law as provided in subsection (h)(8) of K.S.A. 44-703, and amendments thereto. The rate of contribution from the date of transfer to the end of the then current calendar year shall be the same as the contribution rate prior to the date of the transfer. At the completion of the then current calendar year, the rate of contribution shall be that of a "new employer" as described in subsection (a)(1) of this section.

(7) No rate computation will be permitted an employing unit succeeding to the experience of another employing unit pursuant to this section for any period subsequent to such succession except in accordance with rules and regulations adopted by the secretary. Any such regulations shall be consistent with federal requirements for additional credit allowance in section 3303 of the federal internal revenue code of 1986, and consistent with the provisions of this act.

(c) Voluntary contributions. Notwithstanding any other provision of the

employment security law, any employer may make voluntary payments for the purpose of reducing or maintaining a reduced rate in addition to the contributions required under this section. Such voluntary payments may be made only during the thirty-day period immediately following the date of mailing of experience rating notices for a calendar year. All such voluntary contribution payments ~~shall may be paid prior to the expiration of 120 days after the beginning of the year for which such rates are effective at any time.~~ The amount of voluntary contributions shall be credited to the employer's account as of the next preceding computation date and the employer's rate shall be computed accordingly, except that no employer's rate shall be reduced more than five rate groups as provided in schedule I of this section as the result of a voluntary payment. An employer not having a negative account balance may have such employer's rate reduced not more than five rate groups as provided in schedule I of this section as a result of a voluntary payment. An employer having a negative account balance may have such employer's rate reduced to that prescribed for rate group 51 of schedule I of this section by making a voluntary payment in the amount of such negative account balance or to that rate prescribed for rate groups 50 through 47 of schedule I of this section by making an additional voluntary payment that would increase such employer's reserve ratio to the lower limit required for such rate groups 50 through 47. Under no circumstances shall voluntary payments be refunded in whole or in part.

(d) As used in this section, "negative account balance employer" means an eligible employer whose total benefits charged to such employer's account for all past years have exceeded all contributions paid by such employer for all such years.

(e) There is hereby established in the state treasury, separate and apart from all public moneys or funds of this state, an employment security interest assessment fund, which shall be administered by the secretary as provided in this act. Moneys in the employment security fund established by K.S.A. 44-712, and amendments thereto, and employment security interest assessment fund established by 44-710, and amendments thereto, shall not be invested in the pooled money investment portfolio established under K.S.A. 75-4234, and amendments thereto. Notwithstanding the provisions of subsection (a) of K.S.A. 44-712, K.S.A. 44-716, K.S.A. 44-717 and K.S.A. 75-4234, and amendments thereto, or any like provision the secretary shall remit all moneys received from employers pursuant to the interest payment assessment established in section (a)(2)(E), and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the employment security interest assessment fund. All moneys in this fund which are received from employers pursuant to the interest payment assessment established in section (a)(2)(E), and amendments thereto, shall be expended solely for the purposes and in the amounts found by the secretary necessary to pay any principal and interest due and owing the United States department of labor resulting from any advancements made to the Kansas employment security fund pursuant to the provisions of title XII of the social security act (42 U.S.C. § 1321 to 1324) except as may be otherwise provided under section (a)(2)(E), and amendments thereto. Notwithstanding any provision of this section, all moneys received and credited to this fund pursuant to section (a)(2)(E), and amendments thereto, pursuant to section (a)(2)(E), and amendments thereto, shall remain part of the employment security interest assessment fund and shall be used only in accordance with the conditions specified in section (a)(2)(E), and amendments

thereto.

(f) The secretary of labor shall annually prepare and submit a certification as to the solvency and adequacy of the amount credited to the state of Kansas' account in the federal employment security trust fund to the governor and the employment security advisory council. The certification shall be submitted on or before December 1 of each calendar year and shall be for the 12-month period ending on June 30 of that calendar year. In arriving at the certification contributions paid on or before July 31 following the 12-month period ending date of June 30 shall be considered. Each certification shall be used to determine the need for any adjustment to schedule III in subsection (a)(3)(A) and to assist in preparing legislation to accomplish any such adjustment.";

And by renumbering sections accordingly;

On page 70, in line 37, after "44-710," by inserting "44-710a,";

On page 1, in the title, in line 2, after "44-710," by inserting "44-710a,"; and the bill be passed as amended.

Committee on **Education** recommends **SB 69** be amended on page 1, by striking all in lines 30 through 35; in line 36, by striking "(5)" and inserting "(3)";

On page 2, in line 4, by striking "and dating violence"; in line 8, by striking "and dating violence"; in line 9, after "event." by inserting "The board of education shall adopt such plan through a process that includes representation of parents, school employees, school administrators and the community through the school site councils, established pursuant to K.S.A. 72-6439, and amendments thereto."; in line 11, after "plan" by inserting "shall be published on the school district's website with a link prominently posted on the home page of such website, and distributed annually to parents and guardians who have children enrolled in a school in the school district. The plan also"; in line 14, by striking "and dating violence"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **SB 71** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 71," as follows:

"Substitute for SENATE BILL No. 71

By Committee on Financial Institutions and Insurance

"AN ACT concerning insurance; pertaining to line of insurance and reporting requirements; pertaining to fingerprints and criminal record checks for certain insurance agents and public adjusters; amending K.S.A. 2011 Supp. 40-4903, 40-4905, 40-5504 and 40-5505 and repealing the existing sections.";

and the substitute bill be passed.

Committee on **Public Health and Welfare** recommends **SB 326** be amended on page 3, in line 3, by striking "birth to five, in public or nonpublic"; by striking all in lines 4 through 6; in line 7, by striking "months for dental examination"; and inserting "who are dentally underserved are targeted";

On page 5, in line 32, by striking "2010" and inserting "2011"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 342** be amended on page 3, following line 1 by inserting:

"Sec. 5. K.S.A. 2011 Supp. 8-1560c is hereby amended to read as follows: 8-1560c (a) Any conviction or forfeiture of bail or bond for violating a maximum posted or authorized speed limit for 30 miles per hour or more but not exceeding 54 miles per hour on any highway, by not more than six miles per hour, shall not be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto, except that a conviction of exceeding the maximum speed limit within a safety corridor shall be considered a moving violation pursuant to K.S.A. 8-255, and amendments thereto.

(b) Any conviction of forfeiture of bail or bond for violating the maximum posted or authorized speed limit of 55 miles per hour or more but not exceeding 75 miles per hour on any highway, by not more than 10 miles per hour, shall not be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto, except that a conviction of exceeding the maximum speed limit within a safety corridor shall be considered a moving violation pursuant to K.S.A. 8-255, and amendments thereto.";

On page 12, in line 19, after "thereto." by inserting "A person may not enter into a diversion agreement in lieu of further criminal proceedings that would prevent such person's conviction of exceeding the maximum speed limit in a safety corridor from appearing on the person's record."; also on page 12, in line 43, after "Supp." by inserting "8-1560c,";

By renumbering sections accordingly;

On page 1, in the title, in line 3, after "Supp." by inserting "8-1560c,"; and the bill be passed as amended.

Committee on **Utilities** recommends **SB 374** be passed.

Also, **SB 384** be amended on page 4, in line 14, after "hearing" by inserting ", one member representing a law enforcement officer";

On page 7, in line 32, after "state." by inserting "For each PSAP within a county, such moneys shall be distributed to each PSAP in an amount proportional to the PSAP's population as a percentage share of the population of the county. If there is no PSAP within a county, then such moneys shall be distributed to the PSAP providing service to such county. Such moneys distributed to counties and PSAPs only shall be used for the uses authorized in K.S.A. 2011 Supp. 12-5375, and amendments thereto."; and the bill be passed as amended.

SB 419 be amended on page 1, in line 17, by striking all after "(b)"; by striking all in lines 18 through 22; in line 23, by striking all before the period and inserting "Submission of information pertaining to an affected utility's portfolio requirement shall be determined by rules and regulations promulgated by the commission or by order of the commission"; and the bill be passed as amended.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator McGinn in the chair.

On motion of Senator McGinn the following report was adopted:

Recommended **SB 306**; **SB 320**, **SB 335**, **SB 341**, **SB 369**, **SB 386**, **SB 403**, **SB 404**; **HB 2451** be passed.

The committee report on **SB 307**, recommending a **Sub SB 307**, be adopted and the substitute bill be passed.

SB 281, **SB 305**, **SB 316**, **SB 324**, **SB 325**, **SB 331**, **SB 348** be amended by adoption of the committee amendments, and the bills be passed as amended.

HCR 5017 be adopted.

SB 299 be amended by motion of Senator Brungardt, on page 15, following line 40, by inserting:

"Sec. 15. K.S.A. 79-4101 is hereby amended to read as follows: 79-4101. (a) For the purpose of providing revenue which may be used by the state, counties and cities in the enforcement of the provisions of this act, from and after the effective date of this act, for the privilege of engaging in the business of selling alcoholic liquor by retailers or farm wineries to consumers in this state or selling alcoholic liquor or cereal malt beverage by distributors to clubs, drinking establishments, public venues or caterers in this state, there is hereby levied and there shall be collected and paid a tax at the rate of 8% upon the gross receipts received from: (1) The sale of alcoholic liquor by retailers, microbreweries or farm wineries to consumers within this state; and (2) the sale of alcoholic liquor or cereal malt beverage by distributors to clubs, drinking establishments, public venues or caterers in this state.

(b) The tax imposed by this section shall be in addition to the license fee imposed on distributors, retailers, microbreweries and farm wineries by K.S.A. 41-310, and amendments thereto.

Sec. 16. K.S.A. 79-4102 is hereby amended to read as follows: 79-4102. The tax levied under K.S.A. 79-4101, and amendments thereto, shall be paid by the consumer or user to the retailer, microbrewery or farm winery or by the club, drinking establishment, public venue or caterer to the distributor. It shall be the duty of each retailer, microbrewery, farm winery or distributor in this state to collect from the purchaser the full amount of the tax imposed by this act, or an amount equal as nearly as possible or practicable, to the average equivalent thereof.

Sec. 17. K.S.A. 79-4103 is hereby amended to read as follows: 79-4103. On or before the 25th day of each calendar month, every person engaged in the business of selling alcoholic liquor at retail, every microbrewery selling beer to consumers, every farm winery selling wine to consumers in this state and every distributor selling alcoholic liquor or cereal malt beverage to clubs, drinking establishments, public venues or caterers in this state during the preceding calendar month shall make a return to the director of taxation upon forms prescribed and furnished by the director, stating: (a) The name and address of the seller; (b) the total amount of gross sales subject to the tax imposed by K.S.A. 79-4101, and amendments thereto, during the preceding calendar month; and (c) any other pertinent information the director requires. The person making the return shall, at the time of making the return, pay to the director of taxation the amount of tax imposed by K.S.A. 79-4101, and amendments thereto. The director of taxation may extend the time for making returns and paying the tax for any period not to exceed 60 days, under rules and regulations adopted by the secretary of revenue.

Sec. 18. K.S.A. 79-41a01 is hereby amended to read as follows: 79-41a01. As used in K.S.A. 79-41a01 through 79-41a09, and amendments thereto:

(a) "Alcoholic liquor" means alcoholic liquor, as defined by K.S.A. 41-102, and

amendments thereto, and cereal malt beverage, as defined by K.S.A. 41-2701, and amendments thereto.

(b) "Caterer," "club," "drinking establishment," "public venue" and "temporary permit" have the meanings provided by K.S.A. 41-2601, and amendments thereto.

(c) "Gross receipts derived from the sale of alcoholic liquor" means the amount charged the consumer for a drink containing alcoholic liquor, including any portion of that amount attributable to the cost of any ingredient mixed with or added to the alcoholic liquor contained in such drink.

Sec. 19. K.S.A. 79-41a02 is hereby amended to read as follows: 79-41a02. (a) There is hereby imposed, for the privilege of selling alcoholic liquor, a tax at the rate of 10% upon the gross receipts derived from the sale of alcoholic liquor by any club, caterer, drinking establishment, public venue or temporary permit holder.

(b) The tax imposed by this section shall be paid by the consumer to the club, caterer, drinking establishment, public venue or temporary permit holder and it shall be the duty of each and every club, caterer, drinking establishment, public venue or temporary permit holder subject to this section to collect from the consumer the full amount of such tax, or an amount equal as nearly as possible or practicable to the average equivalent thereto. Each club, caterer, drinking establishment, public venue or temporary permit holder collecting the tax imposed hereunder shall be responsible for paying over the same to the state department of revenue in the manner prescribed by K.S.A. 79-41a03, and amendments thereto, and the state department of revenue shall administer and enforce the collection of such tax.

Sec. 20. K.S.A. 2011 Supp. 79-41a03 is hereby amended to read as follows: 79-41a03. (a) The tax levied and collected pursuant to K.S.A. 79-41a02, and amendments thereto, shall become due and payable by the club, caterer, drinking establishment, public venue or temporary permit holder monthly, or on or before the 25th day of the month immediately succeeding the month in which it is collected, but any club, caterer, drinking establishment, public venue or temporary permit holder filing an annual or quarterly return under the Kansas retailers' sales tax act, as prescribed in K.S.A. 79-3607, and amendments thereto, shall, upon such conditions as the secretary of revenue may prescribe, pay the tax required by this act on the same basis and at the same time the club, caterer, drinking establishment, public venue or temporary permit holder pays such retailers' sales tax. Each club, caterer, drinking establishment, public venue or temporary permit holder shall make a true report to the department of revenue, on a form prescribed by the secretary of revenue, providing such information as may be necessary to determine the amounts to which any such tax shall apply for all gross receipts derived from the sale of alcoholic liquor by the club, caterer, drinking establishment, public venue or temporary permit holder for the applicable month or months, which report shall be accompanied by the tax disclosed thereby. Records of gross receipts derived from the sale of alcoholic liquor shall be kept separate and apart from the records of other retail sales made by a club, caterer, drinking establishment, public venue or temporary permit holder in order to facilitate the examination of books and records as provided herein.

(b) The secretary of revenue or the secretary's authorized representative shall have the right at all reasonable times during business hours to make such examination and inspection of the books and records of a club, caterer, drinking establishment, public venue or temporary permit holder as may be necessary to determine the accuracy of

such reports required hereunder.

(c) The secretary of revenue is hereby authorized to administer and collect the tax imposed hereunder and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement of the collection thereof. Whenever any club, caterer, drinking establishment, public venue or temporary permit holder liable to pay the tax imposed hereunder refuses or neglects to pay the same, the amount, including any penalty, shall be collected in the manner prescribed for the collection of the retailers' sales tax by K.S.A. 79-3617, and amendments thereto.

(d) The secretary of revenue shall remit all revenue collected under the provisions of this act to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Subject to the maintenance requirements of the local alcoholic liquor refund fund created under K.S.A. 79-41a09, and amendments thereto, 25% of the remittance shall be credited to the state general fund, 5% shall be credited to the community alcoholism and intoxication programs fund created by K.S.A. 41-1126, and amendments thereto, and the balance shall be credited to the local alcoholic liquor fund created by K.S.A. 79-41a04, and amendments thereto.

(e) Whenever, in the judgment of the secretary of revenue, it is necessary, in order to secure the collection of any tax, penalties or interest due, or to become due, under the provisions of this act, the secretary may require any person subject to such tax to file a bond with the director of taxation under conditions established by and in such form and amount as prescribed by rules and regulations adopted by the secretary.

(f) The amount of tax imposed by this act shall be assessed within three years after the return is filed, and no proceedings in court for the collection of such taxes shall be begun after the expiration of such period except in the cases of fraud. In the case of a false or fraudulent return with intent to evade tax, the tax may be assessed or a proceeding in court for collection of such tax may be begun at any time, within two years from the discovery of such fraud. No refund or credit shall be allowed by the director after three years from the date of payment of the tax as provided in this act unless before the expiration of such period a claim therefor is filed by the taxpayer, and no suit or action to recover on any claim for refund shall be commenced until after the expiration of six months from the date of filing a claim therefor with the director. Before the expiration of time prescribed in this section for the assessment of additional tax or the filing of a claim for refund, the director is hereby authorized to enter into an agreement in writing with the taxpayer consenting to the extension of the periods of limitations for the assessment of tax or for the filing of a claim for refund, at any time prior to the expiration of the periods of limitations. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

Sec. 21. K.S.A. 79-41a04 is hereby amended to read as follows: 79-41a04. (a) There is hereby created, in the state treasury, the local alcoholic liquor fund. Moneys credited to such fund pursuant to this act or any other law shall be expended only for the purpose and in the manner provided by this act.

(b) All moneys credited to the local alcoholic liquor fund shall be allocated to the several cities and counties of the state as follows:

(1) Each city that has a population of more than 6,000 shall receive 70% of the amount which is collected pursuant to this act from clubs, public venues or drinking

establishments located in such city, from caterers whose principal places of business are so located or from temporary permit holders whose permitted events are so located and which is paid into the state treasury during the period for which the allocation is made.

(2) Each city that has a population of 6,000 or less shall receive $46\frac{2}{3}\%$ of the amount which is collected pursuant to this act from clubs, public venues or drinking establishments located in such city, from caterers whose principal places of business are so located or from temporary permit holders whose permitted events are so located and which is paid into the state treasury during the period for which the allocation is made.

(3) Each county shall receive: (A) 70% of the amount which is collected pursuant to this act from clubs, public venues or drinking establishments located in such county and outside the corporate limits of any city, from caterers whose principal places of business are so located or from temporary permit holders whose permitted events are so located and which is paid into the state treasury during the period for which the allocation is made; and (B) $23\frac{1}{3}\%$ of the amount which is collected pursuant to this act from clubs, public venues or drinking establishments located in the county and within a city that has a population of 6,000 or less, from caterers whose principal places of business are so located or from temporary permit holders whose permitted events are so located and which is paid into the state treasury during the period for which the allocation is made.

(c) The state treasurer shall make distributions from the local alcoholic liquor fund in accordance with the allocation formula prescribed by subsection (b) on March 15, June 15, September 15 and December 15 of each year. The director of accounts and reports shall draw warrants on the state treasurer in favor of the several county treasurers and city treasurers on the dates and in the amounts determined under this section. Such distributions shall be paid directly to the several county treasurers and city treasurers.

(d) Except as otherwise provided by this subsection, each city treasurer of a city that has a population of more than 6,000, upon receipt of any moneys distributed under this section, shall deposit the full amount in the city treasury and shall credit $\frac{1}{3}$ of the deposit to the general fund of the city, $\frac{1}{3}$ to a special parks and recreation fund in the city treasury and $\frac{1}{3}$ to a special alcohol and drug programs fund in the city treasury. Each city treasurer of a city that has a population of 6,000 or less, upon receipt of any moneys distributed under this section, shall deposit the full amount in the city treasury and shall credit $\frac{1}{2}$ of the deposit to the general fund of the city and $\frac{1}{2}$ to a special parks and recreation fund in the city treasury. Moneys in such special funds shall be under the direction and control of the governing body of the city. Moneys in the special parks and recreation fund may be expended only for the purchase, establishment, maintenance or expansion of park and recreational services, programs and facilities. One-half of the moneys distributed under this section to cities located in Butler county shall be deposited in a special community support program and parks and recreation fund in the city treasury. Moneys in the special community support program and parks and recreation fund may be expended only for: (1) The establishment and operation of a domestic violence program operated by a not-for-profit organization; or (2) the purchase, establishment, maintenance or expansion of park and recreational services, programs and facilities. Moneys in the special alcohol and drug programs fund shall be expended only for the purchase, establishment, maintenance or expansion of services or programs whose principal purpose is alcoholism and drug abuse prevention and

education, alcohol and drug detoxification, intervention in alcohol and drug abuse or treatment of persons who are alcoholics or drug abusers or are in danger of becoming alcoholics or drug abusers.

(e) Except as otherwise provided by this subsection, each county treasurer, upon receipt of any moneys distributed under this section, shall deposit the full amount in the county treasury and shall credit to a special alcohol and drug programs fund in the county treasury 23 $\frac{1}{3}$ % of the amount which is collected pursuant to this act from clubs or drinking establishments located in the county and within a city that has a population of 6,000 or less, from caterers whose principal place of business is so located or from temporary permit holders whose permitted events are so located and which is paid into the state treasury during the period for which the allocation is made; of the remainder, the treasurer shall credit $\frac{1}{3}$ to the general fund of the county, $\frac{1}{3}$ to a special parks and recreation fund in the county treasury and $\frac{1}{3}$ to the special alcohol and drug programs fund. Moneys in such special funds shall be under the direction and control of the board of county commissioners. Moneys in the special parks and recreation fund may be expended only for the purchase, establishment, maintenance or expansion of park and recreational services, programs and facilities. One-third of the moneys distributed under this section to Butler county shall be deposited in a special community support program and parks and recreation fund in the county treasury. Moneys in the special community support program and parks and recreation fund may be expended only for: (1) The establishment and operation of a domestic violence program operated by a not-for-profit organization; or (2) the purchase, establishment, maintenance or expansion of park and recreational services, programs and facilities. Moneys in the special alcohol and drug programs fund shall be expended only for the purchase, establishment, maintenance or expansion of services or programs whose principal purpose is alcoholism and drug abuse prevention and education, alcohol and drug detoxification, intervention in alcohol and drug abuse or treatment of persons who are alcoholics or drug abusers or are in danger of becoming alcoholics or drug abusers. In any county in which there has been organized an alcohol and drug advisory committee, the board of county commissioners shall request and obtain, prior to making any expenditures from the special alcohol and drug programs fund, the recommendations of the advisory committee concerning such expenditures. The board of county commissioners shall adopt the recommendations of the advisory committee concerning such expenditures unless the board, by unanimous vote of all commissioners, adopts a different plan for such expenditures.

(f) Each year, the county treasurer shall estimate the amount of money the county and each city in the county will receive from the local alcoholic liquor fund and from distributions pursuant to K.S.A. 79-41a05, and amendments thereto. The state treasurer shall advise each county treasurer, prior to June 1 of each year of the amount in the local alcoholic liquor fund that the state treasurer estimates, using the most recent available information, will be allocated to such county in the following year. The county treasurer shall, before June 15 of each year, notify the treasurer of each city of the estimated amount in dollars of the distribution to be made from the local alcoholic liquor fund and pursuant to K.S.A. 79-41a05, and amendments thereto.

Sec. 22. K.S.A. 79-41a06 is hereby amended to read as follows: 79-41a06. No club, drinking establishment, caterer, public venue or temporary permit holder shall sell any alcoholic liquor without a registration certificate from the secretary of revenue. Application for such certificate shall be made to the secretary upon forms provided by

the secretary and shall contain such information as the secretary deems necessary for the purposes of administering the provisions of this act. The registration certificate shall be conspicuously displayed in the licensed premises or permitted for which it is issued.

Upon violation of any of the provisions of K.S.A. 79-41a01 *et seq.*, and amendments thereto, or any of the terms of this act, and upon due notice and opportunity for hearing in accordance with the provisions of the Kansas administrative procedure act, the secretary may revoke such registration certificate.

Sec. 23. K.S.A. 79-41a07 is hereby amended to read as follows: 79-41a07. (a) The director of taxation or the director of alcoholic beverage control may enjoin any person from engaging in business as a club, drinking establishment, caterer, public venue or temporary permit holder when the club, drinking establishment, caterer, public venue or temporary permit holder is in violation of any of the provisions of K.S.A. 79-41a01 *et seq.*, and amendments thereto, or any of the terms of this act and shall be entitled in any proceeding brought for that purpose to have an order restraining the person from engaging in business as a club, drinking establishment, caterer, public venue or temporary permit holder. No bond shall be required for any such restraining order or for any temporary or permanent injunction issued in that proceeding.

(b) If a club, drinking establishment, public venue or caterer licensed by the director of alcoholic beverage control or a temporary permit holder violates any of the provisions of K.S.A. 79-41a01 *et seq.*, and amendments thereto, or any of the terms of this act, the director of alcoholic beverage control may suspend or revoke the license of such club, drinking establishment, public venue or caterer in accordance with K.S.A. 41-2609, and amendments thereto, or may impose a civil fine on the licensee or permit holder in the manner provided by K.S.A. 41-2633a, and amendments thereto.

Sec. 24. K.S.A. 79-41a08 is hereby amended to read as follows: 79-41a08. The tax imposed by this act shall be a lien upon the business and any property of the club, drinking establishment, caterer, public venue or permit holder which may be sold. The person acquiring such business or property shall withhold a sufficient amount of the purchase price thereof to cover the amount of any taxes due and unpaid by the seller, until the seller shall furnish the purchaser with a receipt from the secretary of revenue, as herein provided, showing that such taxes have been paid. The purchaser shall be personally liable for the payment of any unpaid taxes of the seller, to the extent of the value of the business or property received by the purchaser, and if a receipt is not furnished by such seller within 20 days from the date of sale of such business or property, the purchaser shall remit the amount of such unpaid taxes to the secretary on or before the 20th day of the month succeeding that in which such purchaser acquired such business or property.";

And by renumbering sections accordingly;

Also on page 15, in line 42, after "41-2614" by striking the first "and" and inserting a comma; also in line 42, after "41-2640" by inserting ", 79-4101, 79-4102, 79-4103, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08"; in line 43, by striking "and" and inserting a comma; also in line 43, after "41-2629" by inserting "and 79-41a03";

On page 1, in the title, in line 4, by striking the first "and" and inserting a comma; also in line 4, after "41-2640" by inserting ", 79-4101, 79-4102, 79-4103, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08"; also in line 4, by striking the last

"and" and inserting a comma; in line 5, after "41-2629" by inserting "and 79-41a03".

Senator Longbine made a motion to further amend **SB 299** on page 12, in line 33, by striking "\$10,000" and inserting "\$7,500"; in line 35, by striking "\$20,000" and inserting "\$10,000" and **SB 299** be passed as amended.

SB 102 be amended by adoption of the committee amendments.

Senator Pilcher-Cook offered an amendment on page 9, following line 34, by inserting:

"Sec. 7. K.S.A. 25-4153b is hereby amended to read as follows: 25-4153b. (a) No political committee, a major purpose of which is to expressly advocate the nomination, election or defeat of a clearly identified candidate for the legislature or to make contributions or expenditures for the nomination, election or defeat of a clearly identified candidate for the legislature, shall be established by a member of the legislature.

(b) Any political committee currently in existence, a major purpose of which is to expressly advocate the nomination, election or defeat of a clearly identified candidate for the legislature or to make contributions or expenditures for the nomination, election or defeat of a clearly identified candidate for the legislature, established by a member of the legislature is hereby abolished. All moneys in such political committees shall be returned to the donors."

And by renumbering sections accordingly;

Also on page 2; in line 36 before "46-268," by inserting "25-4153b,"

On page 1, in the title, in line 1, by striking "the" and inserting "elections and"; also in line 1, by striking "commission"; in line 2, before "46-268" by inserting "25-4153b."

A ruling of the chair was requested as to the germaneness of the amendment to the bill. The Chair ruled the amendment not germane, the chair was challenged.

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

On roll call, the vote was: Yeas 20; Nays 18; Present and Passing 1; Absent or Not Voting 1.

Yeas: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, McGinn, Morris, Owens, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Bruce, Donovan, Kelsey, King, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Steineger, Taddiken, Wagle.

Present and Passing: Marshall.

Absent or Not Voting: Reitz.

The ruling of the Chair was sustained.

The committee returned to **SB 102** and Senator Francisco moved to further amend **SB 102** on page 3, in line 3, by striking "\$330" and inserting "\$400"; in line 9, by striking "\$80" and inserting "\$30" and **SB 102** be passed as further amended.

SB 309 be passed over and retain a place on the calendar.

ORIGINAL MOTION

Pursuant to Rule 56, Senator Emler moved to extend the time to April 27, 2012, for the Committee on **Ways and Means** to act on the appointment of Earl McVicker.

The motion carried.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Thursday, February 16, 2012.

Journal of the Senate

TWENTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 16, 2012, 2:30 p.m.

The Senate was called to order by Vice President John Vratil.

The roll was called with forty senators present.

The Vice President introduced as guest chaplain, Reverend Jon Sapp, Director of Evangelism & Collegiate Ministries, Topeka, who delivered the invocation.

Our Heavenly Father, we come to thank you today for the many ways You give us direction. Today, we pray for each of these that are assembled here in the Kansas Senate. In all the information and data that come their way, give them insight. Enable them to understand the wise directions they should chose as they formulate the policy decisions for our state. Guide them.

Our Father, the comfort of the present that these have worked so hard to achieve, can be seductive. Those fond memories of the past can be so tempting as to keep us here at where we are today. And so, our loving Heavenly Father, guide all of us forward into the future.

In regard to this future for which all of us are working, we ask You to give us planning wisdom, courage for implementation and endurance to carry out the plans that are being developed.

Oh God of our future, show us the way. Make our plans and the plans of this body wise as they serve the people of Kansas. We look to You this day for direction. Hear our prayer, in Jesus name....Amen

The Pledge of Allegiance was led by Vice President John Vratil.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 430**.

Commerce: **HB 2510**.

Financial Institutions and Insurance: **SB 431; HB 2486, HB 2505**.

Judiciary: **Sub HB 2207**.

Natural Resources: **SB 432**.

Utilities: **HB 2489, HB 2526**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2121, HB 2253, HB 2516, HB 2535, HB 2546**.
Also, passage of **SB 272**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2121, HB 2253, HB 2516, HB 2535, HB 2546 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Ostmeyer moved the Senate concur in House amendments to **H Sub for SB 191**.

H Sub for SB 191, AN ACT concerning the Kansas department of agriculture; authorizing certain fees; creating the laboratory testing services fee fund.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

FINAL ACTION ON CONSENT CALENDAR

SB 395; HB 2428, HB 2490 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 395, AN ACT concerning the Kansas probate code; relating to intestate succession; amending K.S.A. 59-6a209 and repealing the existing section; also repealing K.S.A. 59-505.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2428, AN ACT concerning health care providers; relating to the university of Kansas medical center; amending K.S.A. 2011 Supp. 65-4915 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger,

Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2490, AN ACT concerning doctor of nursing practice degrees at Washburn university; amending K.S.A. 72-6508 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 102, AN ACT concerning the governmental ethics commission; amending K.S.A. 46-268 and 46-269 and K.S.A. 2011 Supp. 25-4119f, 25-4145, 25-4148 and 46-265 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 32; Nays 8; Present and Passing 0; Absent or Not Voting 0.

Yeas: Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Marshall, Masterson, McGinn, Morris, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Abrams, Lynn, Merrick, Olson, Ostmeyer, Pilcher-Cook, Pyle, Steineger.

The bill passed, as amended.

SB 281, AN ACT concerning the Kansas judicial council; relating to the commission on judicial performance; amending K.S.A. 2011 Supp. 20-3201 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 25; Nays 15; Present and Passing 0; Absent or Not Voting 0.

Yeas: Apple, Bruce, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Nays: Abrams, Donovan, Kelsey, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Steineger, Taddiken, Wagle.

The bill passed, as amended.

SB 299, AN ACT concerning alcoholic beverages; relating to the club and drinking establishment act; creating a public venue license; amending K.S.A. 41-306, 41-306a, 41-307, 41-308, 41-701, 41-2608, 41-2613, 41-2614, 41-2640, 79-4101, 79-4102, 79-4103, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08 and K.S.A. 2011 Supp. 41-308a, 41-2601, 41-2622, 41-2629 and 79-41a03 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 37; Nays 3; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-

Cook, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Kelsey, McGinn, Pyle.

The bill passed, as amended.

SB 305, AN ACT concerning criminal procedure; relating to trials; time limitations; competency proceedings; amending K.S.A. 22-3402 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 306, AN ACT concerning crimes, punishment and criminal procedure; relating to intimidation of a witness; amending K.S.A. 2011 Supp. 21-5909 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

Sub for SB 307, AN ACT concerning crimes, punishment and criminal procedure; relating to lesser included crimes; murder in the first degree; amending K.S.A. 2011 Supp. 21-5109 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed.

SB 316, AN ACT concerning the Kansas department of wildlife, parks and tourism; relating to updating references and corresponding changes due to transfer of powers and duties from the department of commerce; amending K.S.A. 2-2473, 19-2803b, 19-2803d, 19-2817, 19-2822, 19-2835, 19-2836, 19-2839, 19-2844, 19-2844a, 19-2855, 19-2868, 19-2873, 19-2894, 19-3543, 32-802, 32-806, 32-807, 32-809, 32-832, 32-839, 32-840, 32-845, 32-846, 32-869, 32-874, 32-874c, 32-886, 32-887, 32-888, 32-976, 32-1040, 32-1041, 32-1049, 32-1051, 32-1052, 32-1053, 32-1203, 49-408, 58-3221, 58-3225, 65-189e, 68-406, 74-134, 74-3322, 74-5032, 74-5032a, 74-5090, 74-6614, 74-7901, 75-3339, 75-3907, 75-3908, 75-3910, 76-463, 79-3221e, 79-32,203, 82a-209 and 82a-326 and K.S.A. 2011 Supp. 2-1334, 21-5810, 21-6416, 32-701, 32-801, 32-805, 32-

833, 32-844, 32-873, 32-874a, 32-874b, 32-874d, 32-874e, 32-906, 32-918, 32-930, 32-932, 32-938, 32-966, 32-996, 32-997, 32-998, 32-999, 32-1001, 32-1004, 32-1005, 32-1031, 32-1032, 32-1049a, 32-1050, 32-1054, 32-1062, 32-1063, 32-1064, 32-1066, 32-1102, 32-1112, 32-1174, 32-1306, 32-1308, 32-1310, 47-2101, 65-3424b, 65-3483, 65-5703, 74-5,133, 74-2622, 74-4722, 74-4911f, 74-5005, 74-5089, 74-5091, 74-50,167, 74-50,168, 74-50,173, 74-5602, 74-9001, 74-9002, 74-9003, 74-9004, 74-9201, 75-1253, 75-2720, 75-2935, 75-37,121, 77-415, 77-421, 79-201a, 79-3221h, 79-3234, 79-3234b, 79-5212, 82a-220, 82a-903, 82a-1501, 82a-2001 and 82a-2204 and repealing the existing sections; also repealing K.S.A. 73-2101, 73-2102, 73-2103 and 73-2104 and K.S.A. 2011 Supp. 74-9005, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 320, AN ACT concerning the revised Kansas juvenile justice code; relating to probable cause determinations; amending K.S.A. 2011 Supp. 38-2331, 38-2343 and 38-2354 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 324, AN ACT concerning the board of pharmacy; relating to licensure of pharmacists and registration of pharmacist interns; amending K.S.A. 65-1632 and 65-1644 and K.S.A. 2011 Supp. 65-1643, 65-1645 and 65-1663 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 325, AN ACT concerning controlled substances; relating to schedules IV and V; amending K.S.A. 2011 Supp. 65-4111 and 65-4113 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco,

Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 331, AN ACT concerning the board of cosmetology; relating to licensure and renewal; amending K.S.A. 65-1904a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 335, AN ACT designating the junction of interstate 70 and United States highway 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

EXPLANATION OF VOTE

MR. PRESIDENT: Bryan was called into service on that fateful morning of August 6th, 2011 – this time to fly Navy Seals into an Afghan valley to cut off enemy combatants. His Chinook was hit by a RPG and all on the chopper perished. It was the single largest loss of life in the Afghanistan war.

When Bryan entered the Army he made an oath to support and defend the Constitution with his life. That is called SELFLESS SERVICE. It is not a coincidence that we as servants of the people have taken the same oath: I do solemnly swear..... to support and defend the Constitution ...

No sign can commemorate the sacrifice that Bryan and Fallen Veterans have made to this nation more than our own daily actions - living up to that same oath we made - of Selfless Service to our country.

This sign will be a constant symbol and testimony to all who pass by Hays, through the heartland, that the cost of freedom belongs to us all but is paid, IN FULL, by only a few. Bryan and his fallen comrades have paid it for us. – ALLEN SCHMIDT

SB 341, AN ACT concerning cities; relating to dissolution of certain cities, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not

Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 348, AN ACT concerning property appraisal and taxation; amending K.S.A. 79-304 and 79-1475 and K.S.A. 2011 Supp. 74-2433f, 79-1448, 79-1460, 79-1609, 79-1701a and 79-1702 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 26; Nays 14; Present and Passing 0; Absent or Not Voting 0.

Yeas: Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Huntington, Kelsey, King, Kultala, Longbine, Love, Marshall, Masterson, McGinn, Morris, Ostmeier, Owens, Reitz, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Haley, Hensley, Holland, Kelly, Lynn, Merrick, Olson, Petersen, Pilcher-Cook, Pyle, A. Schmidt, Wagle.

The bill passed, as amended.

SB 369, AN ACT concerning taxation; relating to food sales tax refunds and homestead property tax refunds; certain confined persons; amending K.S.A. 79-3632 and 79-4505 and K.S.A. 2011 Supp. 79-3633 and 79-4502 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 386, AN ACT concerning income taxation; relating to credits; business and job development; amending K.S.A. 2011 Supp. 79-32,153 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 403, AN ACT concerning the uniform principal and income act; relating to conversion of a trust into a unitrust; amending K.S.A. 2011 Supp. 58-9-105 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 404, AN ACT concerning the Kansas uniform trust code; relating to spendthrift trusts; amending K.S.A. 58a-502 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2451, AN ACT concerning water; relating to water right abandonment; amending K.S.A. 2011 Supp. 82a-718 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HCR 5017, A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas, relating to classification and taxation of watercraft, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The resolution was adopted.

REPORT ON ENROLLED BILLS

SR 1818, SR 1819, SR 1820, SR 1821 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 16, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 267** be amended on page 1, in line 18, by striking all after "applicable"; by striking all in line 19; in line 20, by

striking all before "for"; in line 24, by striking all after the period; in line 25, by striking all before the first "the"; in line 28, by striking all after the period; by striking all in lines 29 and 30; in line 31, by striking all before "If" and inserting "No credit shall be allowed pursuant to this section after tax year 2015.";

On page 2, in line 43, by striking all after the colon;

On page 3, by striking all in line 1; in line 2, by striking all before "2011" and inserting "For tax years"; in line 3, by striking all after the period; by striking all in lines 4 through 10; in line 13, by striking all after "year"; by striking all in line 14; in line 15, by striking all before "2011"; and the bill be passed as amended.

Committee on **Education** recommends **SB 393** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 393," as follows:

"Substitute for SENATE BILL No. 393

By Committee on Education

"AN ACT concerning career technical education; relating to secondary students; amending K.S.A. 72-4417 and 72-4419 and K.S.A. 2011 Supp. 71-201 and repealing the existing sections.";

and the substitute bill be passed.

Committee on **Federal and State Affairs** recommends **SB 301** be amended on page 1, in line 26, after "serve" by inserting "initial"; in line 28, by striking "five years" and inserting "one year"; in line 29, by striking "five"; in line 30, by striking "years" and inserting "one year"; in line 33, by striking "six" and inserting "two"; in line 36, after the period by inserting "Upon reappointment, members shall serve a term of four years.";

On page 2, in line 2, by striking "three" and inserting "four"; and the bill be passed as amended.

Also, **SB 387** be amended on page 1, in line 15, by striking "shall have a knowledge of building construction and"; in line 17, by striking "safety inspection and investigation" and inserting "fire prevention and inspection, safety inspection or investigation, or any combination thereof"; and the bill be passed as amended.

Committee on **Natural Resources** recommends **SB 252** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Transportation** recommends **HB 2459** be amended on page 2, in line 2, after "further" by inserting "written and driving"; in line 3, by striking "or testing"; and the bill be passed as amended.

On motion of Senator Emler, the Senate adjourned until 8:00 a.m., Friday, February 17, 2012.

Journal of the Senate

TWENTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 17, 2012, 8:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-six senators present.
Senators Apple, Kelsey, Love, Masterson were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Forgive us when we try to quarantine You from the world...to isolate You from the so-called practical side –

As if somehow You would be venturing out of Your field of expertise...

As if somehow You would undermine proven ground rules...

Or perhaps Your teaching would sound naive in the highly pragmatic world today.

Remind us in a way we cannot ignore nor fail to remember that there is no person so naive as one who tries to put God in a box with a tag reading “Open only on religious days.” Remind us that nothing has more practical effect than our view of our God and our fellow man – which happens to be Your field – and Yours alone!

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **HB 2516**.

Judiciary: **HB 2121, HB 2253, HB 2535**.

Local Government: **HB 2546**.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Monday, February 20, 2012.

Journal of the Senate

THIRTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 20, 2012, 2:30 p.m.

The Senate was called to order by Vice President John Vratil.
The roll was called with thirty-nine senators present.
Senator Love was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

It's Black History Month,
And today is President's Day.
About which, O God
There's something I must say.

Being reared in the South
During racial segregation,
When I entered Seminary
I faced a different orientation.

So I resolved from that point on
To seek a new direction
Toward establishing friendship
And racial integration.

So we joined a Baptist Church
With a black congregation
And today we have friends
And a joyful association.

So I pray for our President,
The first one of his Race,
Keep him safe and well,
And bestow on him Your Grace.

I pray in the name of Jesus Christ, AMEN

The Pledge of Allegiance was led by Vice President John Vratil.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 433, AN ACT making and concerning appropriations for fiscal years ending June 30, 2012, June 30, 2013, and June 30, 2014 for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2011 Supp. 2-223, 12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i, 79-34,156, 79-34,171 and 82a-953a and repealing the existing sections, by Committee on Ways and Means.

SB 434, AN ACT concerning corrections; relating to the purchase of land, by Committee on Ways and Means.

SB 435, AN ACT concerning water; providing for establishment of a conservation reserve enhancement program, by Committee on Ways and Means.

SB 436, AN ACT concerning the department of health and environment; relating to education and screening for congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases and disorders; creating the Kansas newborn screening fund; amending K.S.A. 2011 Supp. 65-180 and repealing the existing section, by Committee on Ways and Means.

SB 437, AN ACT concerning the Kansas pet animal act; relating to inspection of facilities; amending K.S.A. 47-1701 and K.S.A. 2011 Supp. 47-1709 and repealing the existing sections, by Committee on Federal and State Affairs.

CHANGE OF REFERENCE

The Vice President withdrew **SB 339** from the Committee on **Assessment and Taxation**, and referred the bill to the Committee on **Ways and Means**.

The Vice President withdrew **SB 327**, **SB 328** from the Committee on **Public Health and Welfare**, and referred the bills to the Committee on **Ways and Means**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2324**, **HB 2413**, **HB 2469**; **Sub HB 2470**; **HB 2496**, **HB 2499**, **HB 2537**.

Also, announcing adoption of **HCR 5031**.

The House accedes to the request of the Senate for a conference on **SB 211** and has appointed Representatives Landwehr, Donohoe and Flaharty as conferees on the part of the House.

Announcing passage of **SB 118**, as amended by **House Substitute for SB 118**.

Announcing passage of **Substitute HB 2455**; **HB 2484**, **HB 2531**, **HB 2593**, **HB 2600**, **HB 2685**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2324, **HB 2413**; **Substitute HB 2455**; **HB 2469**; **Sub HB 2470**; **HB 2484**, **HB 2496**, **HB 2499**, **HB 2531**, **HB 2537**, **HB 2593**, **HB 2600**, **HB 2685**; **HCR 5031** were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Marshall and A. Schmidt introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1822—

A RESOLUTION recognizing the historical significance of Higley Cabin as the birthplace of our Kansas state song, "Home on the Range" and encouraging Kansas school children to support preservation of this historic site through the statewide "Coins for the Cabin" initiative.

WHEREAS, Dr. Brewster Higley, a frontier doctor, penned a six-verse poem titled "My Western Home" in 1872 near his home along the banks of Beaver Creek in Smith County, Kansas; and

WHEREAS, The poem was first published in *The Smith County Pioneer* in 1873; and was set to music later that same year by Kansans Daniel Kelley and the Harlan brothers; and

WHEREAS, Dr. Higley's song became known as "Home on the Range" and quickly became a national treasure. In 1933, President Franklin Delano Roosevelt declared "Home on the Range" as his favorite song; and

WHEREAS, The Kansas Legislature adopted Higley's song as the Kansas state song on June 30, 1947; and

WHEREAS, Higley Cabin was named to the National Register of Historic Places; and has remained at its original location, and open to the public, for more than a century because of the foresight and generosity of landowners Pete and Ellen Rust; and

WHEREAS, Kansans, throughout the years, including members of the Smith County Rotary Club, the Rust family, the Ellen Rust Living Trust and area farmers, have volunteered their time and resources to protect Higley Cabin; and

WHEREAS, This year marks the 140th anniversary of Dr. Higley's poem: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the historical significance of Higley Cabin be recognized and revered as the birthplace of our Kansas state song, "Home on the Range"; and

Be it further resolved: That the Ellen Rust Living Trust and artist Gary Hawk be commended for their leadership on "Coins for the Cabin," an effort to generate the financial resources needed to restore Higley Cabin and protect its rightful place in American history; and

Be it further resolved: That Kansas schoolchildren be encouraged by their teachers, parents, classmates and community leaders to partake in the statewide "Coins for the Cabin" effort and this opportunity to learn more about the significance of Higley Cabin to our state's history; and

Be it further resolved: That Kansans everywhere join our state's schoolchildren in supporting the "Coins for the Cabin" effort and this important opportunity to preserve Higley Cabin for future generations; and

Be it further resolved: That the Secretary of the Senate shall send two enrolled copies of this resolution to the Ellen Rust Living Trust, one enrolled copy to Mr. El Dean Holthus, one enrolled copy to Mr. Gary Hawk and one enrolled copy to the Kansas

State Historical Society.

On emergency motion of Senator Marshall **SR 1822** was adopted unanimously.

Senator Marshall introduced El Dean Holtus, his wife Kathy, Gary Hawk, his wife Beverly, Gerald Caspers, his wife Betty and Glen Caspers in recognizing the historical significance of Higley Cabin as the birthplace of our Kansas state song, "Home on the Range." Also in attendance in support of the preservation of the historic site were: Susan Hawk, Debbie Smail, Alex Smail, Mark Obermueller, Lora Obermueller, Brecken Obermueller, Mike Franklin, T.C. Dolphin, Michael Smail, Keith Hooper, Mark Hooper, Pat Hooper, Michael Hooper, Esther Willis, Marcelline Vaughan and Danna Higley Conner. The guests were recognized with a standing ovation.

Senator A. Schmidt thanked Senator Marshall for his initiative on the Higley Cabin preservation. Because of the foresight of a number of special people, this relic of Kansas history, which has grown to international prominence, is still standing today in Senate District thirty-six, the District of former Senator Janis Lee from Smith County, who was in attendance and recognized. I simply want to say that we owe a great deal of appreciation to those who worked so diligently over the years to preserve our great history. It's personally great, after years of military service, to live back home on the Range. Senator Reitz invited the chamber to join him in singing "Home on the Range."

REPORT ON ENGROSSED BILLS

SB 102, SB 281, SB 299, SB 305, SB 316, SB 324, SB 325, SB 331, SB 348; H Sub SB 191 reported correctly engrossed February 17, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Ethics and Elections** recommends **SB 333** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 333," as follows:

"Substitute for SENATE BILL No. 333

By Committee on Ethics and Elections

"AN ACT concerning elections; relating to petitions; amending K.S.A. 2011 Supp. 25-205, 25-302a, 25-303, 25-3602, 25-4005, 25-4306, 25-4310 and 25-4320 and repealing the existing sections.";

and the substitute bill be passed.

Committee on **Judiciary** recommends **SB 330, SB 394** be passed.

Also, **SB 282** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 282," as follows:

"Substitute for SENATE BILL No. 282

By Committee on Judiciary

"AN ACT concerning covered offenses and conduct giving rise to forfeiture; relating to fleeing or eluding; amending K.S.A. 2011 Supp. 60-4104 and repealing the existing section.";

and the substitute bill be passed.

SB 283 be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 283," as follows:

"Substitute for SENATE BILL No. 283

By Committee on Judiciary

"AN ACT concerning sheriffs; relating to fees; amending K.S.A. 2011 Supp. 28-110 and repealing the existing section."; and the substitute bill be passed.

Committee on **Natural Resources** recommends **SB 375** be amended on page 2, in line 38, by striking all after "of"; in line 39, by striking all before "by" and inserting "solid waste generated by drilling oil and gas wells"; in line 42, after the period by inserting "For any area that annually receives more than 25 inches of precipitation, as determined by the department, any solid waste disposed of by land spreading shall be incorporated into the soil. No land spreading shall occur on any area where the water table is less than 10 feet or on any area where there is documented groundwater contamination as determined by the department.";

On page 3, in line 4, after the comma by inserting "drilling mud additives,,"; in line 6, by striking "Kansas" and inserting "state"; in line 19, by striking "Kansas" and inserting "state"; in line 22, after the period by inserting "On or before January 30, 2013 and 2014, the state corporation commission shall present a report on the costs associated with the regulation of land spreading pursuant to this section to the senate standing committees on natural resources and ways and means and to the house standing committees on agriculture and natural resources and appropriations."; in line 38, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Also, **SB 406** be amended on page 1, in line 22, by striking ", 42 U.S.C."; by striking all in lines 23 and 24; in line 25, by striking "*et seq.*, as amended"; also in line 25, by striking the third comma and inserting "(42 U.S.C. § 3152 *et seq.*, 42 U.S.C. § 6991 *et seq.*, as in effect on January 1, 2012)"; in line 26, by striking "the effective date of"; in line 27, by striking "this act" and inserting "January 1, 2012";

On page 4, in line 13, by striking "underground"; in line 14, by striking all before "fund" and inserting "UST redevelopment";

On page 5, in line 23, by striking "fuel";

On page 8, in line 36, by striking "and" and inserting "or";

On page 10, in line 15, after "(3)" by inserting:

"The secretary may, in the secretary's discretion, determine those costs which are allowable as underground storage tank removal costs.

(d) ";

Also on page 10, in line 20, by striking "and"; in line 22, after the semicolon by inserting "and

(3) A deed restriction was placed on the property prohibiting the installation of underground storage tanks for the 10 years following the date of the underground storage tank removal. As a condition for reimbursement, the applicant must provide a notarized copy of the recorded deed restriction for the property with the seal of the register of deeds to the department.";

On page 11, in line 4, after "cleaning" by inserting "and disposal"; in line 17, by striking "Kansas essential fuel supply trust" and inserting "UST redevelopment"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **HB 2525** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be

placed on the consent calendar.

Committee on **Ways and Means** recommends **HB 2453; HB 2460** as amended by House Committee, be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Tuesday, February 21, 2012.

Journal of the Senate

THIRTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 21, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-nine senators present.
Senator Apple was excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

It's like this every session, Lord;
Would You help me, please?
I'm trying to establish
My priorities.

Do I study through the night
To help my bill to carry,
Or get the rest I need and hope
I will not be embarrassed?

Do I vote the party line
And upset some supporters,
Or break ranks with my colleagues
And pacify the voters?

Do I accept an invitation
To address important folks,
Or take my daughter out
For burgers, fries and cokes?

Do I meet with civic leaders
Discussing urban blight
Or make sure some little guy
Is getting treated right?

I have a lot more questions
But I have no time to spare.
I don't want to be accused of
A filibuster prayer!

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 438, AN ACT concerning the state directory of new hires; relating to information submitted by employers; amending K.S.A. 2011 Supp. 75-5743 and repealing the existing section, by Committee on Federal and State Affairs.

SB 439, AN ACT concerning abstracters; relating to license fees; amending K.S.A. 58-2801 and repealing the existing section, by Committee on Ways and Means.

SB 440, AN ACT concerning the arts; creating the creative arts industries commission within the department of commerce; transferring the powers, functions and duties from the Kansas arts commission and the Kansas film services commission to the creative arts industries commission; abolishing the Kansas arts commission and the Kansas film services commission; amending K.S.A. 46-1801, 74-7901 and 75-2249 and K.S.A. 2011 Supp. 8-1,161, 73-2502, 73-2504, 75-2269 and 75-5072 and repealing the existing sections; also repealing K.S.A. 74-5202, 74-5203, 74-5204, 74-5205 and 74-5206 and K.S.A. 2011 Supp. 74-9201 and 74-9202, by Committee on Ways and Means.

SB 441, AN ACT concerning certificates of title for certain motor vehicles; amending K.S.A. 2011 Supp. 8-198 and repealing the existing section, by Committee on Ways and Means.

SB 442, AN ACT concerning taxation; relating to property and sales tax exemptions for health clubs; amending K.S.A. 2011 Supp. 79-201 and 79-3603 and repealing the existing sections, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to Committees as indicated:

Assessment and Taxation: **Sub HB 2455**.

Federal and State Affairs: **SB 437; HCR 5031**.

Financial Institutions and Insurance: **HB 2593**.

Judiciary: **HB 2324, HB 2413, HB 2469; Sub HB 2470; HB 2484, HB 2496, HB 2531, HB 2600**.

Natural Resources: **HB 2685**.

Transportation: **HB 2499**.

Ways and Means: **SB 433, SB 434, SB 435, SB 436; HB 2537**.

CHANGE OF REFERENCE

The President withdrew **SB 411** from the Committee on **Assessment and Taxation** and referred the bill to the Committee on **Ways and Means**.

The President withdrew **SB 413** from the Committee on **Commerce** and referred the bill to the Committee on **Ways and Means**.

The President withdrew **SB 361, SB 401, SB 410** from the Committee on **Education** and referred the bills to the Committee on **Ways and Means**.

The President withdrew **SB 423** from the Committee on **Judiciary** and referred the bill to the Committee on **Ways and Means**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2432, HB 2464, HB 2468, HB 2473, HB 2569, HB 2612, HB 2613, HB 2708.**

Announcing adoption of **HCR 5032.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2432, HB 2464, HB 2468, HB 2473, HB 2569, HB 2612, HB 2613, HB 2708; HCR 5032 were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator King introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1823—

A RESOLUTION honoring Henry Williams and the Uppercut Boxing Club.

WHEREAS, Henry Williams is the winner of the 2011 Sargent Shriver Annual Achievement Award, one of two prestigious recognitions presented annually by the national Community Action Partnership; and

WHEREAS, Williams was nominated for the award by Becky Gray and Steve Lohr, director of the Southeast Kansas Community Action program (SEK-CAP). Lohr said Williams was selected from among 1,100 community action programs across the nation; and

WHEREAS, Williams began working with SEK-CAP in 2000, when he earned a Personal Responsibility and Achievement Award. His desire to give back to his community led to the establishment of the Uppercut Boxing Club, the only stand-alone youth development organization in Independence, Kansas, focusing on enabling youth in a positive manner and preventing delinquency; and

WHEREAS, Working out of his home in the beginning, Williams helped young people train for amateur boxing four nights a week and mowed lawns to obtain the funds necessary to purchase basic boxing equipment. Through persistent contact, he gained the support of churches, schools and local law enforcement; and

WHEREAS, The Uppercut Boxing Club has developed a positive reputation throughout the Independence community. The Uppercut Boxing Club obtained a grant from the Kansas Health Foundation and many community partners have participated in fundraising efforts. Additionally, individual and community supporters serve as board members and volunteers in the program; and

WHEREAS, Through Williams' interactions with SEK-CAP, dedication and hard work, Williams and the Uppercut Boxing Club have improved their own community, making Independence a better place to live: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we honor and recognize Henry Williams for his accomplishments and the Uppercut Boxing Club for its service to the Independence, Kansas community; and

Be it further resolved: That the Secretary of the Senate shall send three enrolled copies of this resolution to Senator King.

On emergency motion of Senator King **SR 1823** was adopted unanimously.

Senator King introduced and congratulated Henry Williams for being the winner of the 2011 Sargent Shriver Annual Achievement Award and the establishment of the Uppercut Boxing Club. The Senate acknowledged his achievement with a standing ovation.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 302** be amended on page 1, by striking all in lines 7 through 30; in line 31, by striking "Sec. 2" and inserting "Section 1"; in line 32, by striking "nonamenable species" and inserting "animals other than livestock, poultry or rabbits which can or may be used in and for the preparation of meat or meat products, poultry or poultry products";

On page 2, in line 23, after "establishment" by inserting "applying the mark of inspection"; in line 26, after "requested" by inserting ", except for minor deviations from a daily operating schedule approved by the area supervisor"; in line 42, by striking "or the secretary's"; in line 43, by striking "authorized representative";

On page 8, by striking all in lines 15 through 17;

On page 12, in line 6, by striking "such"; in line 7, by striking "as will" and inserting "that"; also in line 7, by striking "correctly" and inserting "accurately"; also in line 7, by striking "all transactions involved in"; in line 8, by striking "their businesses"; and inserting "transactions related to animals prepared for and capable of use as human food. Nothing in this section shall affect the exemptions established in K.S.A. 65-6a31, and amendments thereto"; in line 14, by striking "may" and inserting "shall";

And by renumbering sections accordingly; and the bill be passed as amended.

Also, **SB 357** be amended on page 1, in line 9, by striking "knowing,"; also in line 9, by striking "or being advised"; in line 25, by striking "or irreparable"; in line 26, by striking "damage to such land"; in line 28, by striking ", including, but not limited to, discing,"; by striking all in line 29; in line 30, by striking "dust control" and inserting "that shall include any recognized method of dust control in the applicable field office technical guide of the natural resources conservation service"; also in line 30, by striking "receive" and inserting "receives"; in line 31, by striking "determine" and inserting "determines"; in line 33, by striking "direct the"; in line 34, by striking "complaining citizen to present" and inserting "refer";

On page 2, in line 8, by striking "complaining party will appear" and inserting "complaint will be heard"; in line 13, after "receiving" by inserting "written"; in line 24, after "district." by inserting "Included in such recommendation shall be a determination by the local conservation district as to whether the land at issue is in compliance with a conservation plan promulgated by the owner or tenant under 7 C.F.R. § 12.5, as in effect on July 1, 2012. If the land at issue is determined to be in compliance with a conservation plan promulgated by the owner or tenant under 7 C.F.R. § 12.5, as in effect on July 1, 2012, the conservation district shall recommend no corrective action be taken by the board of county commissioners. If the land at issue is determined to not be in compliance with a conservation plan promulgated by the owner or tenant under 7 C.F.R. § 12.5, as in effect on July 1, 2012,";

On page 3, in line 12, by striking "may accept, reject or modify the recommendations"; by striking all in line 13; in line 14, by striking "commissioners" and inserting "shall accept or reject the recommendations of the local conservation district. In such case where the board of county commissioners rejects the local

conservation district's recommendations, the board of county commissioners may, if it is determined corrective action is needed other than the corrective action recommended by the local conservation district, request the local conservation district develop an alternative recommendation. A request for an alternative recommendation from the local conservation district by the board of county commissioners shall set forth the reasons why the board of county commissioners believes an alternative recommendation is necessary. Upon receiving an alternative recommendation from the local conservation district, the board of county commissioners shall accept or reject the alternative recommendation"; by striking all in lines 16 through 21; in line 24, after "appropriate" by inserting "under subsection (a)"; following line 38, by inserting:

"Sec. 2. K.S.A. 2-2008 is hereby amended to read as follows: 2-2008. (a) When work has been done by the county, or by anyone employed by it to carry out its orders respecting ~~the planting or cultivation~~ of any specific tract of land under K.S.A. 2-2004 ~~or 2-2006~~, and amendments thereto, and warrants issued therefor, the board of county commissioners shall notify the owner of the land, by certified mail or otherwise, of the amount thereof and require the owner to make a showing before them, on a day named, which shall not be less than 30 days after the date of the notice, as to why the cost of the work should not be levied against the land as a special assessment. Unless the owner of the land can show that the work was necessitated by circumstances beyond the owner's control, and which could not reasonably have been anticipated, the expense thereof shall be assessed against the land as a special assessment.

(b) The assessment shall be made by an order of the board of county commissioners, which order shall be recorded in its minutes, and shall be collected as a special assessment. The amount of the assessment shall not exceed \$3 per acre for each acre on which work is done for any one year, unless the board of county commissioners determines at its first meeting during any calendar year that \$3 per acre is not adequate to cover the actual cost of the work. Upon such determination the board of county commissioners shall fix, at the first business meeting of the board during any calendar year, an amount in excess of \$3 per acre which the board determines to be a reasonable assessment per acre to cover the actual cost of the work during such calendar year. If the amount assessed against any such acre in any year exceeds \$3 or exceeds the amount fixed by the board of county commissioners in any year to cover the cost per acre of the work for that year, or the total amount assessed against any such acre in more than one year and which is uncollected exceeds \$3 or exceeds the amount fixed by the board of county commissioners in any year to cover the cost per acre of the work for that year, such amount shall be collected in annual installments not exceeding \$3 or the amount fixed by the board of county commissioners at its first meeting during any calendar year to cover the actual cost of the work per such acre, as applicable.

(c) For good cause shown, the board of county commissioners may divide the cost between the owner of the land and the county. ~~All moneys collected on such special assessment shall be credited to the soil drifting fund.~~ Any landowner aggrieved at the amount of the assessment against the landowner's land may bring an action in the district court of the county in which the land is situated to test the validity of the assessment or to enjoin its collection, but such action must be brought within 30 days after the assessment is made, and cannot be brought thereafter.";

And by renumbering sections accordingly;

Also on page 3, by striking "is" and inserting ", 2-2006, 2-2007 and 2-2008 and

K.S.A. 2011 Supp. 2-2003 and 2-2005 are";

On page 1, in the title, in line 3, after "2-2004" by inserting "and 2-2008"; also in line 3, by striking "section" and inserting "sections; also repealing K.S.A. 2-2006 and 2-2007 and K.S.A. 2011 Supp. 2-2003 and 2-2005"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **SB 373** be passed.

Also, **SB 273** be amended on page 2, in line 9, after the first "any" by inserting "financial"; in line 15, by striking "\$100,000" and inserting "\$50,000"; in line 16, by striking "\$50,000,000" and inserting "\$200,000,000"; in line 18, by striking all after "(B)" in line 19, by striking all before the period and inserting "\$200,000 for any insurance company or society which has \$200,000,000 or more in gross premiums, both direct and assumed, in the preceding calendar year.

(3) The amount paid for all outside consulting and data processing fees necessary to perform any market regulation examination at any one company or society, including examination of such company's or society's subsidiaries, or any combination thereof, and the *pro rata* amount to fund the purchase of examination equipment and computer software shall not collectively total more than \$25,000"; and the bill be passed as amended.

SB 372 be amended on page 6, in line 16, by striking "has the power to" and inserting ", after notice and an opportunity for hearing, may";

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

Committee on **Judiciary** recommends **SB 367** be passed.

Also, **SB 304** be amended on page 1, in line 20, by striking the comma and inserting "or"; also in line 20, by striking "or"; in line 21, by striking "the behavioral sciences regulatory board";

On page 2, in line 9, after "(b)" by inserting "Except as provided in subsection (i),"; in line 19, by striking "qualifications"; following line 22, by inserting:

"(5) a statement that the applicant has complied with such other qualifications as may be established by the attorney general by rules and regulations;"; by striking all in lines 26 through 33;

And by redesignating subsections accordingly;

On page 3, following line 24, by inserting:

"(i) A batterer intervention program may be exempted from the initial application for certification as a certified batterer intervention program if such program had been previously certified or certified by the attorney general as a batterer intervention program on the day preceding the effective date of this act.

(j) (1) Except as provided further, the program director, program supervisor or program coordinator of any batterer intervention program shall be licensed to practice in Kansas as a licensed psychologist, licensed baccalaureate social worker, licensed master social worker, licensed specialist clinical social worker, licensed marriage and family therapist, licensed clinical marriage and family therapist, licensed professional counselor, licensed clinical professional counselor, licensed master level psychologist or licensed clinical psychotherapist.

(2) Any person not licensed as required in subsection (j)(1) who is a program director, program supervisor or program coordinator immediately prior to the effective date of this act may continue to be a program director, program supervisor or program

coordinator on and after the effective date of this act if such person remains employed or contracted by the same program, and such program remains a certified batterer intervention program. When such person is no longer employed or contracted by the program in which they were a program director, program supervisor or program coordinator immediately prior to the effective date of this act, such person shall not be a program director, program supervisor or program coordinator for any certified batterer intervention program without meeting the license requirements prescribed in subsection (j)(1).";

On page 4, in line 34, by striking "qualifications" and inserting "policies and procedures"; in line 37, by striking "training and education requirements, continuing or otherwise," and inserting "orientation training and continuing education requirements"; in line 38, after "coordinators" by inserting ", and any agent or employee of a certified batterer intervention program who directly provides intervention services to clients of such program"; by striking all in lines 41 through 43;

On page 5, by striking lines 1 and 2, and inserting:

"(b) Such rules and regulations shall require the following:

(1) The Kansas domestic violence offender assessment shall be completed by: (A) An individual who is licensed to practice in Kansas as a licensed psychologist, licensed baccalaureate social worker, licensed master social worker, licensed specialist clinical social worker, licensed marriage and family therapist, licensed clinical marriage and family therapist, licensed professional counselor, licensed clinical professional counselor, licensed master level psychologist or licensed clinical psychotherapist; or (B) an individual who meets the requirements of subsection (b)(2).

(2) Any person who is not licensed as required in subsection (b)(1)(A) who is completing domestic violence offender assessments as an employee of or volunteer for a batterer intervention program immediately prior to the effective date of this act may continue to complete such assessments on and after the effective date of this act if such person remains an employee of or volunteer for the same program, and such program remains a certified batterer intervention program. When such person is no longer an employee of or volunteer for the program in which they were employed or volunteering immediately prior to the effective date of this act, such person shall not be allowed to complete the Kansas domestic violence offender assessment for any certified batterer intervention program without meeting the license requirements prescribed in subsection (b)(1)(A).";

Also on page 5, in line 23, by striking "amendment" and inserting "amendments";

On page 6, in line 25, by striking "recovered" and inserting "imposed"; in line 26, after "be" by inserting "recovered by the attorney general,";

On page 7, in line 43, by striking "educational requirement for" and inserting "orientation training and continuing education requirements for staff who will be directly providing intervention services to clients of";

On page 11, following line 11, by inserting:

"Sec. 15. K.S.A. 2011 Supp. 21-5414 is hereby amended to read as follows: 21-5414. (a) Domestic battery is:

(1) Knowingly or recklessly causing bodily harm by a family or household member against a family or household member; or

(2) knowingly causing physical contact with a family or household member by a family or household member when done in a rude, insulting or angry manner.

(b) Domestic battery is a:

(1) Except as provided in subsection (b)(2) or (b)(3), a Class B person misdemeanor and the offender shall be sentenced to not less than 48 consecutive hours nor more than six months' imprisonment and fined not less than \$200, nor more than \$500 or in the court's discretion the court may enter an order which requires the offender enroll in and successfully complete a domestic violence prevention program, except as provided in subsection (b)(2) or (b)(3) to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program;

(2) except as provided in subsection (b)(3), a class A person misdemeanor, if, within five years immediately preceding commission of the crime, an offender is convicted of domestic battery a second time and the offender shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$500 nor more than \$1,000, except as provided in subsection (b)(3). The five days imprisonment mandated by this paragraph may be served in a work release program only after such offender has served 48 consecutive hours imprisonment, provided such work release program requires such offender to return to confinement at the end of each day in the work release program. The offender shall serve at least five consecutive days imprisonment before the offender is granted probation, suspension or reduction of sentence or parole or is otherwise released. As a condition of any grant of probation, suspension of sentence or parole or of any other release, the offender shall be required to enter into and complete a treatment program for domestic violence prevention undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program; and

(3) a person felony, if, within five years immediately preceding commission of the crime, an offender is convicted of domestic battery a third or subsequent time, and the offender shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,000 nor more than \$7,500. The offender convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the offender has served at least 90 days imprisonment. The court shall require as a condition of parole that such offender enter into and complete a treatment program for domestic violence. As a condition of any grant of probation, suspension of sentence or parole or of any other release, the offender shall be required to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program. If the offender does not enter into and complete a treatment program for domestic violence undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program, the offender shall serve not less than 180 days nor more than one year's imprisonment. The 90 days imprisonment mandated by this paragraph may be served in a work release program only after such offender has served 48 consecutive hours imprisonment, provided such work release program requires such offender to return to confinement at the end of each day in the work release program.

(c) As used in this section:

(1) "Family or household member" means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and persons who are presently residing together or who have resided together in the past,

and persons who have a child in common regardless of whether they have been married or who have lived together at any time. "Family or household member" also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and

(2) for the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section:

(A) "Conviction" includes being convicted of a violation of K.S.A. 21-3412a, prior to its repeal, this section or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings on a complaint alleging a violation of this section;

(B) "conviction" includes being convicted of a violation of a law of another state, or an ordinance of any city, or resolution of any county, which prohibits the acts that this section prohibits or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings in a case alleging a violation of such law, ordinance or resolution;

(C) only convictions occurring in the immediately preceding five years including prior to July 1, 2001 shall be taken into account, but the court may consider other prior convictions in determining the sentence to be imposed within the limits provided for a first, second, third or subsequent offender, whichever is applicable; and

(D) it is irrelevant whether an offense occurred before or after conviction for a previous offense.

(d) A person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of this section or an ordinance of any city or resolution of any county which prohibits the acts that this section prohibits only twice during any five-year period.

Sec. 16. K.S.A. 2011 Supp. 21-6604 is hereby amended to read as follows: 21-6604. (a) Whenever any person has been found guilty of a crime, the court may adjudge any of the following:

(1) Commit the defendant to the custody of the secretary of corrections if the current crime of conviction is a felony and the sentence presumes imprisonment, or the sentence imposed is a dispositional departure to imprisonment; or, if confinement is for a misdemeanor, to jail for the term provided by law;

(2) impose the fine applicable to the offense and may impose the provisions of subsection (q);

(3) release the defendant on probation if the current crime of conviction and criminal history fall within a presumptive nonprison category or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate. In felony cases except for violations of K.S.A. 8-1567, and amendments thereto, the court may include confinement in a county jail not to exceed 60 days, which need not be served consecutively, as a condition of an original probation sentence and up to 60 days in a county jail upon each revocation of the probation sentence, or community corrections placement;

(4) assign the defendant to a community correctional services program as provided in K.S.A. 75-5291, and amendments thereto, or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate, including orders requiring full or partial restitution;

(5) assign the defendant to a conservation camp for a period not to exceed six months as a condition of probation followed by a six-month period of follow-up

through adult intensive supervision by a community correctional services program, if the offender successfully completes the conservation camp program;

(6) assign the defendant to a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto;

(7) order the defendant to attend and satisfactorily complete an alcohol or drug education or training program as provided by subsection (c) of K.S.A. 2011 Supp. 21-6602, and amendments thereto;

(8) order the defendant to repay the amount of any reward paid by any crime stoppers chapter, individual, corporation or public entity which materially aided in the apprehension or conviction of the defendant; repay the amount of any costs and expenses incurred by any law enforcement agency in the apprehension of the defendant, if one of the current crimes of conviction of the defendant includes escape from custody or aggravated escape from custody, as defined in K.S.A. 2011 Supp. 21-5911, and amendments thereto; repay expenses incurred by a fire district, fire department or fire company responding to a fire which has been determined to be arson or aggravated arson as defined in K.S.A. 2011 Supp. 21-5812, and amendments thereto, if the defendant is convicted of such crime; repay the amount of any public funds utilized by a law enforcement agency to purchase controlled substances from the defendant during the investigation which leads to the defendant's conviction; or repay the amount of any medical costs and expenses incurred by any law enforcement agency or county. Such repayment of the amount of any such costs and expenses incurred by a county, law enforcement agency, fire district, fire department or fire company or any public funds utilized by a law enforcement agency shall be deposited and credited to the same fund from which the public funds were credited to prior to use by the county, law enforcement agency, fire district, fire department or fire company;

(9) order the defendant to pay the administrative fee authorized by K.S.A. 22-4529, and amendments thereto, unless waived by the court;

(10) order the defendant to pay a domestic violence special program fee authorized by K.S.A. 20-369, and amendments thereto;

(11) if the defendant is convicted of a misdemeanor or convicted of a felony specified in subsection (i) of K.S.A. 2011 Supp. 21-6804, and amendments thereto, assign the defendant to work release program, other than a program at a correctional institution under the control of the secretary of corrections as defined in K.S.A. 75-5202, and amendments thereto, provided such work release program requires such defendant to return to confinement at the end of each day in the work release program. On a second conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program must serve a total of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. On a third or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program must serve a total of 240 hours of confinement. Such 240 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day;

(12) order the defendant to pay the full amount of unpaid costs associated with the conditions of release of the appearance bond under K.S.A. 22-2802, and amendments thereto;

(13) impose any appropriate combination of (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (12); or

(14) suspend imposition of sentence in misdemeanor cases.

(b) (1) In addition to or in lieu of any of the above, the court shall order the defendant to pay restitution, which shall include, but not be limited to, damage or loss caused by the defendant's crime, unless the court finds compelling circumstances which would render a plan of restitution unworkable. In regard to a violation of K.S.A. 2011 Supp. 21-6107, and amendments thereto, such damage or loss shall include, but not be limited to, attorney fees and costs incurred to repair the credit history or rating of the person whose personal identification documents were obtained and used in violation of such section, and to satisfy a debt, lien or other obligation incurred by the person whose personal identification documents were obtained and used in violation of such section. If the court finds a plan of restitution unworkable, the court shall state on the record in detail the reasons therefor.

(2) If the court orders restitution, the restitution shall be a judgment against the defendant which may be collected by the court by garnishment or other execution as on judgments in civil cases. If, after 60 days from the date restitution is ordered by the court, a defendant is found to be in noncompliance with the plan established by the court for payment of restitution, and the victim to whom restitution is ordered paid has not initiated proceedings in accordance with K.S.A. 60-4301 et seq., and amendments thereto, the court shall assign an agent procured by the attorney general pursuant to K.S.A. 75-719, and amendments thereto, to collect the restitution on behalf of the victim. The chief judge of each judicial district may assign such cases to an appropriate division of the court for the conduct of civil collection proceedings.

(c) In addition to or in lieu of any of the above, the court shall order the defendant to submit to and complete an alcohol and drug evaluation, and pay a fee therefor, when required by subsection (d) of K.S.A. 2011 Supp. 21-6602, and amendments thereto.

(d) In addition to any of the above, the court shall order the defendant to reimburse the county general fund for all or a part of the expenditures by the county to provide counsel and other defense services to the defendant. Any such reimbursement to the county shall be paid only after any order for restitution has been paid in full. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

(e) In releasing a defendant on probation, the court shall direct that the defendant be under the supervision of a court services officer. If the court commits the defendant to the custody of the secretary of corrections or to jail, the court may specify in its order the amount of restitution to be paid and the person to whom it shall be paid if restitution is later ordered as a condition of parole, conditional release or postrelease supervision.

(f) (1) When a new felony is committed while the offender is incarcerated and serving a sentence for a felony, or while the offender is on probation, assignment to a

community correctional services program, parole, conditional release or postrelease supervision for a felony, a new sentence shall be imposed pursuant to the consecutive sentencing requirements of K.S.A. 2011 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(2) When a new felony is committed while the offender is incarcerated in a juvenile correctional facility pursuant to K.S.A. 38-1671, prior to its repeal, or K.S.A. 2011 Supp. 38-2373, and amendments thereto, for an offense, which if committed by an adult would constitute the commission of a felony, upon conviction, the court shall sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure. The conviction shall operate as a full and complete discharge from any obligations, except for an order of restitution, imposed on the offender arising from the offense for which the offender was committed to a juvenile correctional facility.

(3) When a new felony is committed while the offender is on release for a felony pursuant to the provisions of article 28 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto, or similar provisions of the laws of another jurisdiction, a new sentence may be imposed pursuant to the consecutive sentencing requirements of K.S.A. 2011 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(g) Prior to imposing a dispositional departure for a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 4-E or 4-F of the sentencing guideline grid for drug crimes and whose offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto, prior to revocation of a nonprison sanction of a defendant whose offense is classified in grid blocks 4-E or 4-F of the sentencing guideline grid for drug crimes and whose offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto, or prior to revocation of a nonprison sanction of a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid or grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, the court shall consider placement of the defendant in the Labette correctional conservation camp, conservation camps established by the secretary of corrections pursuant to K.S.A. 75-52,127, and amendment thereto, or a community intermediate sanction center. Pursuant to this paragraph the defendant shall not be sentenced to imprisonment if space is available in a conservation camp or a community intermediate sanction center and the defendant meets all of the conservation camp's or a community intermediate sanction center's placement criteria unless the court states on the record the reasons for not placing the defendant in a conservation camp or a community

intermediate sanction center.

(h) The court in committing a defendant to the custody of the secretary of corrections shall fix a term of confinement within the limits provided by law. In those cases where the law does not fix a term of confinement for the crime for which the defendant was convicted, the court shall fix the term of such confinement.

(i) In addition to any of the above, the court shall order the defendant to reimburse the state general fund for all or a part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the defendant. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment. The amount of attorney fees to be included in the court order for reimbursement shall be the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less.

(j) This section shall not deprive the court of any authority conferred by any other Kansas statute to decree a forfeiture of property, suspend or cancel a license, remove a person from office or impose any other civil penalty as a result of conviction of crime.

(k) An application for or acceptance of probation or assignment to a community correctional services program shall not constitute an acquiescence in the judgment for purpose of appeal, and any convicted person may appeal from such conviction, as provided by law, without regard to whether such person has applied for probation, suspended sentence or assignment to a community correctional services program.

(l) The secretary of corrections is authorized to make direct placement to the Labette correctional conservation camp or a conservation camp established by the secretary pursuant to K.S.A. 75-52,127, and amendments thereto, of an inmate sentenced to the secretary's custody if the inmate:

(1) Has been sentenced to the secretary for a probation revocation, as a departure from the presumptive nonimprisonment grid block of either sentencing grid, for an offense which is classified in grid blocks 5-H, 5-I, or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, or for an offense which is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes and such offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto; and

(2) otherwise meets admission criteria of the camp.

If the inmate successfully completes a conservation camp program, the secretary of corrections shall report such completion to the sentencing court and the county or district attorney. The inmate shall then be assigned by the court to six months of follow-up supervision conducted by the appropriate community corrections services program. The court may also order that supervision continue thereafter for the length of time authorized by K.S.A. 2011 Supp. 21-6608, and amendments thereto.

(m) When it is provided by law that a person shall be sentenced pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, the provisions of this section shall not apply.

(n) Except as provided by subsection (f) of K.S.A. 2011 Supp. 21-6805, and amendments thereto, in addition to any of the above, for felony violations of K.S.A. 2011 Supp. 21-5706, and amendments thereto, the court shall require the defendant who meets the requirements established in K.S.A. 2011 Supp. 21-6824, and amendments thereto, to participate in a certified drug abuse treatment program, as provided in K.S.A. 2011 Supp. 75-52,144, and amendments thereto, including, but not limited to, an approved after-care plan. If the defendant fails to participate in or has a pattern of intentional conduct that demonstrates the offender's refusal to comply with or participate in the treatment program, as established by judicial finding, the defendant shall be subject to revocation of probation and the defendant shall serve the underlying prison sentence as established in K.S.A. 2011 Supp. 21-6805, and amendments thereto. For those offenders who are convicted on or after July 1, 2003, upon completion of the underlying prison sentence, the defendant shall not be subject to a period of postrelease supervision. The amount of time spent participating in such program shall not be credited as service on the underlying prison sentence.

(o) (1) Except as provided in paragraph (3), in addition to any other penalty or disposition imposed by law, upon a conviction for unlawful possession of a controlled substance or controlled substance analog in violation of K.S.A. 2011 Supp. 21-5706, and amendments thereto, in which the trier of fact makes a finding that the unlawful possession occurred while transporting the controlled substance or controlled substance analog in any vehicle upon a highway or street, the offender's driver's license or privilege to operate a motor vehicle on the streets and highways of this state shall be suspended for one year.

(2) Upon suspension of a license pursuant to this subsection, the court shall require the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(3) (A) In lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of any person as provided in paragraph (1), the judge of the court in which such person was convicted may enter an order which places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of more than one year.

(B) Upon entering an order restricting a person's license hereunder, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order

imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator, of such person's state of residence. Such judge shall furnish to any person whose driver's license has had conditions imposed on it under this paragraph a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this paragraph.

(C) Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this paragraph, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(4) As used in this subsection, "highway" and "street" means the same as in K.S.A. 8-1424 and 8-1473, and amendments thereto.

(p) In addition to any of the above, for any criminal offense that includes the domestic violence designation pursuant to K.S.A. 2011 Supp. 22-4616, and amendments thereto, the court shall require the defendant to: (1) Undergo a domestic violence offender assessment conducted by a certified batterer intervention program; and (2) follow all recommendations made by such program, unless otherwise ordered by the court or the department of corrections. The court may order a domestic violence offender assessment and any other evaluation prior to sentencing if the assessment or evaluation would assist the court in determining an appropriate sentence. The entity completing the assessment or evaluation shall provide the assessment or evaluation and recommendations to the court and the court shall provide the domestic violence offender assessment and any other evaluation to any entity responsible for supervising such defendant. A defendant ordered to undergo a domestic violence offender assessment shall be required to pay for the assessment and, unless otherwise ordered by the court or the department of corrections, for completion of all recommendations.

(q) In imposing a fine, the court may authorize the payment thereof in installments. In lieu of payment of any fine imposed, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed by the later of one year after the fine is imposed or one year after release from imprisonment or jail, or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance shall become due on that date. If conditional reduction of any fine is rescinded by the court for any reason, then pursuant to the court's order the person may be ordered to perform community service by one year after the date of such rescission or by an earlier date

specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date. All credits for community service shall be subject to review and approval by the court.";

And by renumbering sections accordingly;

Also on page 11, in line 37, after "12-4509" by inserting ", 21-5414, 21-6604";

On page 1, in the title, in line 2, after "12-4509" by inserting ", 21-5414, 21-6604"; and the bill be passed as amended.

SB 322 be amended on page 20, in line 4, by striking "further" and inserting "in this section and K.S.A. 2011 Supp. 28-178, and amendments thereto"; in line 14, by striking "Any" and inserting "Such"; in line 15, by striking "21-4619, prior to its repeal,"; in line 16, by striking "60-1621, prior to its transfer,"; in line 18, after "179," by inserting "32-1049a,";

On page 21, following line 38, by inserting:

"Sec. 11. K.S.A. 2011 Supp. 32-1049a is hereby amended to read as follows: 32-1049a. (a) Failure to comply with a wildlife ~~and parks~~ parks and tourism citation means failure to:

(1) Appear before any district court in response to a wildlife ~~and parks~~ parks and tourism citation and pay in full any fine, court costs, assessments or fees imposed;

(2) fully pay or satisfy all fines, court costs, assessments or fees imposed as a part of the sentence of any district court for violation of the wildlife ~~and parks~~ parks and tourism laws of this state; or

(3) otherwise comply with a wildlife ~~and parks~~ parks and tourism citation as provided in K.S.A. 32-1049, and amendments thereto.

Failure to comply with a wildlife ~~and parks~~ parks and tourism citation is a class C misdemeanor, regardless of the disposition of the charge for which such citation, complaint or charge was originally issued.

(b) The term "citation" means any complaint, summons, notice to appear, ticket, warrant, penalty assessment or other official document issued for the prosecution of the wildlife ~~and parks~~ parks and tourism laws and regulations of this state.

(c) In addition to penalties of law applicable under subsection (a) when a person fails to comply with a wildlife ~~and parks~~ parks and tourism citation or sentence for a violation of wildlife ~~and parks~~ parks and tourism laws or rules and regulations, the district court in which the person should have complied shall mail a notice to the person that if the person does not appear in the district court or pay all fines, court costs, assessments or fees, and any penalties imposed within 30 days from the date of mailing, the Kansas department of wildlife ~~and parks~~ parks and tourism shall be notified to forfeit or suspend any license, permit, stamp or other issue of the department. Upon receipt of a report of a failure to comply with a wildlife ~~and parks~~ parks and tourism citation under this section, and amendments thereto, the department shall notify the violator and suspend or forfeit the license, permit, stamp or other issue of the department held by the violator until satisfactory evidence of compliance with the wildlife ~~and parks~~ parks and tourism citation or sentence of the district court for violation of the wildlife ~~and parks~~ parks and tourism laws or rules and regulations of this state are furnished to the informing court. Upon receipt of notification of such compliance from the informing court, the department shall terminate the suspension action, unless the violator is otherwise suspended.

(d) Except as provided in subsection (e), when the district court notifies the department of a failure to comply with a wildlife ~~and parks~~ parks and tourism citation or failure to comply with a sentence of the district court imposed on violation of a wildlife ~~and parks~~ parks and tourism law or rule and regulation, the court shall assess a reinstatement fee of \$50 for each charge or sentence on which the person failed to make satisfaction, regardless of the disposition of the charge for which such citation was originally issued. Such reinstatement fee shall be in addition to any fine, court costs and other assessments, fees or penalties. The court shall remit all reinstatement fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit such moneys to the state general fund.

(e) The district court shall waive the reinstatement fee provided for in subsection (d), if the failure to comply with a wildlife ~~and parks~~ parks and tourism citation was the result of such person enlisting in or being drafted into the armed services of the United States of America, being called into service as a member of a reserve component of the military service of the United States of America, or volunteering for such active duty or being called into service as a member of the Kansas national guard or volunteering for such active duty and being absent from Kansas because of such military service. The state treasurer and the director of accounts and reports shall prescribe procedures for all such reimbursement payments and shall create appropriate accounts, make appropriate accounting entries and issue such appropriate vouchers and warrants as may be required to make such reimbursement payments.

(f) Except as provided further, the reinstatement fee established in subsection (d) shall be the only fee collected or moneys in the nature of a fee collected for such reinstatement. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, 2013, the supreme court may impose an additional charge, not to exceed \$22 per reinstatement fee, to fund the costs of non-judicial personnel."

On page 32, in line 39, after "28-179," by inserting "32-1049a,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "28-179," by inserting "32-1049a,"; and the bill be passed as amended.

SB 422 be amended on page 1, by striking all in lines 7 through 15; and inserting "Subject to the budget limitations of the district court, the chief judge of any judicial district may appoint a judge pro tem within such judicial district: (1) For good cause shown; or (2) in the absence, sickness or disability of a district judge or district magistrate judge, whenever a district judge or district magistrate judge from another judicial district has not been assigned to replace such district judge or district magistrate judge as provided in K.S.A. 20-319, and amendments thereto."; and the bill be passed as amended.

SB 424 be amended on page 1, in line 16, by striking "the division of continuing education";

On page 6, in line 14, after "expunged;" by inserting "and"; in line 17, by striking all after the first "felony"; in line 18, by striking "2012";

On page 12, following line 23, by inserting:

"Sec. 10. K.S.A. 2011 Supp. 12-1,120 is hereby amended to read as follows: 12-

1,120. (a) Each person holding office as chief of police of any city in this state shall be fingerprinted as provided by this section.

(b) Before assuming the office of chief of police of any city in this state, a person shall be fingerprinted as provided by this section.

(c) Fingerprinting pursuant to this section shall be done by the law enforcement agency of the city in the presence of the city clerk. The city clerk shall forthwith forward the fingerprints to the Kansas bureau of investigation for a search of state and national fingerprint files to determine whether the person qualifies for admission to the law enforcement training center pursuant to ~~subsection (e) of K.S.A. 74-5605~~ subsection (f) of K.S.A. 74-5607, and amendments thereto. The Kansas bureau of investigation shall certify any conviction record of the person, or lack thereof, found as a result of such search to the city clerk and, if such a record is found, to the attorney general.

(d) Fingerprints taken and submitted pursuant to this section shall be on forms approved by the attorney general.

(e) The cost of a search of fingerprint files pursuant to this section shall be paid by the person being fingerprinted.

Sec. 11. K.S.A. 19-801b is hereby amended to read as follows: 19-801b. (a) No person shall be eligible for nomination, election or appointment to the office of sheriff unless such person:

- (1) Is a citizen of the United States and a qualified elector of the county;
- (2) possesses a high-school education or its recognized equivalent; and
- (3) has never been convicted of or pleaded guilty or entered a plea of *nolo contendere* to any felony charge, a misdemeanor crime of domestic violence as defined in K.S.A. 74-5602, and amendments thereto, or to any violation of any federal or state laws or city ordinances relating to gambling, liquor or narcotics.

(b) Every person elected to the office of sheriff for the first time, or anyone reelected or appointed to the office after having been out of the office for five years or more shall be required to attend the law enforcement training center as established by K.S.A. 74-5601 *et seq.*, and amendments thereto, and satisfactorily complete the required training course of not less than 320 hours, unless such person has satisfactorily completed such training course within the five years prior to election or appointment, passes a written competency test and firearms proficiency qualification course developed and administered by the Kansas law enforcement training center or unless the ~~director~~ commission, as defined in subsection ~~(d)~~ (b) of K.S.A. 74-5602, and amendments thereto, waives the requirements of this subsection as provided in K.S.A. 74-5608a, and amendments thereto. Unless the requirements are waived, any person elected or appointed to the office of sheriff who has not attended the law enforcement training center shall hold office on a provisional basis, and such person shall attend the next scheduled training program at the law enforcement training center and satisfactorily complete such training program or the one subsequent to it, or shall forfeit such office.

(c) Each newly elected sheriff of each county who is required to attend the law enforcement training center shall be hired as a deputy sheriff and shall be paid a salary as deputy sheriff while attending the law enforcement training center. The tuition, board, room and travel expense for the sheriff-elect at the law enforcement training center shall be paid by the county.

Sec. 12. K.S.A. 31-157 is hereby amended to read as follows: 31-157. (a) The state fire marshal, the state fire marshal's deputies and full-time fire prevention personnel assigned investigation duties who are members of a paid fire department who have been certified by the state fire marshal pursuant to this section shall have the authority to make arrests, carry firearms and conduct searches and seizures while investigating any fire or explosion in which arson or attempted arson is suspected or in which there is an attempt or suspected attempt to defraud an insurance company. Any affidavits necessary to authorize arrests, searches or seizures pursuant to this section shall be made in accordance with K.S.A. 22-2302 and 22-2502, and amendments thereto.

(b) The state fire marshal, with the assistance of an advisory committee appointed pursuant to K.S.A. 31-135, and amendments thereto, shall adopt rules and regulations and specify the number of investigators for departments or areas and establish standards for certification of members of fire departments to make arrests, carry firearms and conduct searches and seizures pursuant to this section. No fire department personnel shall be certified to carry firearms under the provisions of this act without having first successfully completed the firearm training course or courses prescribed for law enforcement officers under K.S.A. ~~74-5604~~ 74-5604a, and amendments thereto.

(c) With the exception of firearms training, nothing in this section shall be construed to require persons employed prior to the effective date of this act to comply with the standards established by the state fire marshal pursuant to this section as a condition of continued employment, and such persons' failure to comply with such standards shall not make such persons ineligible for any promotional examination for which they are otherwise eligible or affect in any way any pension rights to which they are entitled on the effective date of this act.";

And by renumbering sections accordingly;

Also on page 12, in line 24, after the first "K.S.A." by inserting "19-801b, 31-157,"; in line 25, after "Supp." by inserting "12-1,120,";

On page 1, in the title, in line 2, after the first "K.S.A." by inserting "19-801b, 31-157,"; also in line 2, after "Supp." by inserting "12-1,120,"; and the bill be passed as amended.

SB 425 be amended on page 1, in line 18, by striking "cost" and inserting "costs"; in line 21, after the period by inserting "Such fee shall not exceed \$10 per document for filing and \$0.10 per page for access."; in line 22, after "charge" by inserting "to fund the costs of establishing, operating and maintaining electronic document filing, storage and management for the Kansas court system";

On page 4, in line 38, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 39, by striking "cost" and inserting "costs";

On page 7, in line 13, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 14, by striking "cost" and inserting "costs";

On page 12, in line 5, after "2012," by inserting "through June 30, 2013,"; also in line 5, by striking "cost" and inserting "costs";

On page 16, in line 34, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 35, by striking "cost" and inserting "costs";

On page 19, in line 17, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 18, by striking "cost" and inserting "costs";

On page 20, in line 35, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 36, by striking "cost" and inserting "costs";

On page 22, in line 36, after "July 1, 2012," by inserting "through June 30, 2013"; in line 37, by striking "cost" and inserting "costs"; in line 40, after "K.S.A." by inserting "2011 Supp.";

On page 23, in line 8, after "charge" by inserting "to fund the costs of non-judicial personnel"; in line 11, after "28-179," by inserting "32-1049a,";

On page 24, in line 7, after the period by inserting "Such fee shall not exceed \$10 per document for filing and \$0.10 per page for access.";

On page 25, in line 2, after "July 1, 2012," by inserting "through June 30, 2013,"; in line 3, by striking "cost" and inserting "costs"; following line 4, by inserting:

"Sec. 15. K.S.A. 2011 Supp. 32-1049a is hereby amended to read as follows: 32-1049a. (a) Failure to comply with a wildlife ~~and parks~~ parks and tourism citation means failure to:

(1) Appear before any district court in response to a wildlife ~~and parks~~ parks and tourism citation and pay in full any fine, court costs, assessments or fees imposed;

(2) fully pay or satisfy all fines, court costs, assessments or fees imposed as a part of the sentence of any district court for violation of the wildlife ~~and parks~~ parks and tourism laws of this state; or

(3) otherwise comply with a wildlife ~~and parks~~ parks and tourism citation as provided in K.S.A. 32-1049, and amendments thereto.

Failure to comply with a wildlife ~~and parks~~ parks and tourism citation is a class C misdemeanor, regardless of the disposition of the charge for which such citation, complaint or charge was originally issued.

(b) The term "citation" means any complaint, summons, notice to appear, ticket, warrant, penalty assessment or other official document issued for the prosecution of the wildlife ~~and parks~~ parks and tourism laws or rules and regulations of this state.

(c) In addition to penalties of law applicable under subsection (a) when a person fails to comply with a wildlife ~~and parks~~ parks and tourism citation or sentence for a violation of wildlife ~~and parks~~ parks and tourism laws or rules and regulations, the district court in which the person should have complied shall mail a notice to the person that if the person does not appear in the district court or pay all fines, court costs, assessments or fees, and any penalties imposed within 30 days from the date of mailing, the Kansas department of wildlife ~~and parks~~ parks and tourism shall be notified to forfeit or suspend any license, permit, stamp or other issue of the department. Upon receipt of a report of a failure to comply with a wildlife ~~and parks~~ parks and tourism citation under this section, and amendments thereto, the department shall notify the violator and suspend or forfeit the license, permit, stamp or other issue of the department held by the violator until satisfactory evidence of compliance with the wildlife ~~and parks~~ parks and tourism citation or sentence of the district court for violation of the wildlife ~~and parks~~ parks and tourism laws or rules and regulations of this state are furnished to the informing court. Upon receipt of notification of such compliance from the informing court, the department shall terminate the suspension action, unless the violator is otherwise suspended.

(d) Except as provided in subsection (e), when the district court notifies the department of a failure to comply with a wildlife ~~and parks~~ parks and tourism citation or failure to comply with a sentence of the district court imposed on violation of a wildlife ~~and parks~~ parks and tourism law or rule and regulation, the court shall assess a reinstatement fee of \$50 for each charge or sentence on which the person failed to make

satisfaction, regardless of the disposition of the charge for which such citation was originally issued. Such reinstatement fee shall be in addition to any fine, court costs and other assessments, fees or penalties. The court shall remit all reinstatement fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit such moneys to the state general fund.

(e) The district court shall waive the reinstatement fee provided for in subsection (d), if the failure to comply with a wildlife ~~and parks~~ parks and tourism citation was the result of such person enlisting in or being drafted into the armed services of the United States of America, being called into service as a member of a reserve component of the military service of the United States of America, or volunteering for such active duty or being called into service as a member of the Kansas national guard or volunteering for such active duty and being absent from Kansas because of such military service. The state treasurer and the director of accounts and reports shall prescribe procedures for all such reimbursement payments and shall create appropriate accounts, make appropriate accounting entries and issue such appropriate vouchers and warrants as may be required to make such reimbursement payments.

(f) Except as provided further, the reinstatement fee established in subsection (d) shall be the only fee collected or moneys in the nature of a fee collected for such reinstatement. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2012, through June 30, 2013, the supreme court may impose an additional charge to fund the costs of establishing, operating and maintaining electronic document filing, storage and management for the Kansas court system."

Also on page 25, in line 15, after "July 1, 2012," by inserting "through June 30, 2013,,"; in line 16, by striking "cost" and inserting "costs";

On page 27, in line 23, after "July 1, 2012," by inserting "through June 30, 2013,,"; in line 24, by striking "cost" and inserting "costs";

On page 29, in line 35, after "July 1, 2012," by inserting "through June 30, 2013,,"; in line 36, by striking "cost" and inserting "costs";

On page 31, in line 33, after "July 1, 2012," by inserting "through June 30, 2013,,"; in line 34, by striking "cost" and inserting "costs";

On page 32, in line 23, after "July 1, 2012," by inserting "through June 30, 2013,,"; in line 24, by striking "cost" and inserting "costs";

On page 34, in line 39, after "July 1, 2012," by inserting "through June 30, 2013,,"; in line 40, by striking "cost" and inserting "costs";

On page 35, in line 29, after "July 1, 2012," by inserting "through June 30, 2013,,"; in line 30, by striking "cost" and inserting "costs";

On page 36, in line 37, after "July 1, 2012," by inserting "through June 30, 2013,,"; in line 38, by striking "cost" and inserting "costs";

On page 37, in line 21, after "July 1, 2012," by inserting "through June 30, 2013,,"; in line 22, by striking "cost" and inserting "costs"; in line 36, by striking "the" and inserting "through June 30, 2013, the supreme"; in line 37, by striking "cost" and inserting "costs"; in line 43, after "28-179," by inserting "32-149a,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "28-179," by inserting "32-1049a,"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2420** be passed.

Committee on **Transportation** recommends **HB 2441** be passed.

Committee on **Ways and Means** recommends **SCR 1611** be adopted.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Wednesday, February 22, 2012.

Journal of the Senate

THIRTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 22, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Reverend Fred S. Hollomon:

Heavenly Father,
No man we know is perfect,
Including Washington.
But we must thank You, Lord,
For the good things he has done.

He gave his soldiers Chaplains
And attendance was required
At every worship service
Which he specified.

Soldiers could not gamble
Nor get drunk or curse;
And if they disobeyed, O God,
Things would get much worse!

He encouraged fasting,
Thanksgiving and also prayer,
And the soldiers who refused
No doubt were very rare.

He added, "So help me, God"
To the inaugural oath,
No doubt hoping it would help
Each President's spiritual growth.

Since today is His birthday, Lord,
Once more we pay respect
To the Father of our Country,
Whom we should not neglect.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were introduced and read by title:

SB 443, AN ACT concerning addiction counselors; amending K.S.A. 59-29b54, 59-29b61 and 65-4016 and K.S.A. 2011 Supp. 21-6824, 38-1608, 38-2213, 38-2223, 38-2310, 39-1402, 39-1431, 59-29b46, 65-4012 and 65-4024a and repealing the existing sections, by Committee on Federal and State Affairs.

SB 444, AN ACT concerning individuals with disabilities; relating to employment and competitive bids for state contracts; amending K.S.A. 2011 Supp. 75-3739 and 75-3740 and repealing the existing sections, by Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION No. 1613—

By Committee on Federal and State Affairs

A CONCURRENT RESOLUTION outlining the principles of the State of Kansas regarding immigration reform policies.

WHEREAS, Failure to update our federal immigration system separates and destabilizes Kansas communities, and creates uncertainty, inefficiency and an uneven playing field for Kansas' citizens, businesses and economy; and

WHEREAS, The forced separation of working parents from their children weakens families and damages society; and

WHEREAS, Failure to address the system where it can be fixed – at the federal level – has left all states searching for solutions in ways that have been costly and divisive: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the Legislature recommends the following basic principles as a guide for state and federal policy on immigration:

1. Immigration is a federal policy issue between the United States government and other countries – not Kansas and other countries. The Legislature urges the Kansas congressional delegation to take action to create a workable immigration system that upholds our values, our economic needs and moves us forward;

2. the Legislature respects the rule of law and supports law enforcement's professional judgment and discretion. Local law enforcement resources should focus on criminal activities, not civil violations of federal code;

3. strong families are the foundation of successful communities. The Legislature opposes policies that unnecessarily separate families. The Legislature champions policies that support families and improve the health, education and well-being of all Kansas children;

4. the Legislature acknowledges the important economic role immigrant Kansans play as workers, entrepreneurs and taxpayers. The immigration policies of Kansas must affirm its reputation as a welcoming and business-friendly state; and

5. immigration is an important part of our past and our future. As in the past, immigrants are totally integrated into communities across Kansas. We must adopt a humane approach to this reality, reflecting our values, history and spirit of inclusion and cooperation. The way we treat immigrants says a lot about our society being fair and

just. Kansas should always be a place that welcomes people of goodwill. Our communities and our future will be best served by doing so; and

Be it further resolved: That the Legislature urgently calls upon the Kansas congressional delegation and the United States Congress to enact thorough, common sense, workable and humane reforms that reflect the realities of our country's workforce needs and represent America's values at its best; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate and each member of the Kansas congressional delegation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to Committees as indicated:

Assessment and Taxation: **SB 442**.

Commerce: **SB 438**.

Financial Institutions and Insurance: **SB 439**.

Judiciary: **HB 2464, HB 2468, HB 2473, HB 2569, HB 2613, HCR 5032**.

Transportation: **SB 441; HB 2432, HB 2612**.

Utilities: **HB 2708**.

Ways and Means: **SB 440**.

CHANGE OF REFERENCE

The President withdrew **SB 413** from the Committee on **Ways and Means**, and rereferred the bill to the Committee on **Commerce**.

The President withdrew **SB 361, SB 401, SB 410** from the Committee on **Ways and Means**, and rereferred the bills to the Committee on **Education**.

The President withdrew **SB 423** from the Committee on **Ways and Means**, and rereferred the bill to the Committee on **Judiciary**.

The President withdrew **SB 339, SB 411** from the Committee on **Ways and Means**, and rereferred the bills to the Committee on **Assessment and Taxation**.

The President withdrew **SB 327, SB 328** from the Committee on **Ways and Means**, and rereferred the bills to the Committee on **Public Health and Welfare**.

The President withdrew **SB 250** from the Committee on **Financial Institutions and Insurance**, and referred the bill to the Committee on **Ways and Means**.

The President withdrew **SB 412, SB 414** from the Committee on **Agriculture**, and referred the bills to the Committee on **Ways and Means**.

The President withdrew **SB 317** from the Committee on **Assessment and Taxation**, and referred the bill to the Committee on **Ways and Means**.

The President withdrew **SB 271, SB 314, SB 380, SB 391, SB 405** from the Committee on **Natural Resources**, and referred the bills to the Committee on **Ways and Means**.

The President withdrew **SB 398** from the Committee on **Utilities**, and referred the bill to the Committee on **Ways and Means**.

MESSAGE FROM THE HOUSE

Announcing passage of **Substitute HB 2295; HB 2414, HB 2416, HB 2429, HB 2444, HB 2465, HB 2485, HB 2494, HB 2517, HB 2520, HB 2548; Substitute HB 2555; HB 2563, HB 2568, HB 2631; Substitute HB 2659; HB 2660.**

Announcing passage of **SB 289.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Substitute HB 2295; HB 2414, HB 2416, HB 2429, HB 2444, HB 2465, HB 2485, HB 2494, HB 2517, HB 2520, HB 2548; Substitute HB 2555; HB 2563, HB 2568, HB 2631; Substitute HB 2659; HB 2660 were thereupon introduced and read by title.

REMOVE FROM CONSENT CALENDAR

An objection having been made to **HB 2453** appearing on the Consent Calendar, the President directed the bill be removed and placed on the calendar under the heading of General Orders.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Lynn, Merrick and Olson introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1824—

A RESOLUTION congratulating the Olathe South High School football team on winning the 2011 class 6A state championship.

WHEREAS, Olathe South High School won the 2011 class 6A state championship with a 41-37 win against defending champion Wichita Heights on November 26, 2011; and

WHEREAS, The Olathe South Falcons state football championship was the first in the program's 30-year history; and

WHEREAS, Olathe South trailed 34-27 in the fourth quarter, but forged a 34-34 tie with just under eight minutes remaining, but Wichita Heights retook the lead with a field goal with 3:16 to go; and

WHEREAS, Quarterback Frankie Seurer, Jr. completed a 24-yard pass to Matt Elliott on fourth and 10 to keep the Falcon drive alive. Then two plays later and in the final minute of the game, Olathe South senior fullback Jordan Ward scored the game-winning touchdown on a 42-yard run; and

WHEREAS, At the beginning of the season, the Falcons football team committed itself to the "T.O.T.A.L." season, which means taking ourselves to another level. They did just that by winning the state championship: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate the Olathe South Falcons and head coach Jeff Gourley on winning the 2011 class 6A state football championship. We wish the team members and coaches continued success in the future; and

Be it further resolved: That the Secretary of the Senate shall send three enrolled copies of this resolution to Senator Lynn.

On emergency motion of Senator Lynn **SR 1824** was adopted unanimously.

Senator Lynn congratulated the Olathe South High School football team on winning the 2011 class 6A state championship. The Olathe South High School football team members were introduced as follows: Head Coach Jeff Gourley, Scott Gourley, Jared Douglas, Greg Fry, Taylor Sheffield, Remington Whitley, Matt Elliott, Frankie Seurer and Zack Sheffield. The Senate recognized their achievement with a standing ovation.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 371** be amended on page 1, by striking all in lines 5 through 26;

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "sales" by inserting "and use"; and the bill be passed as amended.

Also, **SB 421** be amended on page 1, in line 7, after "(a)" by inserting "(1) Except as provided in subsection (a)(2)," in line 9, by striking "(1)"; in line 10, after "(A)" by inserting "(i)"; also in line 10, by striking "2012" and inserting "1995"; in line 11, by striking "(B)" and inserting "(ii)"; in line 13, by striking "(2)" and inserting "(B)"; also in line 13, by striking "2013" and inserting "1996"; also in line 13, by striking "(A)" and inserting "(i)"; in line 14, by striking "\$18" and inserting "\$12"; in line 15, by striking "\$36" and inserting "\$24"; in line 16, by striking "(a)(1)(B) and (a)(1)(C); (B)" and inserting "(a)(1)(B)(ii) and (a)(1)(B)(iii); (ii)"; in line 17, by striking "1997" and inserting "1980"; in line 18, by striking "1997" and inserting "1980"; in line 19, by striking "(C)" and inserting "(ii)"; also in line 19, by striking "2012" and inserting "1995"; in line 20, by striking "2013" and inserting "1996"; in line 22, by striking "2012" and inserting "1995"; in line 23, by striking "2013" and inserting "1996"; following line 25, by inserting:

"(2) Commencing in 2013, and each year thereafter, the tax on any motorcycle shall not be less than \$18 and the tax on any other motor vehicle shall not be less than \$36, unless in 2012 such tax was already less than such minimum tax, and in any such case the provisions of subsection (a)(1) shall remain applicable to any such motorcycle or other motor vehicle.";

Also on page 1, in line 35, by striking all before "in"; and inserting "and commencing"; in line 36, before "thereafter" by inserting "each year"; also in line 36, by striking "and"; also in line 36, by striking "five" and inserting "three"; also in line 36, by striking "six" and inserting "four";

On page 2, in line 1, by striking "10" and inserting "six"; and the bill be passed as amended.

Committee on **Commerce** recommends **SB 417** be passed.

Committee on **Judiciary** recommends **SB 366** be amended on page 2, in line 5, by striking "The garnishee shall" and inserting "The court shall direct the garnishee to"; by inserting at the end of line 17, "The garnishee may release the funds, credits or indebtedness that have been attached pursuant to the order of garnishment if no order to pay the judgment creditor has been received within 60 days following the receipt of the answer of the garnishee by the judgment creditor.";

On page 3, in line 12, by striking "Unless otherwise ordered by the court, the garnishee shall" and inserting "The court shall direct the garnishee to"; by inserting at the end of line 24, "The garnishee may release the funds, credits or indebtedness that have been attached pursuant to the order of garnishment if no order to pay the judgment

creditor has been received within 60 days following the receipt of the answer of the garnishee by the judgment creditor."; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2546**, as amended by House Committee, be passed.

Committee on **Public Health and Welfare** recommends **SB 407** be amended on page 1, in line 10, by striking "The" and inserting "In those patients whose mammograms demonstrate that they have heterogeneously dense or extremely dense breast tissue, the"; by striking all in lines 12 through 23; and inserting ""Your mammogram demonstrates that you have dense breast tissue. Mammography has known limitations, and in women who have dense breast tissue, some abnormalities may be hidden. A report of your mammography results, which includes information about your breast tissue density, has been sent to your physician. This statement is intended to raise your awareness and promote discussion with your physician regarding your test results. Depending on your individual risk factors, your physician might recommend additional tests. You should contact your physician if you have any questions or concerns regarding your report.""; and the bill be passed as amended.

Committee on **Transportation** recommends **SR 1806** be amended on page 1, in line 1, by striking "repeal 23 U.S.C."; in line 2, by striking "§ 127(d) concerning" and inserting "give Kansas an exemption to"; in line 3, by striking "and weight"; in line 7, by striking "and weight"; in line 8, by striking "weights and"; in line 15, by striking "and"; in line 16, by striking "weight";

Also on page 1, by striking all in lines 21 through 25 and inserting "WHEREAS, Nebraska has received a similar exemption to allow custom harvesters to transport their machinery; and";

Also on page 1, in line 26, by striking "and weight"; in line 30, by striking "repeal 23 U.S.C. § 127(d) and eliminate" and inserting "give Kansas an exemption to"; in line 32, by striking "and weight"; and the resolution be adopted as amended.

Committee on **Ways and Means** recommends **SB 353** be passed.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator V. Schmidt in the chair.

On motion of Senator V. Schmidt the following report was adopted:

Recommended **SB 313**, **SB 334**, **SB 374**; **HB 2273**, **HB 2441** be passed.

The committee report on **SB 148** recommending a **Sub SB 148** be adopted, and the substitute bill be passed.

The committee report on **SB 393** recommending a **Sub SB 393** be adopted, and the substitute bill be passed.

Senator Abrams moved to amend **Sub SB 393** on page 3, following line 13, by inserting:

"New Sec. 5. (a) Except as provided in subsection (d), no school district, nor the department of education nor the state board of education shall expend any moneys to implement the common core standards, or any portion thereof.

(b) The division of post audit shall conduct a feasibility study of a cost analysis of the implementation of the common core standards in Kansas. A report on the results of

the feasibility study shall be prepared and submitted to the legislative post audit committee on or before September 30, 2012.

(c) Upon the request of the legislative post audit committee, the division of post audit shall conduct a cost analysis of the implementation of the common core standards in Kansas. The cost analysis shall determine what additional expenditures schools, the department of education and the state board of education will incur in implementing the common core standards over one, three, five and 10 year periods from the date of implementation. The cost analysis shall be conducted in accordance with article 11 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto.

(d) Provided a cost analysis is requested by the legislative post audit committee pursuant to subsection (c), the final cost analysis report shall be submitted to the governor, the legislature and the state board of education on or before January 31, 2013. Upon receipt of the final cost analysis, the state board of education shall post the cost analysis on the main website of the department of education. When all of the requirements of this subsection are satisfied, the state board of education may proceed with the implementation of the common core standards, and the provisions of subsection (a) shall have no force and effect.

(e) As used in this section, "common core standards" means the set of educational curriculum standards for grades kindergarten through 12 established by the common core state standards initiative.";

And by renumbering the remaining sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "school districts; relating to"; also in line 1, by striking "secondary"; in line 2, by striking "students" and inserting "implementation of common core standards" and the motion failed.

A ruling of the chair was requested as to the germaneness of the amendment to the bill. The Chair ruled the amendment not germane, the chair was challenged.

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

On roll call, the vote was: Yeas 22; Nays 18; Present and Passing 0; Absent or Not Voting 0.

Yeas: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Bruce, Donovan, Kelsey, King, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Steineger, Taddiken, Wagle.

The ruling of the Chair was sustained and **Sub SB 393** be passed.

EXPLANATION OF VOTE

MR. PRESIDENT: Today was a sad day on the Senate floor. The rules were abused to stifle debate. The Senate should pride itself on applying Senate rules fairly and in an unbiased manner, especially when it comes to germaneness. This amendment dealt with educational curriculum and funding and the underlying bill also dealt with educational curriculum and funding. Clearly the amendment was germane. I voted NO. The people of Kansas deserve better. – SUSAN WAGLE.

Senators Abrams, Bruce, Pilcher-Cook, Kelsey, Love, Lynn, Masterson, Olson, Ostmeyer, Petersen, Pyle, Steineger, Taddiken concur with the "Explanation of Vote" offered by Senator Wagle on **SB 393**.

SB 69, SB 269, SB 276, SB 277, SB 288, SB 301, SB 345, SB 358, SB 384, SB 387, SB 419, be amended by adoption of the committee amendments, and the bills be passed as amended.

SR 1805 be amended by the adoption of the committee amendments, and the resolution be adopted as amended.

SB 262 be amended by the adoption of the committee amendments, and further amended by motion of Senator Faust-Goudeau, on page 1, in line 7, by striking "may" and inserting "shall" and **SB 262** be passed as further amended.

SB 302 be amended by the adoption of the committee amendments, and further amended by motion of Senator Taddiken, on page 2, in line 33, by striking "for all departments"; in line 34, by striking "and custom exempt"; also in line 34, by striking "and shall specify lunch"; in line 35, by striking "periods" and **SB 302** be passed as further amended.

SB 342 be amended by adoption of the committee amendments, further amended by motion of Senator Petersen: on page 3, in line 9, after "corridor" by inserting "by more than five miles per hour"; in line 16, after "corridor" by inserting "by more than five miles per hour"; following line 18, by inserting:

"Sec. 6. K.S.A. 2011 Supp. 8-1560d is hereby amended to read as follows: 8-1560d. (a) Except as provided by subsection (b), convictions for violating a maximum posted speed limit of 55 miles per hour or more but not exceeding 75 miles per hour, by not more than 10 miles per hour in excess of such maximum speed limit, or a maximum posted speed limit of 30 miles per hour or more but not exceeding 54 miles per hour, by not more than six miles per hour in excess of such maximum speed limit, shall not be reported by the division and shall not be considered by any insurance company in determining the rate charged for any automobile liability insurance policy or whether to cancel any such policy under the provisions of subsection (4)(c)(7) of K.S.A. 40-277, and amendments thereto.

(b) Convictions for violating a maximum speed limit within a safety corridor by not more than five miles per hour shall not be reported by the division and shall not be considered by any insurance company in determining the rate charged for any automobile liability insurance policy under the provisions of subsection (4)(c)(7) of K.S.A. 40-277, and amendments thereto."

And by renumbering sections accordingly;

On page 13, in line 20, after "8-1560c," by inserting "8-1560d,";

On page 1, in the title, in line 3, after "8-1560c," by inserting "8-1560d," and **SB 342** be passed as further amended.

A second motion by Senator Petersen to amend **SB 342** failed and the following amendment was rejected: on page 1, in line 7, after "1." by inserting "(a)";

Also on page 1, following line 8, by inserting:

"(b) The provisions of this act shall expire on July 1, 2015.";

On page 3, in line 3, after "(a)" by inserting "(1)"; in line 8, by striking the comma and inserting a period; also in line 8, before "except" by inserting "(2)"; in line 11, after "(b)" by inserting "(1)"; in line 15, by striking the second comma and inserting a period; also in line 15, before "except" by inserting "(2)"; following line 18, by inserting:

"(c) The provisions of subsections (a)(2) and (b)(2) shall expire on July 1, 2015.

Sec. 6. K.S.A. 2011 Supp. 8-1560d is hereby amended to read as follows: 8-1560d. (a) Convictions for violating a maximum posted speed limit of 55 miles per hour or

more but not exceeding 75 miles per hour, by not more than 10 miles per hour in excess of such maximum speed limit, or a maximum posted speed limit of 30 miles per hour or more but not exceeding 54 miles per hour, by not more than six miles per hour in excess of such maximum speed limit, shall not be reported by the division and shall not be considered by any insurance company in determining the rate charged for any automobile liability insurance policy or whether to cancel any such policy under the provisions of subsection (4)(c)(7) of K.S.A. 40-277, and amendments thereto.

(b) Convictions for violating a maximum speed limit within a safety corridor shall be reported by the division and may be considered by an insurance company in determining the rate charged for any automobile liability insurance policy under the provisions of subsection (4)(c)(7) of K.S.A. 40-277, and amendments thereto. The provisions of this subsections shall expire on July 1, 2015.;

And by renumbering sections accordingly;

On page 12, in line 39, after the period by inserting "The provisions of this subsection shall expire on July 1, 2015."; in line 41, after "(a)" by inserting "Except as provided by subsection (c)";

On page 13, following line 19, by inserting:

"(c) The credit required by subsection (a)(11) of this section shall expire on July 1, 2015.";

Also on page 13, in line 20, after "8-1560c," by inserting "8-1560d,";

On page 1, in the title, in line 1, after "8-1560c," by inserting "8-1560d,"

HB 2459 be amended by the adoption of the committee amendments, be further amended by motion of Senator Umbarger, on page 2, in line 3, by striking "training" and inserting "testing" and **HB 2459** be passed as further amended.

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Thursday, February 23, 2012.

Journal of the Senate

THIRTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 23, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.

The roll was called with forty senators present.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Very deep within me
A battle scene unfolds:
A duel between two voices
For the capture of my soul.

One tells me not to worry
When I feel I have to lie.
But the other says that lying
I can never justify.

One says that my survival
Rests on a simple plan:
Remember that most people
Will cheat me if they can.

But the other one reminds me
If that's what I believe,
I'll live a life of misery,
For myself I will deceive.

I realize this battle
Will continue for my soul;
Please help me, Lord, to listen to
The voice YOU control!

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 445, AN ACT concerning taxation; relating to earned income tax credit;

homestead property tax refunds; amending K.S.A. 2011 Supp. 79-32,205, 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to Committees as indicated:

Agriculture: **HB 2517, HB 2563.**

Education: **HB 2444.**

Federal and State Affairs: **SCR 1613.**

Financial Institutions and Insurance: **HB 2485, HB 2520.**

Judiciary: **SB 443; HB 2465, HB 2494, HB 2568.**

Local Government: **HB 2548; Sub HB 2555.**

Natural Resources: **Sub HB 2295.**

Public Health and Welfare: **HB 2416, HB 2631; Sub HB 2659; HB 2660.**

Ways and Means: **SB 444; HB 2414, HB 2429.**

CHANGE OF REFERENCE

The President withdrew **SB 250** from the Committee on **Ways and Means**, and rereferred the bill to the Committee on **Financial Institutions and Insurance**.

The President withdrew **SB 398** from the Committee on **Ways and Means**, and rereferred the bill to the Committee on **Utilities**.

The President withdrew **SB 412, SB 414** from the Committee on **Ways and Means**, and rereferred the bills to the Committee on **Agriculture**.

The President withdrew **SB 317** from the Committee on **Ways and Means**, and rereferred the bill to the Committee on **Assessment and Taxation**.

The President withdrew **SB 271, SB 314, SB 380, SB 391, SB 405** from the Committee on **Ways and Means**, and rereferred the bill to the Committee on **Natural Resources**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2417, HB 2430, HB 2435, HB 2437, HB 2454; Substitute HB 2477; HB 2509, HB 2533, HB 2534, HB 2557, HB 2562, HB 2599, HB 2614, HB 2621, HB 2637, HB 2647, HB 2666, HB 2730, HB 2737.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2417, HB 2430, HB 2435, HB 2437, HB 2454; Substitute HB 2477; HB 2509, HB 2533, HB 2534, HB 2557, HB 2562, HB 2599, HB 2614, HB 2621, HB 2637, HB 2647, HB 2666, HB 2730, HB 2737 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Kelsey moved the Senate concur in House amendments to **H Sub SB 118**.

H Sub for SB 118, AN ACT concerning the legislature; relating to legislative pages; amending K.S.A. 46-158 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco,

Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Taddiken moved the Senate concur in House amendments to **SB 272**.

SB 272, AN ACT concerning water; relating to multi-year flex accounts; amending K.S.A. 2011 Supp. 82a-736 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

EXPLANATION OF VOTE

MR. PRESIDENT: I voted yes on **SB 272** creating multi-flex accounts because of the long-term water conservation impact of this water management method. The original bill was amended to allow those who were in severe drought areas and were approved for emergency water usage program to voluntarily join the multi-flex account program without reducing their quota by the over-usage amount. Although that emergency usage amount was significant, the reduction of water allocation and eventual usage by those who enroll in multi-flex accounts will dwarf the amount overused for those drought years. This was taken into careful consideration so that the long-term conservation of water would be the outcome. Thank you Mr. President. – ALLEN SCHMIDT

Senator Francisco requests the record to show she concurs with the “Explanation of Vote” offered by Senator A. Schmidt on **SB 272**.

FINAL ACTION ON CONSENT CALENDAR

SB 252, SB 298; HB 2460, HB 2525 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 252, AN ACT concerning the rules and regulations filing act; pertaining to the notice period for certain rules and regulations; amending K.S.A. 2011 Supp. 77-415 and 77-421 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 298, AN ACT regulating traffic; relating to penalties for violating size and weight laws, exceptions; amending K.S.A. 2011 Supp. 8-1901 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2460, AN ACT concerning retirement and benefits; relating to the Kansas public employees retirement system and systems thereunder; employer affiliation, participation by certain employees and contribution rate; applicability of certain federal internal revenue code provisions; amending K.S.A. 74-4910 and K.S.A. 2011 Supp. 74-4920 and 74-49,123 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2525, AN ACT concerning the optometry law; amending K.S.A. 65-1509a, 65-1514, 65-1517 and 65-7003 and K.S.A. 2011 Supp. 65-1501, 65-1501a, 65-1505, 65-1509, 65-1518, 65-4101, 74-1503 and 74-1505 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 69, AN ACT concerning school districts; relating to bullying and dating violence; amending K.S.A. 2010 Supp. 72-8256 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

Sub SB 148, AN ACT concerning water; relating to administrative division of water right, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed.

SB 262, AN ACT concerning children; relating to grandparent custody, visitation and residency, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: "Progress occurs when courageous skillful leaders seize the opportunity to change things for the better." (Harry Truman)

I vote YES for **SB 262** for members of the Silver Haired Legislature.

Irv Hoffmann

Jim Snyder

Wendell Turner

Thank You, Mr. President – OLETHA FAUST-GOUDEAU

SB 269, AN ACT concerning alcoholic beverages; relating to retailer licenses offering alcoholic liquor sampling; amending K.S.A. 41-308 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 276, AN ACT concerning alcoholic beverages; relating to the employment of certain individuals by licensees under the club and drinking establishment act; amending K.S.A. 41-2610 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Pyle.

The bill passed, as amended.

SB 277, AN ACT concerning alcoholic beverages; relating to the licensing of microdistilleries; amending K.S.A. 41-304, 41-316 and 41-320 and K.S.A. 2011 Supp. 41-102, 41-310, 41-317 and 41-319 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 288, AN ACT concerning alcoholic beverages; relating to sales of alcoholic liquor or cereal malt beverage by the drink; amending K.S.A. 41-2640 and 41-2722 and K.S.A. 2011 Supp. 41-2601 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 301, AN ACT concerning the state board of technical professions; relating to terms of members; amending K.S.A. 74-7006 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 302, AN ACT concerning agriculture; relating to the Kansas meat and poultry inspection act; amending K.S.A. 65-6a34 and 65-6a41 and K.S.A. 2011 Supp. 65-6a18, 65-6a20 and 65-6a31 and repealing the existing sections, was considered on final

action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 313, AN ACT concerning alcoholic beverages; relating to consumption on any land or waters owned or managed by the department of wildlife, parks and tourism; amending K.S.A. 2011 Supp. 41-719 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 334, AN ACT concerning motor vehicles; relating to commercial drivers' licenses; exempting drivers with military commercial driving experience from testing requirements; amending K.S.A. 2011 Supp. 8-2,133 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 342, AN ACT concerning traffic regulation; designating certain highway segments as safety corridors; establishing the traffic safety corridor fund; amending K.S.A. 2011 Supp. 8-1560c, 8-1560d, 8-2118 and 74-7336 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 22; Nays 18; Present and Passing 0; Absent or Not Voting 0.

Yeas: Apple, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, V. Schmidt, Schodorf, Teichman, Umbarger.

Nays: Abrams, Bruce, Brungardt, Kelsey, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, A. Schmidt, Steineger, Taddiken, Vratil, Wagle.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: I would like to explain my vote on **SB 342**. While I deplore the actions of those who do not obey laws in work areas along Kansas highways, and therefore put workers and other commuters in danger, and while I emphatically support all safety actions to protect our workers, I voted no on **SB 342** because it does not include the proper signage to designate the changes in penalties with breaking the laws in so called "safety corridors." Mr. President, many drivers may not be aware of these new penalties and we owe it to our citizens to post proper signs in these designated areas. Posting signs designating these changes may also, very well, serve as a deterrent to commuters breaking the laws. – ALLEN SCHMIDT

Senators Lynn and Masterson requests the record to show they concur with the "Explanation of Vote" offered by Senator A. Schmidt on **SB 342**.

SB 345, AN ACT enacting the Kansas appraisal management company registration act, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 358, AN ACT concerning alcoholic beverages; relating to manufacturer licenses; permitting tastings by such licensees; amending K.S.A. 2011 Supp. 41-305 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 374, AN ACT concerning utilities, relating to the Kansas corporation commission; rules and regulations; amending K.S.A. 66-1,150, 66-1,151 and 66-1,153 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Pyle.

The bill passed.

SB 384, AN ACT concerning the Kansas 911 act; definitions; terms of council members; fees, distribution; amending K.S.A. 2011 Supp. 12-5363, 12-5364 and 12-5374 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 387, AN ACT concerning the state fire marshal; relating to the qualifications of the office; amending K.S.A. 2011 Supp. 75-1510 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

Sub SB 393, AN ACT concerning career technical education; relating to secondary students; amending K.S.A. 72-4417 and 72-4419 and K.S.A. 2011 Supp. 71-201 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed.

SB 419, AN ACT concerning energy; relating to renewable energy resource investment; amending K.S.A. 2011 Supp. 66-1260 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SR 1805, supporting livable streets policies, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Lynn, Merrick, Olson, Pilcher-Cook, Pyle, Steineger.

The resolution was adopted, as amended.

HB 2273, AN ACT designating part of K-99 as the Frankfort Boys World War II Memorial highway; amending K.S.A. 2011 Supp. 68-1057 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2441, AN ACT designating a portion of United States highway 75 as the Floyd H. Robinson memorial highway; amending K.S.A. 2011 Supp. 68-1051 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2459, AN ACT concerning driver's licenses; relating to motorcycles; amending K.S.A. 2011 Supp. 8-240 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Public Health and Welfare** recommends **SB 397** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 397," as follows:

"Substitute for SENATE BILL No. 397
By Committee on Public Health and Welfare

"AN ACT providing for a change in terminology in the statutes from the terms mental retardation, handicap and similar terms to the term intellectual disability and similar terms; amending K.S.A. 17-1762, 19-4001, 19-4002, 19-4002a, 19-4002b, 19-4003, 19-4004, 19-4005, 19-4007, 19-4009, 19-4010, 19-4011, 39-927, 39-971, 39-1001, 39-1002, 39-1005, 39-1006, 39-1007, 39-1201, 39-1202, 39-1205, 39-1207, 39-1803, 58-24a16, 59-2946, 59-2972, 59-3077, 65-5a14, 65-3501, 65-4202, 65-4212, 65-4411, 65-4412, 65-4413, 65-4414, 65-4415, 65-5601, 72-6203, 74-8917, 75-4375, 75-5399, 75-6508, 76-12b01, 76-12b02, 76-12b03, 76-12b07, 76-12b11 and 76-17c01 and K.S.A. 2011 Supp. 12-1675, 21-5417, 21-6622, 39-923, 39-936, 39-1401, 39-1702, 40-3401, 50-676, 65-180, 65-1124, 65-1626, 65-4915, 65-4921, 65-6805, 72-962, 74-5344, 75-4265, 75-5321a, 75-6506, 75-6609, 75-6610, 75-7303 and 79-3606 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-3606g.";

and the substitute bill be passed.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator McGinn in the chair.

The morning session recommended:

SB 310, SB 367, SB 416, SB 417 be passed.

The committee report on **SB 64** recommending a **Sub SB 64** be adopted, and the substitute bill be passed.

The committee report on **SB 282** recommending a **Sub SB 282** be adopted, and the substitute bill be passed.

A motion by Senator Haley to amend **Sub SB 282** failed and the following amendment was rejected. on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2011 Supp. 8-1568 is hereby amended to read as follows: 8-1568. (a) (1) Any driver of a motor vehicle who willfully fails or refuses to bring such driver's vehicle to a stop for a pursuing police vehicle or police bicycle, when for more than 1/2 mile after being given visual or audible signal to bring the vehicle to a stop, shall be guilty as provided by subsection (c)(1), (2) or (3).

(2) Any driver of a motor vehicle who willfully otherwise flees or attempts to elude a pursuing police vehicle or police bicycle, when for more than 1/2 mile after being given visual or audible signal to bring the vehicle to a stop, shall be guilty as provided by subsection (c)(1), (2) or (3).

(3) It shall be an affirmative defense to any prosecution under paragraph (1) of this subsection that the driver's conduct in violation of such paragraph was caused by such driver's reasonable belief that the vehicle or bicycle pursuing such driver's vehicle is not a police vehicle or police bicycle.

(b) Any driver of a motor vehicle who willfully fails or refuses to bring such driver's vehicle to a stop, or who otherwise flees or attempts to elude a pursuing police vehicle or police bicycle, when given visual or audible signal to bring the vehicle to a stop, and who:

(1) Commits any of the following during a police pursuit: (A) Fails to stop for a police road block; (B) drives around tire deflating devices placed by a police officer;

(C) engages in reckless driving as defined by K.S.A. 8-1566, and amendments thereto; (D) is involved in any motor vehicle accident or intentionally causes damage to property; or (E) commits five or more moving violations; or

(2) is attempting to elude capture for the commission of any felony, shall be guilty as provided in subsection (c)(4).

(c) (1) Violation of subsection (a), upon a first conviction is a class B nonperson misdemeanor.

(2) Violation of subsection (a), upon a second conviction is a class A nonperson misdemeanor.

(3) Violation of subsection (a), upon a third or subsequent conviction is a severity level 9, person felony.

(4) Violation of subsection (b) is a severity level 9, person felony.

(d) The signal given by the police officer may be by hand, voice, emergency light or siren:

(1) If the officer giving such signal is within or upon an official police vehicle or police bicycle at the time the signal is given, the vehicle or bicycle shall be appropriately marked showing it to be an official police vehicle or police bicycle; or

(2) if the officer giving such signal is not utilizing an official police vehicle or police bicycle at the time the signal is given, the officer shall be in uniform, prominently displaying such officer's badge of office at the time the signal is given.

(e) For the purpose of this section:

(1) "Conviction" means a final conviction without regard whether sentence was suspended or probation granted after such conviction. Forfeiture of bail, bond or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction.

(2) "Appropriately marked" official police vehicle or police bicycle shall include, but not be limited to, any police vehicle or bicycle equipped with functional emergency lights or siren or both and which the emergency lights or siren or both have been activated for the purpose of signaling a driver to stop a motor vehicle.

(f) The division of vehicles of the department of revenue shall promote public awareness of the provisions of this section when persons apply for or renew such person's driver's license.;

And by renumbering sections accordingly;

On page 2, in line 36, after "Supp." by inserting "8-1568 and"; also in line 36, by striking "is" and inserting "are";

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking "forfeiture; relating to"; also in line 2, after "Supp." by inserting "8-1568 and"; in line 3, by striking "section" and inserting "sections"

A second amendment by Senator Haley on **Sub SB 282** failed and the following amendment was rejected. on page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 35 and inserting:

"Section 1. K.S.A. 2011 Supp. 8-1568 is hereby amended to read as follows: 8-1568. (a) (1) Any driver of a motor vehicle who willfully fails or refuses to bring such driver's vehicle to a stop for a pursuing police vehicle or police bicycle, when given visual or audible signal to bring the vehicle to a stop, shall be guilty as provided by subsection (c)(1), (2) or (3).

(2) Any driver of a motor vehicle who willfully otherwise flees or attempts to elude

a pursuing police vehicle or police bicycle, when given visual or audible signal to bring the vehicle to a stop, shall be guilty as provided by subsection (c)(1), (2) or (3).

(3) It shall be an affirmative defense to any prosecution under paragraph (1) of this subsection that the driver's conduct in violation of such paragraph was caused by such driver's reasonable belief that the vehicle or bicycle pursuing such driver's vehicle is not a police vehicle or police bicycle.

(b) Any driver of a motor vehicle who willfully fails or refuses to bring such driver's vehicle to a stop, or who otherwise flees or attempts to elude a pursuing police vehicle or police bicycle, when given visual or audible signal to bring the vehicle to a stop, and who:

(1) Commits any of the following during a police pursuit: (A) Fails to stop for a police road block; (B) drives around tire deflating devices placed by a police officer; (C) engages in reckless driving as defined by K.S.A. 8-1566_ and amendments thereto; (D) is involved in any motor vehicle accident or intentionally causes damage to property; or (E) commits five or more moving violations; or

(2) is attempting to elude capture for the commission of any felony, shall be guilty as provided in subsection (c)(4).

(c) (1) Violation of subsection (a), upon a first conviction is a class B nonperson misdemeanor.

(2) Violation of subsection (a), upon a second conviction is a class A nonperson misdemeanor.

(3) Violation of subsection (a), upon a third or subsequent conviction is a severity level 9, person felony.

(4) Violation of subsection (b) is a severity level 9, person felony.

(d) The signal given by the police officer may be by hand, voice, emergency light or siren:

(1) If the officer giving such signal is within or upon an official police vehicle or police bicycle at the time the signal is given, the vehicle or bicycle shall be appropriately marked showing it to be an official police vehicle or police bicycle; or

(2) if the officer giving such signal is not utilizing an official police vehicle or police bicycle at the time the signal is given, the officer shall be in uniform, prominently displaying such officer's badge of office at the time the signal is given.

(e) For the purpose of this section:

(1) "Conviction" means a final conviction without regard whether sentence was suspended or probation granted after such conviction. Forfeiture of bail, bond or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction.

(2) "Appropriately marked" official police vehicle or police bicycle shall include, but not be limited to, any police vehicle or bicycle equipped with functional emergency lights or siren or both and which the emergency lights or siren or both have been activated for the purpose of signaling a driver to stop a motor vehicle.

(f) The division of vehicles of the department of revenue shall promote public awareness of the provisions of this section when persons apply for or renew such person's driver's license.

(g) A felony violation of this section shall constitute conduct giving rise to forfeiture pursuant to the Kansas standard asset forfeiture act, K.S.A. 60-4101 *et seq.*, and amendments thereto. When property is forfeited pursuant to a violation of this

section, the law enforcement agency shall sell all property not destroyed pursuant to subsection (a)(2) of K.S.A. 60-4117, and amendments thereto, at public sale to the highest bidder for cash without appraisal. The proceeds of any sale shall be credited to the crime victims assistance fund established pursuant to K.S.A. 74-7334, and amendments thereto.

Sec. 2. K.S.A. 2011 Supp. 60-4117 is hereby amended to read as follows: 60-4117. Except as provided in K.S.A. 8-1568 and 65-7014, and amendments thereto: (a) When property is forfeited under this act, the law enforcement agency may:

(1) Retain such property for official use or transfer the custody or ownership to any local, state or federal agency, subject to any lien preserved by the court;

(2) destroy or use for investigative or training purposes, any illegal or controlled substances and equipment or other contraband, provided that materials necessary as evidence shall be preserved;

(3) sell property which is not required by law to be destroyed and which is not harmful to the public:

(A) All property, except real property, designated by the seizing agency to be sold shall be sold at public sale to the highest bidder for cash without appraisal. The seizing agency shall first cause notice of the sale to be made by publication at least once in an official county newspaper as defined by K.S.A. 64-101, and amendments thereto. Such notice shall include the time, place, and conditions of the sale and description of the property to be sold. Nothing in this subsection shall prevent a state agency from using the state surplus property system and such system's procedures shall be sufficient to meet the requirements of this subsection.

(B) Real property may be sold pursuant to subsection (A), or the seizing agency may contract with a real estate company, licensed in this state, to list, advertise and sell such real property in a commercially reasonable manner.

(C) No employee or public official of any agency involved in the investigation, seizure or forfeiture of seized property may purchase or attempt to purchase such property; or

(4) salvage the property, subject to any lien preserved by the court.

(b) When firearms are forfeited under this act, the firearms in the discretion of the seizing agency, shall be destroyed, used within the seizing agency for official purposes, traded to another law enforcement agency for use within such agency or given to the Kansas bureau of investigation for law enforcement, testing, comparison or destruction by the Kansas bureau of investigation forensic laboratory.

(c) The proceeds of any sale shall be distributed in the following order of priority:

(1) For satisfaction of any court preserved security interest or lien, or in the case of a violation, as defined by subsection (h) [(i)] of K.S.A. 60-4104, and amendments thereto, the proceeds shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount into the state treasury to the credit of the medicaid fraud reimbursement fund;

(2) thereafter, for payment of all proper expenses of the proceedings for forfeiture and disposition, including expenses of seizure, inventory, appraisal, maintenance of custody, preservation of availability, advertising, service of process, sale and court costs;

(3) reasonable attorney fees:

(A) If the plaintiff's attorney is a county or district attorney, an assistant, or another governmental agency's attorney, fees shall not exceed 15% of the total proceeds, less the amounts of subsection (c)(1) and (2), in an uncontested forfeiture nor 20% of the total proceeds, less the amounts of subsection (c)(1) and (2), in a contested forfeiture. Such fees shall be deposited in the county or city treasury and credited to the special prosecutor's trust fund. Moneys in such fund shall not be considered a source of revenue to meet normal operating expenditures, including salary enhancement. Such fund shall be expended by the county or district attorney, or other governmental agency's attorney through the normal county or city appropriation system and shall be used for such additional law enforcement and prosecutorial purposes as the county or district attorney or other governmental agency's attorney deems appropriate, including educational purposes. All moneys derived from past or pending forfeitures shall be expended pursuant to this act. The board of county commissioners shall provide adequate funding to the county or district attorney's office to enable such office to enforce this act. Neither future forfeitures nor the proceeds therefrom shall be used in planning or adopting a county or district attorney's budget;

(B) if the plaintiff's attorney is the attorney general and the conduct and offense giving rise to forfeiture is pursuant to subsection (h) [(i)] of K.S.A. 60-4104, and amendments thereto, fees shall not exceed 15% of the total proceeds, less the amounts of subsection (c)(1) and (2) in an uncontested forfeiture nor 20% of the total proceeds, less the amounts of subsection (c)(1) and (2) in a contested forfeiture. Such fees shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the medicaid fraud prosecution revolving fund. Moneys paid into the medicaid fraud prosecution revolving fund pursuant to this subsection shall be appropriated to the attorney general for use by the attorney general in the investigation and prosecution of medicaid fraud and abuse; or

(C) if the plaintiff's attorney is a private attorney, such reasonable fees shall be negotiated by the employing law enforcement agency;

(4) repayment of law enforcement funds expended in purchasing of contraband or controlled substances, subject to any interagency agreement.

(d) Any proceeds remaining shall be credited as follows, subject to any interagency agreement:

(1) If the law enforcement agency is a state agency, the entire amount shall be deposited in the state treasury and credited to such agency's state forfeiture fund. There is hereby established in the state treasury the following state funds: Kansas bureau of investigation state forfeiture fund, Kansas attorney general's state medicaid fraud forfeiture fund, Kansas highway patrol state forfeiture fund, Kansas department of corrections state forfeiture fund and Kansas national guard counter drug state forfeiture fund. Expenditures from the Kansas bureau of investigation state forfeiture fund shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the attorney general or by a person or persons designated by the attorney general. Expenditures from the Kansas attorney general's state medicaid fraud forfeiture fund shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the attorney general or by a person or persons designated by the attorney general. Expenditures from the Kansas highway patrol state

forfeiture fund shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the superintendent of the highway patrol or by a person or persons designated by the superintendent. Expenditures from the Kansas department of corrections state forfeiture fund shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the department of corrections or by a person or persons designated by the secretary. Expenditures from the Kansas national guard counter drug state forfeiture fund shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the adjutant general of Kansas or by a person or persons designated by the adjutant general. Each agency shall compile and submit a forfeiture fund report to the legislature on or before February 1 of each year. Such report shall include, but not be limited to: (A) The fund balance on December 1; (B) the deposits and expenditures for the previous 12-month period ending December 1. Upon the effective date of this act, the director of accounts and reports is directed to transfer each agency's balance in the state special asset forfeiture fund to the agency's new, state forfeiture fund. All liabilities of the state special asset forfeiture fund existing prior to such date are hereby imposed on the Kansas bureau of investigation state forfeiture fund, Kansas highway patrol state forfeiture fund and the Kansas department of corrections state forfeiture fund. The state special asset forfeiture fund is hereby abolished.

(2) If the law enforcement agency is a city or county agency, the entire amount shall be deposited in such city or county treasury and credited to a special law enforcement trust fund. Each agency shall compile and submit annually a special law enforcement trust fund report to the entity which has budgetary authority over such agency and such report shall specify, for such period, the type and approximate value of the forfeited property received, the amount of any forfeiture proceeds received, and how any of those proceeds were expended.

(3) Moneys in the Kansas bureau of investigation state forfeiture fund, Kansas highway patrol state forfeiture fund, Kansas department of corrections state forfeiture fund, the special law enforcement trust funds and the Kansas national guard counter drug state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses. Such funds shall be expended by the agencies or departments through the normal city, county or state appropriation system and shall be used for such special, additional law enforcement purposes as the law enforcement agency head deems appropriate. Neither future forfeitures nor the proceeds from such forfeitures shall be used in planning or adopting a law enforcement agency's budget.

(4) Moneys in the Kansas attorney general's medicaid fraud forfeiture fund shall defray costs of the attorney general in connection with the duties of investigating and prosecuting medicaid fraud and abuse.";

And by renumbering sections accordingly;

Also on page 2, in line 36 by striking "60-4104 is" and inserting "8-1568 and 60-4117 are";

On page 1, in the title, in line 3, by striking "60-4104" and inserting "8-1568 and 60-4117"; in line 3, by striking "section" and inserting "sections" and **Sub SB 282** be passed.

SB 273, SB 287, SB 315, SB 366, SB 372, SB 375, SB 406, SB 422 be amended by adoption of the committee amendments, and the bills be passed as amended.

SB 357 be amended by adoption of the committee amendments, be further amended

by motion of Senator Taddiken, on page 4, in line 21, by striking "and pay such warrants from the fund hereinafter"; in line 22, by striking "provided,"

SB 357 be further amended by motion of Senator Pyle, on page 4, in line 23, after "warrants." by inserting "The board of county commissioners may assess the costs of any corrective action ordered under this section against the owner, the complaining party or both the owner and complaining party in accordance with K.S.A. 2-2008, and amendments thereto.";

On page 5, in line 17, after "land" by inserting ", the complaining party" and **SB 357** be passed as further amended.

Sub SB 39 be amended by adoption of the committee report recommending a substitute bill, be amended by motion of Senator Olson, on page 10, in line 21, by striking "to any state institution or"; in line 22, by striking "facility" and inserting "if such aggravated sex offender is in the custody of a correctional facility or in the care or custody of any treatment facility" and **Sub SB 39** be passed as amended.

HB 2453 be passed over and retain a place on the calendar.

The committee rose and reported progress (see Committee of the Whole, afternoon session.)

On motion of Senator Emler, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The session met pursuant to recess with President Morris in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following resolution was introduced and read by title:

SENATE CONCURRENT RESOLUTION No. 1614 —

By Senators Pilcher-Cook, Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Huntington, Kelsey, King, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil and Wagle

A CONCURRENT RESOLUTION honoring pregnancy maintenance resource centers in Kansas and across the United States.

WHEREAS, The life-affirming impact of pregnancy maintenance resource centers on the women, men, children and communities they serve is considerable and growing; and

WHEREAS, Pregnancy maintenance resource centers serve women in Kansas and across the United States with integrity and compassion; and

WHEREAS, More than 2,500 pregnancy maintenance resource centers across the United States provide comprehensive care to women and men facing unplanned pregnancies, including resources to meet their physical, psychological, emotional and spiritual needs; and

WHEREAS, Pregnancy maintenance resource centers offer women free, confidential and compassionate services, including pregnancy tests, peer counseling, 24-hour telephone hotlines, childbirth and parenting classes, referrals to community, health care

and support services; and

WHEREAS, Many medical pregnancy maintenance resource centers offer ultrasound and other medical services; and

WHEREAS, Many pregnancy maintenance resource centers provide information on adoption and adoption referrals to pregnant mothers; and

WHEREAS, Pregnancy maintenance resource centers encourage women to make positive life choices by equipping them with complete and accurate information regarding their pregnancy options and the development of their unborn child; and

WHEREAS, Pregnancy maintenance resource centers provide women with compassionate and confidential peer counseling in a nonjudgmental manner regardless of their pregnancy outcomes; and

WHEREAS, Pregnancy maintenance resource centers provide important support and resources for women who choose childbirth over abortion; and

WHEREAS, Pregnancy maintenance resource centers ensure that women are receiving prenatal information and services that lead to the birth of health infants; and

WHEREAS, Many pregnancy maintenance resource centers provide grief assistance for women and men who regret the loss of their children from past choices they have made; and

WHEREAS, Many pregnancy maintenance resource centers work to prevent unplanned pregnancies by teaching effective abstinence education in public schools; and

WHEREAS, Federal and state governments are increasingly recognizing the valuable services of pregnancy maintenance resource centers through the designation of public funds for such organizations; and

WHEREAS, Pregnancy maintenance resource centers operate primarily through reliance on the voluntary donations and time of caring individuals who are committed to caring for the needs of women and promoting and protecting life; and

WHEREAS, There are a number of pregnancy maintenance resource centers that deserve recognition in our state: Pregnancy Resource Center of Southeast Kansas, of Iola, Kansas; Raven Aid for Moms, Benedictine College, of Atchison, Kansas; Birthright of Great Bend, Kansas; Catholic Social Service of Great Bend, Kansas; Birthline of Fort Scott, Kansas; Bethlehem House, of El Dorado, Kansas; Birthline, of El Dorado, Kansas; Pregnancy Care Center of Butler County, of Augusta, Kansas; Catholic Charities of Concordia, Kansas; Family Life Services of Arkansas City, Kansas; Birthright of Pittsburg, Kansas; Vie Medical Clinic of Pittsburg, Kansas; Birthright of Lawrence, Kansas; Pregnancy Care Center of Lawrence, Kansas; Birthright of Hays, Kansas; Catholic Charities of Hays, Kansas; Mary Elizabeth Maternity Home of Hays, Kansas; ABC Pregnancy Care Center of Garden City, Kansas; Catholic Social Service of Garden City, Kansas; Birthright of Dodge City, Kansas; Catholic Social Service of Dodge City, Kansas; Life Care Center for Women of Ottawa, Kansas; Birthline of Junction City, Kansas; Precious Beginnings Pregnancy Center of Ulysses, Kansas; Health Ministries Clinic of Newton, Kansas; Heartland Pregnancy Care Center of Newton, Kansas; Crisis Pregnancy Center of Jackson County, Kansas; Advice and Aid Pregnancy Center of Shawnee, Kansas; Catholic Charities of Northeast Kansas of Overland Park, Kansas; Christian Family Services, Inc., of Overland Park, Kansas; LDS Family Services of Overland Park, Kansas; Birthright of Leavenworth, Kansas; Catholic Charities of Northeast Kansas of Leavenworth, Kansas; Saint Vincent

Clinic of Leavenworth, Kansas; Birthright of Emporia, Kansas; Catholic Charities of Northeast Kansas of Emporia, Kansas; Family Life Services of Emporia, Kansas; Heart Choices of Beloit, Kansas; Midwest Pregnancy Care Center of Coffeyville, Kansas; Midwest Pregnancy Care Center of Independence, Kansas; Birthline of Chanute, Kansas; Pratt Family Life Center of Pratt, Kansas; Birthright of Hutchinson, Kansas; Open Door Pregnancy Care Center of Hutchinson, Kansas; Catholic Charities of Manhattan, Kansas; Life Choice Ministries of Manhattan, Kansas; Pregnancy Testing Center of Manhattan, Kansas; Catholic Charities of Salina, Kansas; Pregnancy Service Center of Salina, Kansas; A Better Choice of Wichita, Kansas; Birthline of Wichita, Kansas; Catholic Charities of Wichita, Kansas; Choices Medical Clinic of Wichita, Kansas; Gerard House of Wichita, Kansas; Guadalupe Clinic of Wichita, Kansas; Pregnancy Crisis Center of Wichita, Inc., of Wichita, Kansas; Birthline of Liberal, Kansas; Birthright of Topeka, Kansas; Caring Pregnancy Options of Topeka, Kansas; Catholic Charities of Northeast Kansas of Topeka, Kansas; Rachel's Tea House Crisis Pregnancy Center of Kansas City, Kansas; Life Support Center of Johnson, Kansas; Birthline of Wellington, Kansas; Emergency Pregnancy Service of Colby, Kansas; Angels of Grace Family Service Center of Kansas City, Kansas; Catholic Charities of Northeast Kansas, of Kansas City, Kansas; Adoption Center of Kansas, of Wichita, Kansas; American Adoption of Overland Park, Kansas; Grace Center, Inc. of Kansas City, Kansas; Wyandotte Pregnancy Clinic of Kansas City, Kansas; and Your Choice Pregnancy Resource Center of Kansas City, Kansas: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature strongly supports pregnancy maintenance resource centers in their unique, positive contributions to the individual lives of women, men and of babies – both born and unborn; and

Be it further resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature commends the compassionate work of tens of thousands of volunteers and paid staff at pregnancy maintenance resource centers in Kansas and across the United States; and

Be it further resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature encourages the Congress of the United States and other federal and state government agencies to grant pregnancy maintenance resource centers assistance for medical equipment and abstinence education in a manner that does not compromise the mission or religious integrity of these organizations; and

Be it further resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature disapproves of the actions of any national, state or local groups attempting to prevent pregnancy maintenance resource centers from effectively serving women and men facing unplanned pregnancies; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to each pregnancy maintenance resource center in Kansas, to Governor Brownback, to the President of the United States and to the President of the Senate and the Speaker of the House of Representatives of the United States Congress.

CHANGE OF REFERENCE

The President withdrew **SB 267, SB 309; Sub for SB 333; SB 352, SB 355, SB 371, SB 373; Sub SB 397; SB 421**, from the Calendar under the heading of General Orders, and referred the bills to the Committee on **Ways and Means**.

The President withdrew **SB 311** from the Calendar under the heading of General Orders, and rereferred the bill to the Committee on **Ways and Means**.

The President withdrew **SB 308, SB 321, SB 359, SB 368, SB 396** from the Committee on **Judiciary**, and referred the bill to the Committee on **Ways and Means**.

The President withdrew **SB 415** from the Committee on **Ways and Means**, and referred the bill to the Committee on **Assessment and Taxation**.

The President withdrew **Sub for SB 71** from the Calendar under the heading of General Orders, and rereferred the bill to the Committee on **Financial Institutions and Insurance**.

The President withdrew **SB 286** from the Committee on **Financial Institutions and Insurance** and referred the bill to the Committee on **Ways and Means**.

MESSAGE FROM THE HOUSE

Announcing adoption of **HCR 5033**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HCR 5033 was thereupon introduced and read by title.

On emergency motion of Senator Emler, **HCR 5033** was adopted by voice vote.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Bruce moved the Senate concur in House amendments to **SB 83**.

SB 83, AN ACT concerning judges and justices; relating to the employment of retirants; relating to the appointments of court of appeals judge; amending K.S.A. 20-2622, 20-3006 and 20-3010 and K.S.A. 2010 Supp. 20-3002 and repealing the existing sections; also repealing K.S.A. 20-3004, 20-3005, 20-3007, 20-3008 and 20-3009.

On roll call, the vote was: Yeas 17; Nays 22; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Donovan, Kelsey, Longbine, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Taddiken, Wagle.

Nays: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Present and Passing: Steineger.

A call of the Senate was requested by five Senators. The President cited Rule 19 regarding passing on a vote. Senator Steineger stated his reason for the request and upon a voice vote, the explanation was accepted. The call of the Senate was lifted. The motion to concur failed and **SB 83** remains in conference.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote NO on the motion to concur in the House amendments to **SB 83**. This motion is an egregious effort to politicize judicial appointments. Our

current judicial selection process allows for careful consideration of prospective judges and protects the rights of our citizens through subsequent retention elections.

The judiciary, as an independent and co-equal branch of government, was designed to provide stability against the political winds. This is particularly important at the higher level courts. Granting the Governor unilateral appointment power, subject to Senate confirmation, decimates a selection process that has worked well for many years and undermines the integrity and independence of the judicial branch of Kansas government. — ANTHONY HENSLEY

EXPLANATION OF VOTE

MR. PRESIDENT: I have and will continue to vote for the sanctity of life from conception to natural death. This bill is being characterized as a vote against that belief. I regret that, however this is a vote about process – the process of selecting appellate judges. While I do not subscribe necessarily to the current system as the ideal, likewise I do not necessarily believe the Federal system has served us better. I am in favor of finding and adopting the most effective process for Kansans. That being said, Mr. President, I say get on with it, but lets do it in the right venue with the right reasons in mind. This is not the right venue today. — ALLEN SCHMIDT

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Kelly introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1825—

A RESOLUTION recognizing the Commissioner of Forestry and the Kansas Forest Service, Kansas State University for providing 125 years of dedicated forestry services to the owners, managers and stewards of the state's forest, trees, natural resources and related industries.

WHEREAS, Kansas established the Commissioner of Forestry Office in 1887 to procure and manage land for forest tree nursery production and to develop public interest in forestry practices; and

WHEREAS, The Commissioner of Forestry's successor office, the Kansas Forest Service, Kansas State University, has 16 decreed powers and duties; and

WHEREAS, Fulfillment of the Kansas Forest Service's decreed powers and duties provide an annual economic impact valued at over \$26 million; and

WHEREAS, The Agency's annual services include:

Forestry training to over 1,000 forest and windbreak landowners and timber harvesters;

helping over 300 forest landowners professionally plant and manage in excess of 5,000 acres of timber;

protecting and reforesting stream corridors to slow sediment deposition in water supply reservoirs, improving water quality and quantity;

helping interested forest and ranchland landowners qualify for over \$100,000 of forestry and windbreak financial assistance through USDA conservation programs;

promoting the harvesting, marketing and utilization of wood products to Kansas landowners, timber harvesters, locally owned sawmills and other wood processing plants;

distributing over 350,000 tree seedlings to 2,400 property owners interested in residential energy savings, livestock protection and improved livestock feed efficiency, wind erosion control, wildlife habitat, Christmas trees, timber products and stream bank erosion control;

helping over 150 communities, home to 85% of the state's population, professionally manage their public tree resources through the local allocation of over \$16 million for tree planting, care and hazard tree removals;

creating jobs and improving the professional care of the state's community forest by training 40 persons with sufficient credentials to become certified arborists;

helping over 500 rural fire districts train volunteers and acquire excess military equipment, which provide wildfire protection services to over 500 rural communities and 46 million acres of land;

helping the Kansas Department of Agriculture survey and monitor forest insects and diseases and, where necessary, establish protection quarantines; and

monitoring, in cooperation with the USDA Forest Service, the size, condition and health of the state's forests through the bi-decadal conduct of state wide forest inventory and analyses: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the Kansas Forest Service, Kansas State University, is hereby commended for 125 years of visionary service and passionate dedication to the state's forest, tree, natural resources and related industries, as well as to the owners, managers and stewards of these resources and industries for the environmental, economic and social well-being of the state; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the President, Provost, Dean of the College of Agriculture, Associate Dean of Research, Associate Dean of Extension, Associate Dean of Academics and the Head of the Department of Horticulture, Forestry and Recreation Resources of Kansas State University and the Board of Regents.

On emergency motion of Senator Kelly **SR 1825** was adopted unanimously.

COMMITTEE OF THE WHOLE

The Senate returned to Committee of the Whole for further consideration of bills on the calendar under the heading of General Orders with Senator McGinn in the chair.

On motion of Senator McGinn the morning and following afternoon report were adopted.

Recommended **SB 330**, **SB 394** be passed.

SB 304, **SB 322**, **SB 326**, **SB 407**, **SB 424**, **SB 425** be amended by adoption of the committee amendments, and the bills be passed as amended.

The committee report on **SB 283** recommending a **Sub SB 283** be adopted, and the substitute bill be passed.

SR 1806 be amended by adoption of the committee amendments, and the resolution be adopted as amended.

HCR 5007 be adopted.

Senator Hensley moved **HCR 5007** be rereferred to the Committee on Judiciary.

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

On roll call, the vote was: Yeas 19; Nays 20; Present and Passing 1; Absent or Not Voting 0.

Yeas: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Kelly, Kultala, Longbine, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Bruce, Donovan, Kelsey, King, Love, Lynn, Marshall, Masterson, Merrick, Olson, Ostmeier, Petersen, Pilcher-Cook, Pyle, Schodorf, Steineger, Taddiken, Wagle.

Present and Passing: Huntington.

The motion failed.

Senator Huntington moved to amend **HCR 5007**, on page 1, in line 9, after “rejection” by inserting “unless the United States supreme court upholds the constitutionality of the federal patient protection and affordable care act of 2010 (P.L. 111-148), and amendments thereto, prior September 1, 2012 in which case this proposition shall not be submitted to the qualified electors”.

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

On roll call, the vote was: Yeas 21; Nays 19; Present and Passing 0; Absent or Not Voting 0.

Yeas: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Bruce, Donovan, Kelsey, King, Love, Lynn, Marshall, Masterson, Merrick, Olson, Ostmeier, Petersen, Pilcher-Cook, Pyle, Steineger, Taddiken, Wagle.

The motion carried and the resolution be adopted as amended.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Emler an emergency was declared by a 2/3 constitutional majority, and **Sub SB 39, Sub SB 64; SB 273; Sub SB 282, Sub SB 283; SB 287, SB 304, SB 310, SB 315, SB 322, SB 326, SB 330, SB 357, SB 366, SB 367, SB 372, SB 375, SB 394, SB 406, SB 407, SB 416, SB 417, SB 422, SB 424, SB 425; SR 1806; HCR 5007** were advanced to Final Action and roll call.

Sub SB 39, AN ACT concerning the Kansas offender registration act; relating to aggravated sex offenders; amending K.S.A. 2011 Supp. 22-4902, 22-4904 and 22-4913 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 22-4902a.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed, as amended.

Sub SB 64, AN ACT concerning banking; allowing the obtaining of fingerprints from certain individuals for certain purposes; amending K.S.A. 9-1722 and 9-1801 and K.S.A. 2011 Supp. 9-509 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco,

Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed.

SB 273, AN ACT concerning costs for examination of an insurance company; amending K.S.A. 2011 Supp. 40-223 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

Sub SB 282, AN ACT concerning covered offenses and conduct giving rise to forfeiture; relating to fleeing or eluding; amending K.S.A. 2011 Supp. 60-4104 and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Haley.

The substitute bill passed.

Sub SB 283, AN ACT concerning sheriffs; relating to fees; amending K.S.A. 2011 Supp. 28-110 and repealing the existing section.

On roll call, the vote was: Yeas 30; Nays 10; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Marshall, McGinn, Morris, Ostmeyer, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil.

Nays: Bruce, Haley, Lynn, Masterson, Merrick, Olson, Pilcher-Cook, Pyle, Steineger, Wagle.

The substitute bill passed.

SB 287, AN ACT concerning credit unions; relating to credit union insurance; amending K.S.A. 17-2204, 17-2227 and 17-2246 and repealing the existing sections; also repealing K.S.A. 17-2250, 17-2251, 17-2252, 17-2253, 17-2254, 17-2255, 17-2256, 17-2257, 17-2258, 17-2259, 17-2261, 17-2265, 17-2266 and 17-2267.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens,

Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 304, AN ACT concerning domestic violence; enacting the batterer intervention program certification act; amending K.S.A. 2011 Supp. 12-4509, 21-5414, 21-6604 and 22-4616 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 310, AN ACT concerning water; relating to local enhanced management areas; groundwater management districts.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 315, AN ACT concerning the office of the state bank commissioner; pertaining to certain positions in the unclassified service; amending K.S.A. 2011 Supp. 75-2935b, 75-3135 and 75-3135a and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 322, AN ACT concerning courts; relating to court fees and costs; relating to the judicial branch surcharge fund; amending K.S.A. 65-409 and K.S.A. 2011 Supp. 8-2107, 8-2110, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-2001, 60-2203a, 61-2704 and 61-4001 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c, 22-2410a, 28-177a, 38-2312a and 38-2312b.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Morris, Olson, Ostmeier, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Merrick, Pilcher-Cook, Pyle, Steineger.

The bill passed, as amended.

SB 326, AN ACT concerning dental hygiene; relating to services for school children; amending K.S.A. 2011 Supp. 65-1456 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 330, AN ACT concerning civil procedure; relating to malpractice liability screening panels; amending K.S.A. 2011 Supp. 60-3502, 60-3503, 60-3505, 65-4901, 65-4902 and 65-4904 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 357, AN ACT concerning agriculture; relating to soil erosion caused by wind; duties of county commissioners, conservations districts; amending K.S.A. 2-2004 and 2-2008 and repealing the existing sections; also repealing K.S.A. 2-2006 and 2-2007 and K.S.A. 2011 Supp. 2-2003 and 2-2005.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 366, AN ACT concerning civil procedure; relating to attachment and garnishment; amending K.S.A. 2011 Supp. 60-736, 60-738, 60-739, 61-3509, 61-3511 and 61-3512 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 367, AN ACT concerning juries; relating to jury lists; jury commissioners; access

to tax records; amending K.S.A. 43-162 and K.S.A. 2011 Supp. 79-3234 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-3234b.

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

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Merrick, Pyle.

The bill passed.

SB 372, AN ACT concerning the Kansas money transmitter act; amending K.S.A. 2011 Supp. 9-508, 9-509, 9-510, 9-511, 9-512, 9-513, 9-513a and 9-513c and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 375, AN ACT concerning solid waste; relating to permit exemptions; amending K.S.A. 2011 Supp. 65-3407c and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Schodorf.

The bill passed, as amended.

SB 394, AN ACT concerning the secretary of corrections; relating to transfer or discharge of certain offenders; amending K.S.A. 2011 Supp. 75-5220 and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Pilcher-Cook.

The bill passed.

SB 406, AN ACT concerning the Kansas storage tank act; relating to the underground storage tank fund; amending K.S.A. 65-34,123 and K.S.A. 2011 Supp. 65-34,102, 65-

34,110, 65-34,117, 65-34,131, 65-34,132, 65-34,133 and 65-34,134 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 407, AN ACT concerning mammography examinations; providing for certain information and notice to the patient.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 416, AN ACT concerning the state workplace health and safety program; relating to implementation and administration of the program; pertaining to transfer of the program from the department of health and environment to the department of labor; amending K.S.A. 2011 Supp. 44-575 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 417, AN ACT concerning economic development; relating to the powers, duties and functions transferred to the secretary of commerce from Kansas, Inc.; making changes in references and transfers to state officers and agencies with respect thereto; amending K.S.A. 74-5007a, 74-50,101, 74-8009a, 74-8013, 74-8015, 74-8016, 74-8204, 74-8310 and 74-9306 and K.S.A. 2011 Supp. 12-17,169, 12-17,177, 74-5001a, 74-5049, 74-5089, 74-5095, 74-50,151, 74-8004, 74-8006, 74-8010, 74-8106, 74-8111, 74-8136, 74-8317, 74-8405, 74-99b09, 74-99c07, 74-99e02, 75-2935, 75-2935b, 75-3702k, 75-3702l, 75-3702m and 75-3702n and repealing the existing sections; also repealing K.S.A. 74-8003, 74-8011, 74-8012 and 74-8014 and K.S.A. 2011 Supp. 74-50,134, 74-8001, 74-8002, 74-8005, 74-8007, 74-8102 and 74-99c10.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens,

Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 422, AN ACT concerning courts; relating to judges pro tem; amending K.S.A. 20-310a and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 424, AN ACT concerning the Kansas law enforcement training act; amending K.S.A. 19-801b, 31-157, 74-5601 and 74-5622 and K.S.A. 2011 Supp. 12-1,120, 74-5602, 74-5603, 74-5605, 74-5607, 74-5607a, 74-5608a and 74-5616 and repealing the existing sections; also repealing K.S.A. 74-5618. .

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Haley.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote NO on **SB 424**. It would be “immoral” for me to vote for a certification requirement for the hire of law enforcement for “good moral character” without knowing how that “standard” would be consistently defined in statute. – DAVID HALEY

SB 425, AN ACT concerning courts; relating to court fees and costs; judiciary technology fund; amending K.S.A. 20-1a12, 20-371, 60-2101 and 65-409 and K.S.A. 2011 Supp. 8-2107, 8-2110, 20-362, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-2001, 60-2203a, 61-2704 and 61-4001 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c, 22-2410a, 28-177a, 38-2312a and 38-2312b.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Francisco, Haley, Hensley, Merrick, Pyle, Steineger.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote NO on **Senate Bill 425**. I recognize that we are moving towards e-filing for our Kansas Court system and that there will be additional costs associated with establishing, operating, and maintaining electronic document filing, storage, and management, but I am hopeful there will also be some savings for the court. A federal grant and a recommendation for appropriation of current fees should cover the initial costs in FY 2013 to establish the system. I am comfortable with fees for access of documents for maintenance and operations, but am concerned about additional filing fees that could increase the cost of a lawsuit by a minimum of \$70 (\$10 each for the petition, summons, return of service, journal entry of judgment, garnishment, release of garnishment and satisfaction of judgment). If fees must be used to fund the establishment of an e-filing court system, perhaps a minimal increase in attorney registration fees should be considered. – MARCI FRANCISCO

Senators Haley and Hensley request the record to show they concur with the “Explanation of Vote” offered by Senator Francisco on **SB 425**.

SR 1806, urging the United States Congress give Kansas an exemption to the federal freeze on more productive trucks and allow Kansas to determine the appropriate vehicle size limits necessary for the economic needs of the state.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The resolution was adopted, as amended.

HCR 5007, to amend the constitution of the state of Kansas by adding a new article 16 thereto, concerning health care.

On roll call, the vote was: Yeas 26; Nays 14; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Donovan, Emler, Huntington, Kelsey, King, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, V. Schmidt, Schodorf, Steineger, Taddiken, Wagle.

Nays: Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Kelly, Kultala, Owens, Reitz, A. Schmidt, Teichman, Umbarger, Vratil.

A two-thirds constitutional majority having not voted in favor of the resolution, **HCR 5007** was not adopted.

EXPLANATION OF VOTE

MR. PRESIDENT: We are in a battle. The battle about whether the rights of citizens shall be overridden by the Federal Government is raging. We as legislators in the State Senate representing citizens of the state of Kansas should be on the forefront of this battle to protect those rights. Therefore I vote in favor of **HCR 5007**. – STEVE ABRAMS

Senators Love, Lynn, Masterson, Olson and Pilcher-Cook request the record to show

they concur with the “Explanation of Vote” offered by Senator Abrams on **HCR 5007**.

EXPLANATION OF VOTE

MR. PRESIDENT: **HCR 5007** expresses a sentiment with which I heartily concur, to-wit: the federal government cannot mandate individuals purchase healthcare coverage. It is also, however, a waste of public funds, also called taxpayer dollars. The United States Supreme Court will decide whether The Affordable Care Act is constitutional. Once that decision is made, **HCR 5007** will have no real purpose, but will have cost Kansans tens of thousands of dollars, which could better be used to reduce criminal recidivism.

Having said all the foregoing, the measure does not appear to be unconstitutional, immoral or unethical and many of my constituents desire the opportunity to vote on the issue. I therefore vote “aye”. – JAY EMLER

EXPLANATION OF VOTE

MR. PRESIDENT: I vote “NO” on **HCR 5007**. This HCR, regarding the so-called freedom from Healthcare Act, is a feckless, meaningless attempt to decouple Kansas from provisions of the *Patient Protection and Affordable Care Act*, signed into law exactly almost two years ago (nicknamed “Obamacare”).

We should, as a mature, responsible legislature with little time or taxpayer dollars, *stop wasting* our limited session on political posturing, especially on a federal program which will potentially benefit all Kansans; all Americans.

Grow up; move forward colleagues.....*ahead!*

This year, the U.S. Supreme Court will ultimately render a verdict affirming, or not the constitutionality of the Healthcare Act. I believe we, who desire a healthier, more financially secure America, will prevail. And will then, unobstructed finally, go to work....for America. We should not waste \$164,000 of SGF today for a ballot issue that will be decided by the U.S. Supreme Court enacting the Supremacy Clause.

So when Obamacare is working well for the majority of this country, please do yourself two favors, O.K.?

First: Continue to give *credit*, as *Obamacare*, to this Presidential Administration and to the visionary, brave, men and women of the last Congress for its passage, and

Second: “What will the children think?” Our chaplain, Fred Holloman asked us to consider during a prayer last year, so when *Obamacare* is working and the stories of a healthier and more financially secure constituency abound, try not to hang your heads in shame when *your* children and grandchildren ask you: “Tell me why, again were you so against healthcare benefits...?” O.K.? – DAVID HALEY

EXPLANATION OF VOTE

MR. PRESIDENT: The supremacy clause of the United States Constitution says that no state law or state constitution can override federal law. Therefore, a statewide vote on this amendment would have no impact on the federal health care bill.

We can no more vote to stop implementation of federal health care than we could have voted to stop the 1965 voting rights act, anti-trust laws, Social Security or Medicare. To lead voters to believe a change to our state constitution will stop the federal health care bill from coming to Kansas is misleading and disingenuous. And it's

a waste of taxpayer money.

If an amendment to our state constitution were allowed to trump federal law, there could be severe consequences for thousands of disabled and elderly Kansans who rely on programs like Medicare to receive the care they need. Not only would this amendment undermine the viability of our state Medicare program, it could trap clients on Medicaid.

I cannot mislead my constituents nor lead them down a path of unintended consequences. Mr. President, I vote no on **House Concurrent Resolution 5007**. –
LAURA KELLY

Senators Francisco, Hensley, Haley, Kultula, Owens, Reitz and Umbarger request the record to show they concur with the “Explanation of Vote” offered by Senator Kelly on **HCR 5007**.

EXPLANATION OF VOTE

MR. PRESIDENT: More than 350,000 Kansas residents currently rely on Medicaid to get the health care services they need to live healthy, independent lives. Among these clients are thousands of rural Kansans.

While I support aspects of this resolution, I fear that an amendment to our state constitution may unintentionally cause irreparable harm to our Medicare program and trap clients on Medicaid.

Until we know more about the affects a constitutional amendment would have on our citizens and their future well being, I felt it was prudent to vote against today's resolution. – ALLEN SCHMIDT

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Wednesday, February 29, 2012.

Journal of the Senate

THIRTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 29, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

I'd like to pray a special prayer
For the ladies in the Senate.
Senator Meyers in eighty-two
Was the only woman in it.

They used to be called the weaker sex,
But I want to make it clear
Wherever the alleged weakness is,
It ain't between the ears!

A woman no longer has to prove
She's Kassebaum or Thatcher,
The question's not, "Can she keep up?"
But, "Can anybody catch her?"

So bless these ladies in the Senate:
Huntington and Kelly;
Kultala and Faust-Goudeau;
Pilcher-Cook and Schmidt,
Teichman and Francisco.
Schodorf and Lynn,
Wagle and McGinn.

Bless each one of them,
I know they understand
To represent their district well,
They don't have to be a man.

I pray in the name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator Faust-Goudeau rose on a Point of Personal Privilege to introduce David Sanford, Chief Executive Officer and Venus Lee, Chief Operations Officer of Grace Med, a Health Ministry of the United Methodist Church Kansas West Conference.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 446, AN ACT concerning income taxation; relating to credits; restoration, preservation or operation of certain historic sties; amending K.S.A. 2011 Supp. 79-32,211a and repealing the existing section, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **HB 2730**.

Assessment and Taxation: **SB 445**.

Commerce: **HB 2637**.

Education: **HB 2430, HB 2435; Sub HB 2477**.

Ethics and Elections: **HB 2437**.

Judiciary: **HB 2533, HB 2534, HB 2562, HB 2621, HB 2647, HB 2737**.

Local Government: **HB 2666**.

Transportation: **HB 2417, HB 2509, HB 2557, HB 2599, HB 2614**.

Ways and Means: **SCR 1614; HB 2454**.

CHANGE OF REFERENCE

The President withdrew **SB 267, SB 309, SB 311; Sub SB 333; SB 352, SB 355, SB 371, SB 373; Sub SB 397** and **SB 421** from the Committee on **Ways and Means** and referred the bills to the calendar under the heading of General Orders.

The President withdrew **SB 308, SB 321, SB 359, SB 368** and **SB 396** from the Committee on **Ways and Means** and rereferred the bills to the Committee on **Judiciary**.

The President withdrew **SB 286** from the Committee on **Ways and Means** and referred the bill to the Committee on **Commerce**.

MESSAGE FROM THE GOVERNOR

February 24, 2012

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Order No. 12-02 for your information.

The President announced Executive Order No. 12-02, regarding regional emergencies/conditional and temporary relief from motor carrier rules and regulations, is on file in the office of the Secretary of the Senate and is available for review at any time.

February 29, 2012

House Substitute for Senate Bill 191 approved on February 29, 2012.

COMMUNICATIONS FROM STATE OFFICERS

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

February 29, 2012

In compliance with the requirements of **Senate Substitute for HB 2160** passed in 2010, Mike Michael, Director, State Employee Health Benefit Plans Division of Health Care Finance, submitted the Kansas State Employees Health Care Commission Report on Insurance Coverage for the Autism Spectrum Disorder Pilot.

The President announced a compact disc is on file in the office of the Secretary of the Senate and may be reviewed at any time.

MESSAGE FROM THE HOUSE

Announcing passage of **Substitute HB 2106, Substitute HB 2159, Substitute HB 2166; HB 2313; Substitute HB 2427; HB 2558, HB 2596, HB 2597, HB 2604, HB 2605, HB 2618, HB 2619, HB 2624, HB 2626, HB 2627, HB 2629, HB 2638, HB 2646, HB 2649, HB 2650, HB 2655, HB 2668, HB 2669, HB 2670, HB 2672, HB 2673, HB 2675, HB 2676, HB 2677, HB 2682, HB 2683, HB 2684, HB 2687, HB 2703, HB 2704, HB 2705, HB 2706, HB 2715.**

Announcing that **SB 225**, as amended by **House Substitute for SB 225** was stricken from the calendar.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Substitute HB 2106, Substitute HB 2159, Substitute HB 2166; HB 2313; Substitute HB 2427; HB 2558, HB 2596, HB 2597, HB 2604, HB 2605, HB 2618, HB 2619, HB 2624, HB 2626, HB 2627, HB 2629, HB 2638, HB 2646, HB 2649, HB 2650, HB 2655, HB 2668, HB 2669, HB 2670, HB 2672, HB 2673, HB 2675, HB 2676, HB 2677, HB 2682, HB 2683, HB 2684, HB 2687, HB 2703, HB 2704, HB 2705, HB 2706, HB 2715 were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator V. Schmidt introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1826—

A RESOLUTION encouraging the creation of a Kansas plan for comprehensive treatment of chronic obstructive pulmonary disease.

WHEREAS, Chronic obstructive pulmonary disease (COPD) is a chronic disease of the lung which cannot be cured; and

WHEREAS, At least 24 million Americans have COPD and data suggest that as many as 12 million more Americans may have the symptoms of COPD but are undiagnosed; and

WHEREAS, COPD was the fourth leading cause of death in the year 2000 and is projected to be the third leading cause of death in the year 2010; and

WHEREAS, Costs attributed to COPD were projected to be \$49.9 billion in 2010; and

WHEREAS, Approximately 70% of individuals living with COPD are under age 65; and

WHEREAS, COPD is the second leading cause of disability; and

WHEREAS, Up to 70% of the costs of COPD are due to hospitalizations which can largely be prevented; and

WHEREAS, COPD is a leading cause of death in Kansas with as many as 146.5 persons admitted to the hospital for every 100,000 persons in Kansas; and

WHEREAS, The main causes of COPD are smoking, dust and chemicals in the air; and

WHEREAS, COPD is treatable and manageable; and

WHEREAS, It would behoove the state to develop and maintain a COPD prevention and education state plan: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the Kansas Department of Health and Environment create a comprehensive COPD prevention and education state plan which shall create and foster public awareness and increase knowledge concerning the causes of COPD, the importance of early diagnosis, effective prevention and disease management. Such plan shall outline sustainable solutions for reducing the burden of COPD in Kansas through the coordinated implementation of multiple strategies. These strategies shall include, without limitation, recommendations for:

(1) The prevention and early detection of COPD to reduce the incidence of the disease; and

(2) the treatment and management of COPD to ensure that health care providers offer state-of-the-art care, including increased access to nonpharmacologic therapies for COPD; and

(3) increasing public awareness, patient education and proper medical management of COPD among the general public and those living with COPD; and

(4) improving COPD outcomes in Kansas through increases in COPD funding and resources as well as ongoing effective advocacy by government leaders and people with COPD; and

Be it further resolved: That the Kansas Department of Health and Environment annually perform a COPD needs assessment; and

Be it further resolved: That the Kansas Department of Health and Environment hold an annual summit regarding COPD. Such summit shall be held in partnership with the state COPD coalition; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the Secretary of Health and Environment.

On emergency motion of Senator V. Schmidt **SR 1826** was adopted unanimously.

REPORT ON ENGROSSED BILLS

SB 301, SB 358, SB 387 reported correctly engrossed February 23, 2012.

SB 272, SB 277, SB 288, SB 345, SB 384; Sub SB 393; SB 419, reported correctly engrossed February 24, 2012.

Sub SB 39, Sub SB 64; SB 273; Sub SB 282, Sub SB 283; SB 287, SB 315, SB 326, SB 366, SB 372, SB 375, SB 407, SB 422; SR 1806 reported correctly engrossed February 28, 2012.

SB 304, SB 322, SB 357, SB 406, SB 424, SB 425 reported correctly engrossed February 29, 2012.

REPORT ON ENROLLED BILLS

SR 1822, SR 1823, SR 1824 reported correctly enrolled, properly signed and presented to the Secretary of State February 23, 2012.

SR 1805, SR 1825 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 24, 2012.

H Sub for SB 191 reported correctly enrolled, properly signed and presented to the Governor on February 24, 2012.

H Sub for SB 118 reported correctly enrolled, properly signed and presented to the Governor on February 29, 2012

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2484, HB 2569** be passed.

Also **HB 2535**, as amended by House Committee, be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Thursday, March 1, 2012.

Journal of the Senate

THIRTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 1, 2012, 2:30 p.m.

The Senate was called to order by Vice President John Vratil.

The roll was called with forty senators present.

In recognition of Military Appreciation Day, Vice President Vratil introduced guest chaplain, Military Chaplain Major Michael Shellman, Fort Leavenworth, Kansas, who delivered the invocation.

Members of the Kansas Senate, I thank you for the opportunity to be here today. As I have come to offer the invocation today on this Military Appreciation Day, I not only stand here as an active duty military Chaplain and officer, but I stand here also as one representing our military men and women who courageously serve our great country. It is with a grateful heart for these defenders of freedom that I now invite you to join me in prayer for our leaders, both military and civilian, and for those they both serve:

Almighty God, I come before your presence with joy and thanksgiving on this day of appreciation for our military personnel.

God, there are many of Kansas's sons and daughters who are serving in the military both here and those who are deployed. I pray for their safety, strength of body and of character, and for their leadership. Help them in the moment of decision, You would be with them to guide, protect and assist. As they serve, so their families are also serving. I pray for Your protection and provision to be with them as well.

Be here also in our Kansas communities. Strengthen us that we may in turn strengthen others around us. Help us to support our Soldiers, Sailors, Airmen and Marines who are also sons and daughters of Kansas and may our actions reflect our support as well. Bless us now in this hallowed chamber, God bless our military, and God bless America.

In the name of Jesus I pray, Amen.

The Pledge of Allegiance was led by Vice President John Vratil.

SPECIAL REMARKS

MR. VICE PRESIDENT: Armed Forces Day was created in 1949 by President Harry Truman following the consolidation of the military services in the Department of Defense to honor Americans serving in the five U.S. Military branches – the Army, Navy, Marines, Air Force and Coast Guard. This morning, our Governor has signed a proclamation designating today, Thursday, March 1, 2012, as Kansas Armed Forces Appreciation Day.

Today, 63 years after the formation of the Department of Defense and the first Armed Forces Day, the United States military service members are standing ever vigilant at their posts around the world to keep us secure. The military of the United States is deployed in more than 150 countries and are working here at home to protect America from threats foreign and domestic. They are risking their lives in the mountains of Afghanistan and serving bravely providing security and peacekeeping missions in places like Djibouti, Kenya, Kosovo and the Sinai, among others. They provide humanitarian assistance when and where needed across the world.

Today, the National Guard and Reserve not only continue their support to emergencies at home and to active duty units that deploy, but are also deployed themselves. Kansas Guard and Reserve members make the extra sacrifice of leaving their full time jobs to deploy.

Mention must also be made of the families who support our military members as they serve. Many here in this chamber have served or have immediate family members serving right now.

Please join me on this “Kansas Armed Forces Appreciation Day” in saying thank-you to those Americans who serve to protect what we often take for granted – our security and our right to meet here today. – ALLEN SCHMIDT

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 447, AN ACT concerning wildlife, parks and tourism; relating to vessel fees; amending K.S.A. 2011 Supp. 32-1172 and repealing the existing section, by Committee on Ways and Means.

SB 448, AN ACT concerning state institutions; relating to special education and related services provided by the state school for the blind and the state school for the deaf; amending K.S.A. 76-1006 and 76-1102 and K.S.A. 2011 Supp. 72-978 and repealing the existing sections, by Committee on Ways and Means.

SB 449, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2012, June 20, 2013, and June 30, 2014, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing, by Committee on Ways and Means.

SB 450, AN ACT concerning school districts; relating to the amount of base state aid per pupil; relating to the local option budget; amending K.S.A. 2011 Supp. 72-6410 and 72-6433 and repealing the existing sections, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **HB 2596, HB 2597, HB 2604, HB 2605, HB 2626, HB 2649, HB 2668.**

Assessment and Taxation: **SB 446.**

Commerce: **HB 2627, HB 2638, HB 2673.**

Ethics and Elections: **HB 2715.**

Financial Institutions and Insurance: **HB 2618.**

Judiciary: **Sub HB 2106; HB 2313; Sub HB 2427; HB 2558, HB 2629, HB 2655, HB 2683, HB 2684, HB 2704.**

Local Government: **Sub HB 2166; HB 2646, HB 2669, HB 2670, HB 2672, HB 2675, HB 2676, HB 2677, HB 2682.**

Public Health and Welfare: **Sub HB 2159.**

Ways and Means: **HB 2619, HB 2624, HB 2650, HB 2687, HB 2703, HB 2705, HB 2706.**

CHANGE OF REFERENCE

The Vice President withdrew **HB 2329, HB 2371** from the Committee on **Judiciary**, and referred the bills to the Committee on **Reapportionment**.

REPORT ON ENROLLED BILLS

SR 1806, SR 1826 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 29, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **SB 413** be amended on page 1, in line 5, by striking "10" and inserting "11"; in line 8, by striking "10" and inserting "11"; in line 19, by striking "10" and inserting "11"; in line 25, by striking "10" and inserting "11"; in line 29, by striking "10" and inserting "11"; in line 33, by striking "10" and inserting "11";

On page 2, in line 5, by striking "10" and inserting "11"; in line 27, by striking "10" and inserting "11"; in line 36, by striking "10" and inserting "11";

On page 3, in line 13, by striking "10" and inserting "11"; in line 29, by striking "10" and inserting "11";

On page 4, in line 10, by striking "10" and inserting "11"; in line 11, by striking "10" and inserting "11"; in line 23, before "covered" by inserting "client or";

On page 5, in line 21, by striking "25%" and inserting "15%";

On page 6, in line 17, by striking "5" and inserting "6"; in line 40, by striking "5" and inserting "6";

On page 7, in line 34, by striking "5" and inserting "6"; in line 43, by striking "10" and inserting "11";

On page 8, in line 4, by striking "10" and inserting "11"; following line 7, by inserting:

"Sec. 5. (a) Upon filing an initial application for registration, a professional employer organization shall pay a fee in an amount not to exceed \$1,000.

(b) Upon filing a renewal application for registration, a professional employer organization shall pay a fee in an amount not to exceed \$500.

(c) Upon filing an initial or a renewal application for limited registration, a professional employer organization shall pay a fee in an amount not to exceed \$500.

(d) Upon filing an initial or a renewal application for registration, a professional employer group shall pay a fee in an amount determined by the secretary and adopted by rules and regulations.

(e) The secretary shall adopt rules and regulations establishing the fees to be charged pursuant to this section in such amounts as deemed reasonably necessary by the secretary for the administration of the provisions of sections 1 through 11, and amendments thereto, subject to the limitations on fee amounts set forth in subsections (a), (b) and (c).

(f) There is hereby created the professional employer organization fee fund. The secretary shall remit all moneys received from fees or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the professional employer organization fee fund. All expenditures from the professional employer organization fee fund shall be for the purposes of the administration of the provisions of sections 1 through 11, and amendments thereto, and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary, or the secretary's designee.";

And by renumbering sections accordingly;

Also on page 8, in line 31, by striking "10" and inserting "11"; in line 40, by striking "10" and inserting "11";

On page 9, in line 1, by striking "10" and inserting "11"; in line 9, by striking "10" and inserting "11"; in line 25, after "employee" by inserting "only"; in line 27, by striking "10" and inserting "11";

On page 10, in line 29, by striking "in its capacity as sponsoring employer of a benefit program,"; in line 43, by striking "10" and inserting "11";

On page 11, in line 31, by striking "10" and inserting "11"; in line 39, by striking "5" and inserting "6";

On page 12, in line 2, after "crime" by inserting ": (A)"; in line 3, by striking ", or" and inserting "; (B) that"; in line 6, after "or" by inserting "(C) pursuant to 18 U.S.C. § 1033; or"; in line 8, by striking "10" and inserting "11"; in line 17, by striking "\$1,000" and inserting "\$10,000"; in line 18, by striking "10" and inserting "11"; in line 28, by striking "10" and inserting "11"; in line 29, by striking "10" and inserting "11"; in line 32, by striking "10" and inserting "11"; in line 33, after "after" by inserting "January 1, 2014, and"; and the bill be passed as amended.

Also, **SB 438** be amended on page 1, in line 10, by striking "new" and inserting "newly hired"; in line 11, by striking "new" and inserting "newly hired"; in line 12, by striking "new" and inserting "newly hired"; in line 14, by striking "new" and inserting "newly hired"; in line 15, by striking "and" and inserting a comma; also in line 15, after "number" by inserting "and any other information as may be required by section 453A of the social security act (42 U.S.C. § 653a), and amendments thereto"; in line 16, by striking "new" and inserting "newly hired"; in line 17, after "employer" by inserting a comma; in line 18, after "employer" by inserting a comma; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 390** be amended on page 1, in line 25, by striking "if the licensee manufactured the wine,"; in line 26, by striking "if" and inserting "provided,"; in line 28, after "establishments" by inserting ". Wine sold pursuant to this paragraph shall not be subject to the provisions of the club and drinking establishment act, K.S.A. 41-2601 *et seq.*, and amendments thereto, and no drinking establishment license shall be required to make such sales";

On page 2, in line 24, by striking "10%" and inserting "60%"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **SB 250** be amended on page 1, in line 4, by striking "New"; in line 6, by striking all after "shall"; in line 7, by striking "premiums" and inserting "pay premiums for the continuation of coverage under COBRA"; in line 8, after the period by inserting "Premiums for continuation of coverage under COBRA shall be paid for 18 months."; in line 11, by striking "fifth calendar year commencing" and inserting "end of the 18th calendar month"; and the bill be passed as amended.

Committee on **Natural Resources** recommends **HB 2472** be passed.

Committee on **Public Health and Welfare** begs leave to submit the following report:

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

By the Governor:

Member, University of Kansas Hospital Authority: K.S.A. 76-3304

Alex Ammar, to fill a term expiring on March 15, 2014

Member, University of Kansas Hospital Authority: K.S.A. 76-3304

Greg Graves, to fill a term expiring on March 15, 2015

Member, University of Kansas Hospital Authority: K.S.A. 76-3304

Sharon Lindenbaum, to fill a term expiring on March 15, 2015

On motion of Senator Emler, the Senate adjourned until 8:00 a.m., Friday, March 2, 2012.

Journal of the Senate

THIRTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 2, 2012, 8:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-five senators present.
Senators Bruce, Brungardt, Kelsey, King and Steineger were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,
Another week-end has arrived,
Senators headed home
To spend some time away
From the old green dome.

But leisure time will be quite rare,
For constituents must be told
About issues which are getting hot
Over eggs that are getting cold.

They'll spend some time with family,
But not much I am afraid,
For a lot of it will deal with
The calls that must be made.

And there's e-mail to answer,
And family chores to do;
Not to mention business
Which must be tended to.

But grant them, Lord, a little time
To prop their feet up high,
And fold their hands and close their eyes,
And heave a heavy sigh.

Help them to find a quiet place
Where they cannot be found.
Re-charge their worn-out batteries
Before Monday rolls around.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 448, SB 450.**

Natural Resources: **SB 447.**

Ways and Means: **SB 449.**

CHANGE OF REFERENCE

The President withdrew **SB 439** from the Committee on **Financial Institutions and Insurance**, and referred the bill to the Committee on **Ways and Means**.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Monday, March 5, 2012.

Journal of the Senate

THIRTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 5, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,
What an awesome God You are!

Powerful enough to create the universe;
Sensitive enough to notice the falling sparrow.

Powerful enough to guide the destiny of nations;
Sensitive enough to hear an infant's cry.

Powerful enough to hear everyone's prayers;
Sensitive enough to hear one legislator's prayer.

Powerful enough to influence the decisions of presidents;
Sensitive enough to encourage a tired legislator.

Powerful enough to create life;
Sensitive enough to comfort a disappointed legislator.

Powerful enough to raise the dead;
Sensitive enough to raise the hopes of a discouraged legislator.

What an awesome God You are!
I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

SB 451, AN ACT concerning motor vehicles; relating to one-way glass and sun screening devices; making an exemption for certain medical reasons; amending K.S.A.

2011 Supp. 8-1749a and repealing the existing section, by Committee on Federal and State Affairs.

SB 452, AN ACT concerning alcoholic beverages; relating to clubs and drinking establishments; permitting tastings on the licensed premises; amending K.S.A. 41-2640 and K.S.A. 2011 Supp. 41-2637, 41-2641 and 41-2642 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 453, AN ACT concerning driving under the influence; relating to administrative penalties; crimes, punishment and criminal procedure; amending K.S.A. 8-241 and K.S.A. 2011 Supp. 8-2,144, 8-1008, 8-1014, 8-1015, 8-1020 and 8-1567 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 8-1020b, by Committee on Federal and State Affairs.

SENATE CONCURRENT RESOLUTION No. 1615 —

By Senators Pilcher-Cook, Abrams, Apple, Bruce, Donovan, Kelsey, King, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Olson, Ostmeyer, Petersen, Pyle, A. Schmidt, Taddiken, Umbarger and Wagle

A CONCURRENT RESOLUTION urging President Barack Obama and the United States Department of Health and Human Services to rescind its "preventive services" rule under the "Affordable Care Act," specific services in violation of religious liberty and the free exercise thereof.

WHEREAS, The First Amendment to the United States Constitution guarantees that Congress shall make no law prohibiting the free exercise of religion; and

WHEREAS; Many employers in this country are organizations founded on deeply-held religious beliefs; and

WHEREAS, The law has always protected the rights of those employers and their employees not to take actions which would violate their conscience and those religious beliefs without penalty; and

WHEREAS, On January 20, 2012, the United States Department of Health and Human Services announced its new rule requiring almost all employers, including employers with deeply held religious beliefs, to provide health insurance coverage that includes specific services in violation of religious liberty and free exercise thereof; and

WHEREAS, On February 10, 2012, the United States Department of Health and Human Services announced a change to its new rule to require all insurance companies, including the self-insured and organizations owned by those with deeply held religious beliefs, to provide health insurance coverage that includes specific services in violation of religious liberty and the free exercise thereof; and

WHEREAS, As a result of the modification to such rule, employers will still be compelled to purchase and provide such health insurance coverage, albeit indirectly as these services and products cannot be free and must still be paid for by passing the costs to the purchaser, in violation of such employer's conscience and the conscience of the dedicated employees of the employer or to cease providing health insurance coverage altogether and incur a penalty for doing so; and

WHEREAS; As a result of the modification to such rule, the self-insured and health insurance companies will be compelled to purchase and provide specific services in violation of religious liberty and the free exercise thereof in violation of such health insurance company's owner's conscience and the conscience of the dedicated employees

of the health insurance company or to cease providing health insurance coverage altogether and go out of business; and

WHEREAS; By being compelled to purchase and provide such health insurance coverage, such employers and health insurance companies are in effect being compelled to purchase and provide specific services in violation of religious liberty and the free exercise thereof to others; and

WHEREAS; The United States Department of Health and Human Services' rule is being used to force the private sector to pay for government-mandated controversial entitlements with funds from the private sector; and

WHEREAS; The United States Department of Health and Human Services' rules are not accountable to the people as such rules are still being modified and can be changed at any time without a vote of Congress, thereby lacking clear protection of the people; and

WHEREAS; The United States Department of Health and Human Services' rule is government coercion of religious people and groups to violate their most deeply held convictions; and

WHEREAS, The United States Department of Health and Human Services' final rule is a direct threat to the religious freedom of all citizens of the United States; and

WHEREAS, If the federal government can dictate what health services must be provided to employees of religious groups, when these "health services" violate basic tenets of the faith of the religious groups, the federal government is, in fact, dictating what tenets of faith are acceptable; and

WHEREAS, If the federal government can dictate the tenets of faith or religious groups, such government is in violation of the First Amendment by denying religious freedom; and

WHEREAS, The rules force health insurance companies to provide these health services consisting of specific services in violation of religious liberty and the free exercise thereof without a co-pay, misleading the insured that these are free services; and

WHEREAS, Coercing religious ministries and citizens to pay directly for actions which violate their conscience is an unprecedented incursion of freedom of conscience; Now, therefore,

Be it resolved by the Senate of the State of Kansas and the House of Representatives concurring therein: That we urge President Barack Obama and the United States Department of Health and Human Services to rescind the recently announced rule that mandates "health services" in health insurance policies, mandating coverage of specific services and products that violate the religious tenets of a large portion of the population of the United States and which is a direct violation of the United States Constitution.

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this concurrent resolution to President Barack Obama, to Kathleen Sebelius, Secretary of the Department of Health and Human Services and to each member of the Kansas Congressional Delegation.

MESSAGE FROM THE GOVERNOR

March 2, 2012

House Substitute for Senate Bill 118 approved March 2, 2012.

March 2, 2012

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Order No. 12-03 for your information.

Sam Brownback
Governor of the State of Kansas

The President announced Executive Order No. 12-03, which provides that the Governor may issue orders and proclamations which shall have the enforce and effect of law during the period of a state disaster declared under subsection (b) of KSA 48-924, is on file in the office of the Secretary of the Senate and is available for review at any time.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator McGinn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1827—

A RESOLUTION congratulating and commending Mr. Patrick Duffy.

WHEREAS, Patrick Duffy was named the 2010 national distinguished principal of the year for Kansas by the national association of elementary school principals and the 2009 Kansas distinguished principal of the year by the Kansas association of elementary school principals; and

WHEREAS, Mr. Duffy earned his bachelor of arts degree from Bethany College and his master of science degree in education from the University of Kansas; and

WHEREAS, Mr. Duffy retired at the end of the 2010-2011 school year. Before his retirement, Mr. Duffy served as an educator in Kansas for 34 years: Sixteen years as a physical education teacher and 18 years as a principal; and

WHEREAS, As principal of Hesston Elementary School, Mr. Duffy oversaw a sweeping reorganization of the daily schedule at his small-town school. The changes provided long blocks of uninterrupted time for instruction in reading and math; the school day offered built-in time to support struggling students, minimizing transition times and providing teachers opportunities for individual and team planning; and traditional staff meetings were eliminated and replaced with staff members meeting bimonthly in Learning Teams that Mr. Duffy spearheaded, which provided teachers with the opportunity to collaborate and experiment with research-based best practices in instruction. Mr. Duffy also established a building leadership team, which includes teachers from all grade levels, and played an instrumental role in creating a professional learning community among the staff; and

WHEREAS, Since the state has been giving its current state assessments, Hesston Elementary School has achieved standard of excellence awards for every grade in every subject, except one class, and 90% of students of Hesston Elementary School have consistently scored at standard or above; and

WHEREAS, Each year, the national association of elementary school principals congratulates principals from across the nation for their exemplary achievements, by recognizing them in its national distinguished principals program. The national

distinguished principals program honors outstanding elementary and middle-level administrators who ensure that America's children acquire a sound foundation for lifelong learning and achievement. The program was established in 1984 to recognize and celebrate elementary and middle-level principals who set high standards for instruction, student achievement, character and climate for the students, families and staffs in their learning communities; and

WHEREAS, Public school elementary and middle-level principals are nominated for this achievement by peers in their state and final selections are made by committees appointed by each of the national association of elementary school principals' state affiliate offices: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Mr. Patrick Duffy upon his selection as 2010 national distinguished principal of the year for Kansas by the national association of elementary school principals and the 2009 Kansas distinguished principal of the year by the Kansas association of elementary school principals; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled
On emergency motion of Senator McGinn **SR 1827** was adopted unanimously.

Senator McGinn introduced and congratulated Patrick Duffy for being named the 2010 National Distinguished Principal of the Year for Kansas and the 2009 Kansas Distinguished Principal of the Year by the National and Kansas Associations of Elementary School Principals. His wife, Pam Duffy, Darrel and Mary Anna Kellerman, retired Hesston superintendent and his wife, and Representative Don Schroeder were also introduced. The Senate recognized Patrick Duffy with a standing ovation.

Senator McGinn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1828—

A RESOLUTION congratulating and commending Mr. Larry Thompson, Jr.

WHEREAS, Larry Thompson, Jr. was named 2011 MetLife principal of the year by the Kansas Association of Secondary School Principals; and

WHEREAS, Mr. Thompson earned his associate's degree from Garden City Community College, his bachelor's degree from the University of Nebraska-Omaha and his master's degree from the Southwestern Oklahoma State University; and

WHEREAS, Mr. Thompson has served as an educator for 23 years: Four years as a social studies teacher in schools in the states of Georgia and Nebraska, four years as a special education teacher at Newton High School, six years as principal for Eby Learning Center on the campus of United Methodist Youthville in Newton, Kansas, and nine years as principal at Hesston High School; and

WHEREAS, Mr. Thompson has been a leader in education for his students, staff and community. As principal of Hesston High School, Mr. Thompson instituted an effective school discipline program, emphasizing prevention while building strong relationships with students. The effective school discipline program is used in hundreds of Kansas schools across the nation. In Hesston High School, the effective school discipline program not only taught staff how to interact tactfully and professionally with students, but also strengthened the staff's ability to interact with one another. Mr. Thompson utilized the building leadership team to promote collaboration to support academic and

behavioral initiatives. By using collaborative processes, Mr. Thompson and the building leadership team developed a tiered intervention system to support the learning needs of students who were struggling with reading skills. Mr. Thompson spearheaded the one-to-one laptop program for high school students. As the lead person in this effort, Mr. Thompson worked together with a team of eight to set an improved vision for integrating technology and learning; and

WHEREAS, The MetLife/NASSP National Principal of the Year program began in 1993 as a means to recognize outstanding middle level and high school principals. The program annually honors secondary school principals who have succeeded in providing high-quality learning opportunities for students as well as demonstrating exemplary contributions to the profession; and

WHEREAS, Each of the 50 states, the District of Columbia and the Department of Defense Education Activity select one middle level and one high school principal to represent their state for this honor: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Mr. Larry Thompson, Jr. upon his selection as 2011 MetLife principal of the year by the Kansas Association of Secondary School Principals; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator McGinn.

On emergency motion of Senator McGinn **SR 1828** was adopted unanimously.

Senator McGinn introduced and congratulated Larry Thompson for being named the 2011 MetLife Principal of the Year by the Kansas Association of Secondary School Principals. Also in attendance were his wife, Angela Thompson, Darrel Kellerman and Mary Anna Kellerman, retired Hesston superintendent and his wife, and Representative Don Schroeder. The Senate recognized Larry Thompson with a standing ovation.

REPORT ON ENROLLED BILLS

SB 272, SB 289 reported correctly enrolled, properly signed and presented to the governor on March 2, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **HB 2430** be amended on page 1, in line 12, by striking "(1)"; in line 13, by striking "through school year"; also in line13, by striking "2014-2015" and inserting "or each school year thereafter"; by striking all in lines 16 through 19; and the bill be passed as amended.

Committee on **Ways and Means** recommends **HB 2429** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Tuesday, March 6, 2012.

Journal of the Senate

THIRTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 6, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-seven senators present.
Senators Abrams, Masterson and V. Schmidt were excused.

Invocation by Chaplain Fred S. Hollomon:
Heavenly Father,

Can one still make a difference?

One Senator hoped to make a difference,
The first time that one ran.
There were things that needed changing,
And one came with a plan.

But it only took one session
For reality to set in.
One only has one vote to cast,
And it takes twenty-one to win!

Even if both houses pass it,
The Governor may not like it,
And it only takes one stroke
Of his veto pen to strike it.

But hopefully the shock wears off
And one comes to realize
That numbers don't always measure
One person's influence size.

How one conducts one's self
Has a lot to do
With how much influence one can have
Before one's term is through.

Maintaining one's integrity
Wins one great respect.
And makes one's single vote
Have a lot more effect.

And once they begin to see
 The power of prayer unfold,
 The impact of one's influence
 Is something to behold!

So to keep one from discouragement,
 Show how it's not odd
 How one can make a difference
 When that one connects with God!

I pray in the name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator Faust-Goudeau rose on a Point of Personal Privilege to introduce and welcome Dr. Mildred Edwards, Wilma Moore-Black, Dr. Alan D'souza, Kaye Monk-Morgan, Dr. Deltha Q. Colvin and Frances Ervin who are members of the Trio Program in Wichita and were visiting the capitol.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

SB 454, AN ACT concerning firearms; relating to the personal and family protection act; definition of firearm; criminal possession of a firearm by a convicted felon; expungement; amending K.S.A. 2011 Supp. 12-16,124, 21-5111, 21-6304, 21-6614, 75-7c03, 75-7c04, 75-7c05, 75-7c07 and 75-7c25 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b and 21-6614c, by Committee on Federal and State Affairs.

SB 455, AN ACT concerning state senate districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-4,451, 4-4,452, 4-4,453, 4-4,454, 4-4,455, 4-4,456, 4-4,457, 4-4,458, 4-4,459, 4-4,460, 4-4,461, 4-4,462, 4-4,463, 4-4,464, 4-4,465, 4-4,466, 4-4,467, 4-4,468, 4-4,469, 4-4,470, 4-4,471, 4-4,472, 4-4,473, 4-4,474, 4-4,475, 4-4,476, 4-4,477, 4-4,478, 4-4,479, 4-4,480, 4-4,481, 4-4,482, 4-4,483, 4-4,484, 4-4,485, 4-4,486, 4-4,487, 4-4,488, 4-4,489, 4-4,490, 4-4,491, 4-4,492 and 4-4,493, by Committee on Federal and State Affairs.

SENATE CONCURRENT RESOLUTION No. 1616—

By Senators Brungardt, Abrams, Apple, Bruce, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil and Wagle

A CONCURRENT RESOLUTION in support of the Native Nations
 Law Symposium and urging the Governor to declare a "Tribal Law Day."

WHEREAS, On September 14, 2012, the Kickapoo Tribe in Kansas, the Iowa Tribe of Kansas and Nebraska, the Prairie Band Potawatomi Nation and the Sac and Fox

Nation of Missouri in Kansas and Nebraska will host the 12th annual Native Nations Law Symposium; and

WHEREAS, The Native Nations Law Symposium is the longest-running law symposium of its type hosted, organized and conducted by tribal nations in the United States; and

WHEREAS, The Native Nations Law Symposium will strengthen tribal courts and institutions and promote education on important legal issues, including issues pertinent to the State of Kansas, the sponsoring tribal nations and, more broadly, Indian country throughout the United States; and

WHEREAS, The State of Kansas and the sponsoring tribal nations have a vested interest in the participation and attendance of area attorneys, judges, law students, elected officials and the general public at the Native Nations Law Symposium: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That we recognize the importance of the Native Nations Law Symposium and its positive impact upon the State of Kansas, the sponsoring tribal nations and Indian country throughout the United States; and

Be it further resolved: That we urge the Governor to declare September 14, 2012, to be "Tribal Law Day."

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to Committees as indicated:

Federal and State Affairs: **SB 452**.

Judiciary: **SB 453**; **SCR 1615**.

Transportation: **SB 451**.

CHANGE OF REFERENCE

The President withdrew **SB 311** from the Calendar under the heading of General Orders, and rereferred the bill to the Committee on **Ways and Means**.

The President withdrew **SB 153** from the Committee on **Financial Institutions and Insurance**, and referred the bill to the Committee on **Education**.

COMMUNICATIONS FROM STATE OFFICERS

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

March 2, 2012

Bob Jurgens, Chief, Assessment and Restoration Section, Bureau of Environmental Remediation, on behalf of the Treece Relocation Assistance (TRA) Trust provided the Treece Relocation Assistance Project Monthly Expenditure/Income Report for the January 2012 Reporting Period in accordance with KSA 49-512(h).

The President announced the above report is on file in the office of the Secretary of the Senate and is available for review at any time.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator King introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1829—

A RESOLUTION congratulating the Sedan High School Blue Devils for winning the 2011 class 2A-1A state baseball tournament.

WHEREAS, The Sedan High School Blue Devils claimed the state championship trophy during the class 2A-1A state baseball tournament held in Emporia, Kansas on May 28, 2011; and

WHEREAS, It was the school's second state title in baseball and first since 1973 when Sedan won the state championship under Hall of Fame Coach Les Davis; and

WHEREAS, The Blue Devils' first game at state came from two runs down in the bottom of the ninth to defeat Flinthills High School 7-6. Then, in a championship game, the Blue Devils scored four runs in the bottom of the eighth to beat St.-Mary's-Colgan Panthers, ending the Panthers' seven-year reign as 2A-1A baseball champions; and

WHEREAS, The Sedan Blue Devils broke numerous records in their perfect 26-0 baseball season, including: Highest team batting average of .423, most hits in a season by an individual, most hits in a season by the team, most runs batted in during a season by an individual, most runs batted in during a season by the team, most home runs in a season by an individual, most home runs in a season by the team, most runs scored in a season by an individual, most runs scored in a season by the team, most stolen bases by the team, most doubles by an individual, most doubles by the team, most singles in a season by the team, most sacrifices in a season by an individual, most sacrifices in a season by the team and highest on-base percentage by the team; and

WHEREAS, The victorious Blue Devil team members are: Brady McCoy, Casey Holt, Kolby Gorby, Andrew Bell, Sam Powell, Shon Pinard, Tim Walther, Zachary Ford, Trae Smith, Junior Austin Rees, Nick Kimple, Jacob Chrisman, Zane Mills, Michael Cunningham, Brace Unruh, Manager Zach Chrisman, Manager Kory Miller, Statistician Kyle Williams, Coach Rich Chrisman and Coach Mick Holt: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate the Sedan High School Blue Devils for winning the 2011 class 2A-1A state baseball tournament; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator King.

On emergency motion of Senator King **SR 1829** was adopted unanimously.

Senator King introduced and congratulated the Sedan High School boy's baseball team for winning the 2011 class 2A-1A state baseball tournament. The following team members in attendance were Brady McCoy, Kolby Gorby, Andrew Bell, Casey Holt, Shon Pinard, Sam Powell and Trae Smith. Also in attendance were Rich Chrisman, Mick Holt, coaches; Korey Miller, Zach Chrisman, managers and Kyle Williams, statistician. The Senate acknowledged the team's achievement with a standing ovation.

Senator Schodorf also extended her congratulations to the team and noted that she was present and observed the excitement of parents and citizens upon their return to Sedan.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2588** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Also, **HB 2502**, as amended by House Committee, be amended on page 1, in line 35, by striking all after "a"; by striking all in line 36;

On page 2, by striking all in lines 1 and 2; in line 3, by striking all before "shall" and inserting "business entity authorized and regulated under Kansas law to form a dairy production facility"; also in line 3, by striking ", either"; in line 4, by striking "directly or indirectly,"; in line 15, by striking all after "a"; by striking all in lines 16 through 18 and inserting "business entity authorized and regulated under Kansas law to form a dairy production facility"; in line 19, by striking the first ", either directly or indirectly,"; in line 21, by striking all after the question mark; by striking all in lines 22 and 23; in line 24, by striking all before the quotation mark;

On page 4, in line 27, by striking all after "a"; by striking all in lines 28 through 30; in line 31, by striking all before "shall" and inserting "business entity authorized and regulated under Kansas law to form a swine production facility"; also in line 31, by striking the second comma; in line 32, by striking "either directly or indirectly,"; in line 43, by striking all after "a";

On page 5, by striking all in lines 1 through 3; in line 4, by striking all before "be" and inserting "business entity authorized and regulated under Kansas law to form a swine production facility"; also in line 4, by striking ", either directly or indirectly,"; in line 6, by striking all after the question mark; by striking all in lines 7 and 8; in line 9, by striking all before the quotation mark; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **Substitute for SB 71** be amended on page 2, in line 14, by striking "single premium"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2412**, as amended by House Committee, be passed.

Committee on **Transportation** recommends **HB 2557**, as amended by House Committee, be amended on page 2, in line 9, after "registration" by inserting "and commercial vehicle"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **HB 2624** be passed.

Also, **SB 436** be amended on page 1, in line 8, after "Section 1." by inserting:

"K.S.A. 2011 Supp. 40-3213 is hereby amended as follows: 40-3213. (a) Every health maintenance organization and medicare provider organization subject to this act shall pay to the commissioner the following fees:

(1) For filing an application for a certificate of authority, \$150;

(2) for filing each annual report, \$50;

(3) for filing an amendment to the certificate of authority, \$10.

(b) Every health maintenance organization subject to this act shall pay annually to the commissioner at the time such organization files its annual report, a privilege fee in an amount equal to 1% per annum of the total of all premiums, subscription charges or any other term which may be used to describe the charges made by such organization to enrollees. In such computations all such organizations shall be entitled to deduct therefrom any premiums or subscription charges returned on account of cancellations and dividends returned to enrollees. If the commissioner shall determine at any time

that the application of the privilege fee would cause a denial of, reduction in or elimination of federal financial assistance to the state or to any health maintenance organization subject to this act, the commissioner is hereby authorized to terminate the operation of such privilege fee.

(c) For the purpose of insuring the collection of the privilege fee provided for by subsection (b), every health maintenance organization subject to this act and required by subsection (b) to pay such privilege fee shall at the time it files its annual report, as required by K.S.A. 40-3220, and amendments thereto, make a return, generated by or at the direction of its chief officer or principal managing director, under penalty of K.S.A. 2011 Supp. 21-5824, and amendments thereto, to the commissioner, stating the amount of all premiums, assessments and charges received by the health maintenance organization, whether in cash or notes, during the year ending on the last day of the preceding calendar year. Upon the receipt of such returns the commissioner of insurance shall verify the same and assess the fees upon such organization on the basis and at the rate provided herein and such fees shall thereupon become due and payable.

(d) Premiums or other charges received by an insurance company from the operation of a health maintenance organization subject to this act shall not be subject to any fee or tax imposed under the provisions of K.S.A. 40-252, and amendments thereto.

(e) Fees charged under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, except as provided by K.S.A. 65-180, and amendments thereto, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

Sec. 2. ";

On page 4, in line 6, by striking all after "the"; by striking all in lines 7 and 8; in line 9, by striking all before the period and inserting "portion of such amount that is necessary to fund the newborn screening program for the preceding month as certified by the secretary of health and environment or the secretary's designee, to the newborn screening fund, except that such amount shall not exceed the amount to be credited to the state general fund pursuant to K.S.A. 40-3213, and amendments thereto";

And by renumbering sections accordingly;

Also on page 4, in line 10, after "Supp." by inserting "40-3213 and"; by striking "is" and inserting "are";

On page 1, in the title, in line 4, after "Supp." by inserting "40-3213 and"; in line 5, by striking "section" and inserting "sections"; and the bill be passed as amended.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Wednesday, March 7, 2012.

Journal of the Senate

THIRTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 7, 2012, 2:30 p.m.

The Senate was called to order by Vice President John Vratil.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Research has discovered some basic principles which underlie the thinking of our founding fathers.

Here are quotes from seven of our founders which reveal their principles involving government...

God guides and controls the universe and the affairs of mankind.

God has revealed His truth through the Scriptures.

God has ordained human government to restrain the sinful nature of humanity.

Governments are formed by covenant or compact of the people in order to safeguard human rights.

Governments have only such powers as are delegated to them by the people.

The best way to prevent governments from usurping power is to separate powers and functions into legislative, executive, and judicial branches.

Human nature being what it is, a free enterprise economy is the best way to give people an incentive to produce and develop national prosperity.

Thank You, Lord, for calling men as founders of our nation who adhere to the principles that are either derived from or compatible with the Bible.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by Vice President John Vratil.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 456, AN ACT concerning municipalities; creating the municipality infrastructure improvement program; amending K.S.A. 2011 Supp. 74-8768 and repealing the existing section, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to Committees as indicated:

Federal and State Affairs: **SB 454**.

Reapportionment: **SB 455**.

Committee of the Whole: **SCR 1616**.

CHANGE OF REFERENCE

The Vice President withdrew **Sub HB 2159** from the Committee on **Public Health and Welfare** and referred the bill to the Committee on **Public Health and Welfare** (Separately) and the Committee on **Financial Institutions and Insurance** (Separately).

MESSAGE FROM THE GOVERNOR

March 5, 2012

Senate Bill 272 approved March 5, 2012

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2396, HB 2550, HB 2743**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2396, HB 2550, HB 2743 were thereupon introduced and read by title.

CONFIRMATION OF APPOINTMENTS

In accordance with Senate Rule 56, the following appointments, submitted by the Governor to the senate for confirmation, were considered.

By the Governor:

On the appointment to the:

University of Kansas Hospital Authority:

Alex Ammar, term expires March 15, 2014.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

By the Governor:

On the appointment to the:

University of Kansas Hospital Authority:

Greg Graves, term expires March 15, 2015.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco,

Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

By the Governor:

On the appointment to the:

University of Kansas Hospital Authority:

Sharon Lindenbaum, term expires March 15, 2015.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

FINAL ACTION ON CONSENT CALENDAR

HB 2535 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, was considered on final action.

HB 2535, AN ACT concerning the prisoner review board; updating references and corresponding changes due to the transfer of authority from the Kansas parole board to the prisoner review board; amending K.S.A. 22-3706, 22-3709, 22-3710, 22-3711, 22-3712, 22-3713, 22-3718, 22-3719, 22-3720, 22-3722, 22-3726, 22-4111, 60-4305, 74-7320, 74-7321, 74-9102 and 75-5202 and K.S.A. 2011 Supp. 12-4516, 19-4804, 21-6603, 21-6606, 21-6609, 21-6614, 21-6803, 22-3701, 22-3717, 22-3728, 22-3729, 22-4701, 59-29a02, 74-4911f, 74-9101, 75-4318, 75-4319, 75-5210a, 75-5217, 75-5266, 77-421 and 77-603 and repealing the existing sections; also repealing K.S.A. 22-3707a and 22-3708 and K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c and 22-3707.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator McGinn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1830—

A RESOLUTION recognizing the need to protect animals and children from the danger of antifreeze poisoning.

WHEREAS, For six wonderful years, Nikko, a Shiba Inu, and Aaron Coash, a 12-year-old Kansas boy were best friends. They competed in dog shows together and brought happiness to older adults in nursing homes. However, one day when Aaron returned home from school, Nikko was not there to greet him. The dog had wandered off on an ill-fated adventure and ended up drinking antifreeze. Nikko's health quickly declined and after a week of pain due to the antifreeze poisoning, the dog died; and

WHEREAS, Antifreeze poisoning kills an estimated 10,000 animals and more than a thousand children each year, according to the Humane Society of the United States. The main component of antifreeze is ethylene glycol, which tastes sweet and attracts pets and children. The poison attacks the kidneys and by the time symptoms are evident, the kidneys are already failing. A mere teaspoon of antifreeze can kill a small dog; and

WHEREAS, In order to protect children and pets, 17 states in the U.S. (Arizona, California, Georgia, Illinois, Maine, Maryland, Massachusetts, New Jersey, New Mexico, Oregon, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia and Wisconsin) have signed into law or enacted law requiring the addition of a bittering agent to antifreeze; and

WHEREAS, The addition of a bittering agent such as denatonium benzoate would render engine coolants and antifreeze bitter-tasting and unpalatable; and

WHEREAS, Consumers are often not aware that in some states bulk sales of antifreeze are not required to have a bittering agent. This means that a trip to the local refueling station will bring home untreated antifreeze. The bittering agent, denatonium benzoate, adds only a minimal cost increase to manufacturers, about two to three cents per bottle; and

WHEREAS, Aaron Coash has requested a bill for introduction in the Kansas legislature that would require all antifreeze sold in the state of Kansas to contain a chemical that turns its sweet taste bitter. He is calling it Nikko's law, in honor of his dog: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the need to protect animals and children from the danger of antifreeze poisoning and commend Aaron Coash for his efforts in proposing Nikko's law; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator McGinn.

On emergency motion of Senator McGinn **SR 1830** was adopted unanimously.

Senator McGinn introduced senate page Aaron Coash, who was recognized for his proposal of Nikko's law, in honor of his dog.

Senators Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Kelly, Kelsey, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger and Vratil introduced the following senate resolution which was read:

SENATE RESOLUTION No. 1831—

A RESOLUTION requesting that Governor Sam Brownback, the Secretary for Aging and Disability Services, the Department for Aging and Disability Services, the Secretary of Health and Environment and the Department of Health and Environment delay the implementation of the statewide KanCare program until July 1, 2013.

WHEREAS, Delay until July 1, 2013, will allow Governor Brownback's administration to receive necessary stakeholder and public input on the implementation of the KanCare program by Managed Care Organizations; and

WHEREAS, Such delay will allow the appropriate state agencies the opportunity to determine whether the state of Kansas home and community based service programs, especially the services for the developmentally disabled, and community mental health programs should be included within the KanCare program; and

WHEREAS, Such delay will give more time for the members of the Kansas Legislature to study and determine, during the interim period after the 2012 regular session, the 2013 regular session and the interim period after the 2013 regular session, how medical care and long-term services and supports should be administered to low-income, the disabled and the elderly citizens of our state; and

WHEREAS, Such delay will give more time for the members of the Kansas Legislature to study and determine, during the interim period after the 2012 regular session, the 2013 regular session and the interim period after the 2013 regular session, how the proposed KanCare program would affect the operation of hospitals, pharmacies, doctors, dentists, nursing homes and long-term care providers in rural Kansas communities; and

WHEREAS, Such delay will give more time for the members of the Kansas Legislature to study and determine, during the interim period after the 2012 regular session, the 2013 regular session and the interim period after the 2013 regular session, how the proposed KanCare program would affect the operation of all hospitals and adult care facilities throughout Kansas; and

WHEREAS, Such delay will allow the members of the Kansas Legislature the opportunity, during the interim period after the 2012 regular session, the 2013 regular session and the interim period after the 2013 regular session, to gather information on proposed KanCare programs, hold important committee meetings and provide oversight on the KanCare program so that appropriate case management practices are employed to ensure proper medical and long-term care decisions are made; and

WHEREAS, Such delay will allow the members of the Kansas Legislature and the Kansas Commissioner of Insurance and Insurance Department sufficient time to review and assess the pending United States Supreme Court ruling on the constitutionality of the Patient Protection and Affordable Care Act, 124 Stat. 119 through 124 Stat. 1025, and to determine how the ruling will impact the implementation and operation of the KanCare program in Kansas; and

WHEREAS, Such delay will allow all appropriate state agencies to obtain required federal waivers, to write appropriate implementation plans, and to communicate these implementation plans to the thousands of service providers and consumers of services in Kansas; and

WHEREAS, Such delay will allow the members of the Kansas Legislature the opportunity to ensure that the thousands of medical and long-term care providers under

the state Medicaid plan have been properly trained to carry out the implementation and day-to-day requirements of the KanCare program and further ensure that the Managed Care Organizations in KanCare have put in place adequate procedures to ensure proper timing in the billing of claims and that timely payments to all providers have been made and properly accounted for: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we urge Governor Sam Brownback, the Secretary for Aging and Disability Services, the Department for Aging and Disability Services, the Secretary of Health and Environment and the Department of Health and Environment and all other appropriate state agencies to delay the implementation of the statewide KanCare program until July 1, 2013, in order to ensure that all participants and enrollees will continue receiving quality services under Medicaid programs and to ensure that all providers operate in a most efficient system; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the Governor of the State of Kansas, the Secretary for Aging and Disability Services and the Secretary of Health and Environment.

REPORT ON ENROLLED BILLS

SR 1827, SR 1828, SR 1829 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 7, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **SB 431** be passed.

Committee on **Transportation** recommends **HB 2599**, as amended by House Committee; **HB 2612** be passed.

Also, **HB 2509** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Ways and Means** recommends **HB 2461**, as amended by House Committee of the Whole, be amended on page 3, in line 32, after "fund." by inserting "The 15% limitation contained in this subsection shall not have been violated if the total of such alternative investments exceeds 15% of the total investment assets of the fund, based on the fund total market value, as a result of market forces acting to increase the value of such alternative investments relative to the rest of the system's investments. However, the board shall not invest or reinvest any moneys of the fund in alternative investments until the total value of such alternative investments is less than 15% of the total investment assets of the fund based on the market value. If the total value of the alternative investments exceeds 15% of the total investment assets of the fund, the board shall not be required to liquidate or sell the system's holdings in any alternative investment held by the system, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and is prudent under the standards contained in this section."; and the bill be passed as amended.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Taddiken in the chair.

On motion of Senator Taddiken the following report was adopted:

Recommended **SB 353; HB 2484, HB 2569, HB 2624** be passed.

Sub SB 71; SB 250, SB 413, SB 438 be amended by the adoption of the committee amendments, and the bills be passed as amended.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Emler an emergency was declared by a 2/3 constitutional majority, and **Sub SB 71; SB 250, SB 353, SB 413, SB 438; HB 2484, HB 2569** and **HB 2624** were advanced to Final Action and roll call.

Sub SB 71, AN ACT concerning insurance; pertaining to line of insurance and reporting requirements; pertaining to fingerprints and criminal record checks for certain insurance agents and public adjusters; amending K.S.A. 2011 Supp. 40-4903, 40-4905, 40-5504 and 40-5505 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed, as amended.

SB 250, AN ACT pertaining to the continuation of health insurance for firefighters.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. VICE PRESIDENT: On behalf of the fallen firefighters and their families of the State of Kansas, I vote YES on **SB 250**. – OLETHA FAUST-GOUDEAU

MR VICE PRESIDENT: I support **SB 250** because of the clear message it sends to our firefighters and their families in the case the firefighter is killed or dies in the Line of Duty. This bill provides an essential bridge in family health coverage by continuing that coverage for up to eighteen months. I understand this is an unfunded mandate for municipalities and have discussed this with several city leaders and the League of Municipalities and have received the support from most, since we reduced the coverage from five years to eighteen months and as only four firefighters have died in the Line of Duty in Kansas in nearly ten years. Mr. Vice President, this type of support for the families of those fallen in the line of duty represents a small price for us but a huge support to those who serve us as firefighters. – ALLEN C. SCHMIDT

SB 353, AN ACT concerning barbers; relating to the powers of the board; fees; licensure; amending K.S.A. 65-1819 and 65-1820a and K.S.A. 2011 Supp. 65-1817 and 65-1824 and repealing the existing sections.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Masterson, McGinn, Morris, Olson, Ostmeyer, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil.

Nays: Marshall, Merrick, Pilcher-Cook, Pyle, Wagle.

The bill passed.

SB 413, AN ACT concerning employment; creating the professional employer organization registration act.

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

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Ostmeyer, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Olson, Pilcher-Cook.

The bill passed, as amended.

SB 438, AN ACT concerning the state directory of new hires; relating to information submitted by employers; amending K.S.A. 2011 Supp. 75-5743 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2484, AN ACT concerning civil procedure; relating to depositions; amending K.S.A. 2011 Supp. 60-228 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2569, AN ACT concerning public records; relating to legislative review of exceptions to disclosure; amending K.S.A. 2011 Supp. 45-229 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2624, AN ACT concerning counties; relating to oil and gas valuation depletion; distribution of trust fund moneys; administrative fee; amending K.S.A. 2011 Supp. 19-101a and 79-4231 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Thursday, March 8, 2012.

Journal of the Senate

FORTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 8, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-eight senators present.
Senators Merrick and Schodorf were excused.

The President introduced guest chaplain, Military Chaplain Major Lawrence Dabeck, Fort Leavenworth, Kansas, who delivered the invocation.

Almighty God, You are the Father of lights, with whom there is no variation or shifting shadow. You are the One eternal constant and You change not.

But not so with us Lord. We are pulled this way and that. We are daily beset by forces from without and by frailties from within. We come to You to make us steady. Ground us today Lord in this great chamber to be steady in our convictions and to be constant in our compassion. Help us to season justice with mercy. In short, help us to be like Your Son the Lord Jesus Christ.

We come to You this afternoon with empty hands. We cannot do this thing for ourselves, for, "who is sufficient for these things?" Surely not us. Steady our boat in the midst of our storms; command again to the wind and the waves, "Peace, be still," and thanks be to God who gives us the victory through our Lord Jesus Christ, in whose name we ask for Your peace, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator Kultala rose on a Point of Personal Privilege to introduce the guest chaplain, Major Lawrence Dabeck's wife, Cathy and son, John, who were also in attendance. Senator Kultala presented Major Dabeck a plaque in recognition for serving as a chaplain today and a reflection of his military service. The Senate welcomed him with a standing ovation.

Senator Morris introduced Carly and Kendall Smith, who were paging today for Senator Reitz. They are the granddaughters of the Secretary of the Senate, Pat Saville.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

SENATE CONCURRENT RESOLUTION No. 1617—

By Senators Holland, Faust-Goudeau, Francisco, Haley, Hensley and Steineger

A CONCURRENT RESOLUTION urging congress to pass an amendment to the United States constitution to abolish corporate personhood.

WHEREAS, Government was established to provide a social contract between naturally born persons; and

WHEREAS, The founders of the republic and the signers of the United States constitution clearly and emphatically intended freedom of speech to mean freedom to communicate with and by naturally born persons either directly or through the free press; and

WHEREAS, Free and fair elections are essential to democracy and effective self-governance; and

WHEREAS, Corporations are entirely human-made legal fictions created by the express permission of the citizens of this country and its government; and

WHEREAS, Corporations can exist in perpetuity, can exist simultaneously in many nations, need only profit for survival and exist solely through the legal charter imposed by the government; and

WHEREAS, Corporations are not mentioned in the United States constitution, have never been granted constitutional rights nor have ever been granted authority that exceeds that of the citizens of this country; and

WHEREAS, The United States Supreme Court ruled on January 21, 2010, in *Citizens United v. Federal Election Commission*, that corporations have the same first amendment rights as naturally born persons, and that corporations can spend unlimited amounts of money on elections; and

WHEREAS, Large corporations have used their so-called rights to overturn democratically enacted laws passed at municipal, state and federal levels aimed at curbing corporate abuse, thus rendering local governments ineffective in protecting citizens against corporate harms to the environment, to health, to workers, to independent business and to local and regional economies; and

WHEREAS, There is an unequal playing field that allows corporations to spend without limit to influence elections, candidate selection and policy decisions and to sway votes; and

WHEREAS, Large corporations own most of America's mass media and use that media as a megaphone to loudly express such corporations' political agenda and to convince the citizens of this country that the citizen's role is that of consumer, rather than a sovereign citizen with rights and responsibilities within our democracy, and this forces citizens to toil to discern the truth behind headlines and election campaigning; and

WHEREAS, The United States Supreme Court is misguided in principle, and wrong on the law, because in a democracy the people rule: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives

concurring therein: That congress is hereby urged to immediately transmit to the several states for ratification an amendment to the United States constitution to abolish corporate personhood by establishing that the term "person" refers only to naturally born persons, returning our democracy, our elections and our communities to America's naturally born persons, thus reclaiming our sovereign right to self-governance; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to each member of the Kansas Congressional Delegation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to Committees as indicated:

Federal and State Affairs: **HB 2550.**

Judiciary: **HB 2396.**

Public Health and Welfare: **SR 1831.**

Ways and Means: **SB 456; HB 2743.**

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators A. Schmidt, Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1832—

A RESOLUTION designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice by those in the United States Armed Forces who have given their lives in the line of duty.

WHEREAS, While war deaths have been a part of our heritage since the birth of this nation, the United States has not instituted an official symbol commemorating fallen servicepersons; and

WHEREAS, The Honor and Remember Flag, created by Honor and Remember, Inc., is officially recognized to honor fallen members of the United States Armed Forces; and

WHEREAS, The Honor and Remember Flag's red field represents the brave men and women who sacrificed their lives for freedom. The flag's blue star is a symbol of active service in military conflict that dates back to World War I. The flag's white border recognizes the purity of sacrifice. The flag's gold star signifies the ultimate sacrifice of a warrior in active service who is not returning home and reflects the value of the life given. The folded flag element highlights this nation's final tribute to a fallen serviceperson and a family's sacrifice. The flag's flame symbolizes the eternal spirit of the departed; and

WHEREAS, The Honor and Remember Flag recognizes all individuals who have died as a result of serving in the United States military dating back to the founding of our nation. The flag serves as a symbol of national gratitude for the hundreds of thousands of brave American men and women who made the ultimate sacrifice to preserve the freedoms we enjoy; and

WHEREAS, The Honor and Remember Flag is a unifying symbol recognizing this nation's solemn debt to the estimated 1.6 million fallen service persons throughout history and the families and communities who mourn their loss: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we designate the Honor and Remember Flag as the State of Kansas' emblem of service and sacrifice by the brave men and women of the United States Armed Forces who have given their lives in the line of duty; and

Be it further resolved: That the Secretary of the Senate shall send fifteen enrolled copies of this resolution to Senator A. Schmidt.

On emergency motion of Senator A. Schmidt **SR 1832** was adopted unanimously.

Senator A. Schmidt made the following remarks:

Today in our presence are the family members of our brothers and sisters who have given their lives in service to our Nation. We have had several occasions to honor such service in this chamber and to show our deep respect and sense of honor for their service and sacrifice as well as the sacrifice of their families. Today we honor their service and sacrifice by adopting a symbol known as the Honor And Remember Flag as the Kansas emblem for their sacrifice. A replica of that flag is on your desk. It has already been endorsed by Vietnam Veterans of America, the Air Force Association, the Association of the US Army, Association of the US Navy, Military Officers Association of America, American Gold Star Mothers, Bugles Across America, the Retired Enlisted Association, Son's of the American Revolution National Society, and many more. This morning the Kansas House adopted the Flag on a unanimous vote. If we adopt this flag today we will be the 10th state to do so.

The flag was designed by George Lutz, Gold Star father of Corporal Anthony Lutz II who gave his life in Fallujah, Iraq. George has traveled the country with this symbol and his message. If I can quote from his comments to the Governor this morning, "The Honor and Remember Flag is a symbol of gratitude when there are no words to say. It replaces no other flag and it flies below any flag that it flies with because it is the foundation of all service – love of country." Not much more needs to be said, so let me introduce the Gold Star Family members, those who have lost loved ones in service to our nation: Fellow Senators, I would like to introduce the family members who we refer to as GOLD STAR mothers, fathers, grandparents of our fallen Veterans.

Dennis and Betty Wright, Gold Star Parents of Private Shawn Wright, Diana Pitts and Kathie Echols, Gold Star mother and grandmother of Corporal David Unger, Sun Rodgers, Gold Star mother of Sergeant Ricky Rodgers, Amber Mena, wife of Sergeant Ralph Mena, Anita Dixon, Gold Star mother of Sergeant Evan Parker, and Belinda Paauwe, Gold Star mother of Sergeant Michael Paauwe.

I would also like to point out other veterans and members of the Patriot Guard who often escort our fallen members of the military on their final journey to their resting place. Our humble thanks to them and to all our Gold Star Families with us here today.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2422, HB 2481**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2422, HB 2481 was thereupon introduced and read by title.

REPORT ON ENGROSSED BILLS

Sub SB 71 reported correctly engrossed March 7, 2012.

SB 250, SB 413, SB 438 reported correctly engrossed March 8, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **HB 2618** be passed.

Also, **HB 2507** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Ways and Means** recommends **SB 311**, be amended as recommended by the Senate Committee on Ways and Means as reported in the Journal of the Senate on February 10, 2012, and the bill, as printed with amendments by Senate Committee, be further amended on page 8, in line 26, after "fund" by inserting "account"; in line 35, after "fund" by inserting "account"; in line 38, after "fund" by inserting "account"; in line 40, after "fund" by inserting "account"; in line 41, by striking "for a competitive grant program"; by striking all in lines 42 and 43;

On page 9, by striking all in lines 1 through 10; and inserting "made to participate in air passenger service support agreements with the growth organization of Topeka/Shawnee county, inc., and airlines providing air passenger service at Topeka forbes field airport, related to any quarter during fiscal year 2012 when flights provided by an airline that is a party to an air passenger service support agreement are filled to less than 70% of capacity, or as determined under a formula finalized and agreed upon by the growth organization of Topeka/Shawnee county, inc., in such support agreements: *Provided however*, That no expenditures shall be made from the air service incentive fund account unless the growth organization of Topeka/Shawnee county, inc., has made payments to such airlines for such purpose of \$250,000 or more for fiscal year 2012: *Provided further*, That expenditures from the air service incentive fund account to such airlines for such purpose for fiscal year 2012 shall not exceed \$1,000,000: And provided further, That any unencumbered balance in the air service incentive fund account of the state economic development initiatives fund that was available to be expended during fiscal year 2012 to provide air passenger service at Topeka forbes field airport in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013, for the same use and purpose as the same was heretofore appropriated: *And provided further*, That, the growth organization of Topeka/Shawnee county, inc., shall submit an annual report to the legislature on or before January 1, 2013: *And provided further*, That during the 2013 regular legislative session such annual report shall be delivered and the growth organization of Topeka/Shawnee county, inc. shall appear in person to the house committee on economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding such annual report: *And provided further*, That the secretary of commerce shall conduct an independent review of the financial reports submitted by the growth organization of Topeka/Shawnee county, inc., as well as an analysis of the data used by the growth organization of Topeka/Shawnee county, inc.; *And provided further*, That the secretary of commerce shall submit a report and appear in person to the house committee on economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding these matters: *And provided further*, That the secretary of commerce shall develop and

implement the necessary procedures to conduct such a review."; and the bill be passed as amended.

On motion of Senator Emler, the Senate adjourned until 8:00 a.m., Friday, March 9, 2012.

Journal of the Senate

FORTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 9, 2012, 8:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-four senators present.
Senators Brungardt, Kelsey, Longbine, Masterson, V. Schmidt and Steineger were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

In the twenty-fifth chapter of Matthew we read about the judgment scene where Jesus identifies with those to whom the righteous had ministered on earth.

Perhaps if Jesus were on earth today He might put it in contemporary terms.

I was a different color and you showed me respect.
I had aids and you cared for me.
I was a battered wife and you wept with me.
I was homeless and you took me in.
I was a pregnant teenager and you prayed for me.
I was a nursing home resident and you visited me.
I was a single mother and you encouraged me.
I was unemployed and you helped me.
I was a wounded veteran and you saluted me.

Lord, may we all be found among those to whom Jesus could speak these words.

I pray in His Name. AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 457, AN ACT concerning income taxation; relating to apportionment of business income by certain taxpayers; election thereof; requirements; amending K.S.A. 2011 Supp. 79-3279 and repealing the existing section, by Committee on Ways and Means.

SB 458, AN ACT concerning income taxation; relating to income tax credit; certain bioscience companies relocating in Kansas; requirements and procedures, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to Committees as indicated:

Assessment and Taxation: **HB 2481**.

Ethics and Elections: **SCR 1617**.

Federal and State Affairs: **HB 2422**.

REPORT ON ENROLLED BILLS

SR 1830, **SR 1832** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 9, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **HB 2638**, as amended by House Committee, be amended on page 13, in line 29, by striking "years 2008 through"; also in line 29, by striking "2013" and inserting "year 2008 and subsequent rate years"; in line 34, by striking all after "rates."; by striking all in lines 35 through 40; and in line 41, by striking "rates."; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2417**, as amended by House Committee, be amended on page 5, following line 31, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 8-2,101 is hereby amended to read as follows: 8-2,101. The division of vehicles may issue a restricted class C or M driver's license in accordance with the provisions of this section. A restricted class C license issued under this section shall entitle the licensee, while possessing the license, to operate any motor vehicle in class C, as designated in K.S.A. 8-234b, and amendments thereto. A restricted class M license shall entitle the licensee, while possessing such license, to operate a motorcycle.

(a) The division may issue a restricted class C or M driver's license to any person who:

- (1) Is at least 15 years of age;
- (2) has successfully completed an approved course in driver training;
- (3) has held an instructional permit issued under the provisions of K.S.A. ~~8-239~~ 8-2,100, and amendments thereto, for a period of at least one year and has completed at least 25 hours of adult supervised driving or has obtained an instructional permit from another state or the district of Columbia which has equivalent or greater requirements; and

(4) upon the written application of the person's parent or guardian, which shall be submitted to the division.

Any licensee issued a restricted license under this subsection, shall provide prior to reaching 16 years of age, a signed affidavit of either a parent or guardian, stating that the applicant has completed the required 25 hours prior to being issued a restricted license and 25 hours of additional adult supervised driving. Of the 50 hours required by this subsection, at least 10 of those hours shall be at night. The adult supervised driving shall be conducted by an adult who is at least 21 years of age and is the holder of a valid

commercial driver's license, class A, B or C driver's license.

(b) (1) A restricted license issued under subsection (a) shall entitle a licensee who is at least 15 years of age but less than 16 years of age, to operate the appropriate motor vehicles at any time:

(A) While going to or from or in connection with any job, employment or farm-related work;

(B) on days while school is in session, over the most direct and accessible route between the licensee's residence and school of enrollment for the purposes of school attendance;

(C) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

(D) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

(2) For a period of six months, a restricted license issued under subsection (a) shall entitle a licensee who is at least 16 years of age to operate the appropriate motor vehicles at any time:

(A) From 5:00 a.m. to 9:00 p.m.;

(B) while going to or from or in connection with any job, employment or farm-related work;

(C) while going to or from authorized school activities;

(D) while going directly to or from any religious worship service held by a religious organization;

(E) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

(F) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

After such six-month period, if the licensee has complied with the provisions of this section, such restricted license shall entitle the licensee to operate the appropriate motor vehicles at any time without any of the restrictions required by this section.

(c) (1) The division may issue a restricted class C or M driver's license to any person who is under 17 years of age but at least 16 years of age, who:

(A) Has held an instructional permit issued under the provisions of K.S.A. ~~8-239~~ 8-2,100, and amendments thereto, for a period of at least one year; and

(B) has submitted a signed affidavit of either a parent or guardian, stating that the applicant has completed at least 50 hours of adult supervised driving with at least 10 of those hours being at night. The required adult supervised driving shall be conducted by an adult who is at least 21 years of age and is the holder of a valid commercial driver's license, class A, B or C driver's license.

(2) For a period of six months, a restricted license issued under subsection (c)(1) shall entitle a licensee to operate the appropriate motor vehicles at any time:

(A) From 5:00 a.m. to 9:00 p.m.;

(B) while going to or from or in connection with any job, employment or farm-related work;

(C) while going to or from authorized school activities;

(D) while going directly to or from any religious worship service held by a religious organization;

(E) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

(F) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

After such six-month period, if the licensee has complied with the provisions of this section, such restricted license shall entitle the licensee to operate the appropriate motor vehicles at any time without any of the restrictions required by this section.

(d) (1) Any licensee issued a restricted license under subsection (a):

(A) Who is less than 16 years of age shall not operate any motor vehicle with nonsibling minor passengers; or

(B) who is at least 16 years of age, for a period of six months after reaching 16 years of age, shall not operate any motor vehicle with more than one passenger who is less than 18 years of age and who is not a member of the licensee's immediate family.

(2) Any licensee issued a restricted license under subsection (c), for a period of six months after such restricted license is issued, shall not operate any motor vehicle with more than one passenger who is less than 18 years of age and who is not a member of the licensee's immediate family.

(3) Any conviction for violating this subsection shall be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto.

(e) Any licensee issued a restricted license under this section shall not operate a wireless communication device while driving a motor vehicle, except that a licensee may operate a wireless communication device while driving a motor vehicle to report illegal activity or to summons medical or other emergency help.

(f) (1) A restricted driver's license issued under this section is subject to suspension or revocation in the same manner as any other driver's license.

(2) A restricted driver's license shall be suspended in accordance with K.S.A. 8-291, and amendments thereto, for any violation of restrictions under this section.

(3) The division shall suspend the restricted driver's license upon receiving satisfactory evidence that the licensee has been involved in two or more accidents chargeable to the licensee and such suspended license shall not be reinstated for one year.

(g) Evidence of failure of any licensee who was required to complete the 50 hours of adult supervised driving under this section shall not be admissible in any action for the purpose of determining any aspect of comparative negligence or mitigation of damages.

(h) Any licensee issued a restricted license under:

(1) Subsection (a) who:

(A) Is under the age of 16 years and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's

license which is not restricted in accordance with the provisions of subsection (b)(1) until the person reaches 17 years of age;

(B) is under 17 years of age but at least 16 years of age and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(2) until the person reaches 18 years of age; or

(C) fails to provide the affidavit required under subsection (a) shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(1) until the person provides such affidavit to the division or the person reaches 17 years of age, whichever occurs first.

(2) Subsection (c) who is under the age of 17 years and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (c) until the person reaches 18 years of age.

(i) This section shall be a part of and supplemental to the motor vehicle driver's license act.";

And by renumbering sections accordingly;

Also on page 5, in line 32, after "8-247" by striking "is" and inserting "and 8-2,101 are";

On page 1, in the title, in line 2, after "and" by inserting "8-2,101 and"; by striking "section"; and inserting "sections"; and the bill be passed as amended.

On motion of Senator Schodorf, the Senate adjourned until 2:30 p.m., Monday, March 12, 2012.

Journal of the Senate

FORTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 12, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

We would like to pray today for that one constituent whose voice is hard to hear,
because his problem is not on anyone's agenda:

He cannot leave his job
So he can speak to us in person.
No one here can speak for him
Which makes his problem worsen.

Contributions he can't make;
He's far too deep in debt.
Just to phone Topeka
Might leave some bills unmet.

But there are things that bother him
Which he would like to share
With someone in the Capitol
Who hopefully will care.

So if we get a letter
That took some time to write,
And paper's rather cheap,
And the spelling's not just right.

Let us take some time to read it,
Though a meeting we'll be missing.
No doubt he'll be quite grateful
For he needs someone to listen.

We will probably be busy,
Major issues face us all.
But help us pay attention
To that lonely voice who calls.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator Love rose on a Point of Personal Privilege to introduce the following guests representing Dorothy Gale, Land of Oz from Liberal, Kansas: Giovanna Bacca, Tabitha Barnett, Kyana Carter, Sarah Davis, Erika Fraire, Katie Franz, Shelby Hay, Nalley Hernandez, Mariana Pena, Connie Smalldridge, Taylor Young, Deborah Willard, Heather Watt and JoAnne Mansell. The Senate acknowledged them with a standing ovation.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 459, AN ACT creating the joint committee on KanCare oversight; amending K.S.A. 2011 Supp. 39-7,161 and 39-7,162 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 39-7,160 and 46-3501, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 457**, **SB 458**.

MESSAGE FROM THE GOVERNOR

March 9, 2012

Senate Bill 289 approved March 9, 2012.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2353**, **HB 2609**, **HB 2674**, **HB 2697**, **HB 2758**.

Announcing passage of **SB 249**, **SB 264**, **SB 266**, **SB 270**, **SB 374**, **SB 384**, **SB 406**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2353, **HB 2609**, **HB 2674**, **HB 2697**, **HB 2758** were thereupon introduced and read by title.

REPORT ON ENGROSSED BILLS

SB 249, **SB 264**, **SB 266**, **SB 270** reported correctly engrossed March 12, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **HB 2510**, as amended by House Committee, be amended on page 1, in line 26, by striking "cabin"; in line 27, by striking "home"; also in line 27, by striking ", in cooperation with"; by striking all in line 28 and inserting "to provide"; in line 29, by striking "cabins" and inserting "buildings"; in line 30, by striking "the department of wildlife, parks and tourism, or any successor"; in line 31, by striking "program" and inserting "state agencies for use by such agencies"; in line 33, by striking "cabin"; and the bill be passed as amended.

Committee on **Judiciary** recommends **Substitute for HB 2055, Substitute for HB 2207; HB 2335, HB 2468, HB 2469, HB 2473, HB 2496** as amended by House Committee; **HB 2600** be passed.

Also, **HCR 5032**, as amended by House Committee of the Whole, be adopted.

SB 308 be amended on page 1, by striking all of lines 10 through 36;

On page 2, by striking all of lines 1 through 5;"

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "crimes of armed"; in line 2, by striking "criminal action and" and inserting "crime of"; and the bill be passed as amended.

HB 2413, as amended by House Committee of the Whole, be amended on page 5, in line 9, by striking "computer"; and the bill be passed as amended.

HB 2534, as amended by House Committee, be amended on page 1, in line 16, by striking "or reasonably should have reason to believe"; in line 25, by striking "(c)" and inserting "(a)"; and the bill be passed as amended.

Committee on **Local Government** recommends **Substitute for HB 2166; HB 2666**, as amended by House Committee, be passed.

Committee on **Natural Resources** recommends **SB 447; HB 2491**, as amended by House Committee, be passed.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Tuesday, March 13, 2012.

Journal of the Senate

FORTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 13, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.

The roll was called with forty senators present.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Whether or not this turns out to be a good day depends to a large extent on the choices I make:

I can circulate or I can hibernate.

I can participate or I can vegetate.

I can cultivate or I can alienate.

I can congratulate or I can humiliate.

I can appreciate or I can irritate.

I can communicate or I can complicate.

I can motivate or I can frustrate.

I can facilitate or I can procrastinate.

I can mediate or I can manipulate.

I can cooperate or I can infuriate.

Help me, O God, to make the right choices.

I pray in the Name of Jesus Christ, AMEN.

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator Haley rose on a Point of Personal Privilege to recognize the ladies of Delta Sigma Theta Sorority, Inc., seated in the West Gallery and offered the following remarks: "It is my honor indeed to ask the Senate's recognition of this organization, bedecked in resplendent red, whose membership includes my own mother, Doris Haley, my own sister, Anne Haley-Brown ... and my own children's mother, Dr. Michelle Haley, among many, many other socially and professionally motivated women across our country and the world. Thank you again in this recognition."

Senator Faust-Goudeau shared with the Senate that Delta Sigma Theta was founded in January of 1913 by twenty-two collegiate women at Howard University in

Washington, D.C. She introduced several Kansas Chapter Presidents in attendance. The Senate welcomed them with a standing ovation.

Senator Faust-Goudeau rose on a Point of Personal Privilege to congratulate the Wichita Heights High School Basketball Team for winning the fourth Consecutive 6A Championship Title. The following are team members introduced: Jordan Lattimore, Jet Moreland, Blake Chadwick, Terrence Moore, Gabe Lynch, Chris Reed, Ealy Bell, Xavier Williams, Jordan Wilbeck, Preston Kobeck, Lorin Smith, Gavin Thurman, Perry Ellis, Braie Ellis, Head Coaches Joe Auer and Gary Thomason; Assistant Coaches Bryan Chadwick and Beh Wahlers. Also in attendance were Alonte Lipscomb, Shane Garrison, Richarde Vix, Kade Wahlers, Kyan Wahlers and Frankie Milley. Their coaches placed very high expectations on their squad concerning grades, civic responsibility, and respect. The Senate acknowledged their achievements with a standing ovation.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 460, AN ACT concerning elections; dealing with voter education; amending K.S.A. 2011 Supp. 25-2357 and repealing the existing section, by Committee on Ways and Means.

SB 461, AN ACT concerning elections; relating to education of election workers; amending K.S.A. 2011 Supp. 25-124, 25-2706 and 25-2806 and repealing the existing sections, by Committee on Ways and Means.

SB 462, AN ACT concerning the Kansas cigarette and tobacco products act; relating to taxation and enforcement under the act; licensing of retail dealers; amending K.S.A. 79-3304, 79-3309, 79-3371, 79-3373, 79-3374, 79-3375, 79-3377, 79-3378 and 79-3379 and K.S.A. 2011 Supp. 50-6a07, 79-3301, 79-3302, 79-3303, 79-3310, 79-3311, 79-3312, 79-3313, 79-3316, 79-3321, 79-3322 and 79-3333 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-3310c, by Committee on Federal and State Affairs.

SB 463, AN ACT concerning economic development; concerning the STAR bonds financing act; relating to the provisions regarding STAR bond projects; extending the sunset date; amending K.S.A. 2011 Supp. 12-17,179 and repealing the existing section, by Committee on Ways and Means.

SB 464, AN ACT concerning developmental disabilities; relating to the developmental disabilities waiver program; amending K.S.A. 39-7,100 and 39-1804 and repealing the existing sections, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **HB 2609**.

Federal and State Affairs: **HB 2353**.

Transportation: **HB 2674**.

Ways and Means: **SB 459; HB 2697, HB 2758**.

CHANGE OF REFERENCE

The President withdrew **HB 2324** from the Committee on **Judiciary**, and referred the bill to the Committee on **Federal and State Affairs**.

MESSAGE FROM THE GOVERNOR

March 8, 2012

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback
Kansas Governor

Member, State Court of Tax Appeals, Samuel H. Sheldon (R), Ottawa, pursuant to the authority vested in me by KSA 74-2433 effective upon the date of confirmation by the Senate, to serve a four year term, to expire January 15, 2016.

Member, State Court of Tax Appeals, James (Jay) D. Cooper (U), Wichita, pursuant to the authority vested in me by KSA 74-2433 effective upon the date of confirmation by the Senate, to serve a four year term, to expire January 15, 2016.

Long-term Care Ombudsman, Barbara J. Hickert (D), Atchison, pursuant to the authority vested in me by KSA 75-7304 effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2016.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Holland, Apple, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Merrick, Morris, Olson, Ostmeyer, Owens, Pilcher-Cook, Pyle, A. Schmidt, V. Schmidt, Steineger, Umbarger and Vratil introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1833—

A RESOLUTION recognizing the Kansas Small Business Development Center's 2011 Businesses of the Year.

WHEREAS, The mission of the Kansas Small Business Development Center (KSBDC) is to increase the economic prosperity in Kansas by helping entrepreneurs and small business owners start and grow their businesses through professional consulting, training and resources; and

WHEREAS, The KSBDC regional directors and staff select up to eight Emerging Business of the Year award recipients and up to eight Existing Business of the Year award recipients; and

WHEREAS, The Kansas Small Business Development Center's Business of the Year awards are designed to recognize KSBDC clients for superior performance; and

WHEREAS, KSBDC Business of the Year award recipients have achieved major accomplishments, overcome significant obstacles, shown growth and demonstrated good corporate citizenship through community contributions; and

WHEREAS, The 2011 KSBDC Emerging Businesses of the Year are Studio K Photography in Burlington, Kansas, owned by Kelli Higgins; The Kitchen and Closet Solution in Hays, Kansas, owned by Dustin Rupke and Brent Seib; Project Fitness LLC in Garden City, Kansas, owned by Joey Kelch; hr-haven, inc. in Overland Park, Kansas, owned by Belinda Waggoner; Risley Chiropractic in Lawrence, Kansas, owned by Scott Risley; Phelps's Hog Heaven in Coffeyville, Kansas, owned by Rick and Carol Phelps; Renaissance Cellars Winery in St. Marys, Kansas, owned by Tim Akers, Eric Stevenson, Marcia Stevenson and Rich Stevenson; Clearwater Engineering, Inc. in Clearwater, Kansas, owned by David and Diane Cool; and

WHEREAS, The 2011 KSBDC Existing Businesses of the Year are AT-HOME Health Care, Inc. in Emporia, Kansas, owned by David and Teresa Hurlocker; RoadRuner Manufacturing, LLC in Levant, Kansas, owned by Brad and Marie Skolout; The Main ARtery in Ulysses, Kansas, owned by Jeani Gustafson; Emily Hart Bridal in Leawood, Kansas, owned by Emily Miller-Brown; The Wreath Depot in Tonganoxie, Kansas, owned by Steve LaForge and Jim Bennett; Kids' Kingdom in Iola, Kansas, owned by Mona and Leland Hull; Billy Vanilly in Topeka, Kansas, owned by Allyson Fiander; Grassland Gardens Nursery & Flower Farm in Miltonvale, Kansas, owned by Trish Remley; and

WHEREAS, The KSBDC Businesses of the Year serve as examples of the success that the KSBDC and small business owners across Kansas can achieve: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the Kansas Small Business Development Center's 2011 Emerging and Existing Businesses of the Year and wish all of them and the KSBDC continued success in the future; and

Be it further resolved: That the Secretary of the Senate shall be directed to send 20 enrolled copies of this resolution to Senator Holland.

On emergency motion of Senator Holland **SR 1833** was adopted unanimously.

Senator Holland introduced the Kansas Small Business Leaders who were in attendance and the Senate recognized them with a standing ovation.

REPORT ON ENGROSSED BILLS

SB 374, SB 384, SB 406 reported correctly engrossed March 12, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2563**, as amended by House Committee, be amended on page 1, following line 7, by inserting:

"Sec. 2. The annual watermelon festival held in the city of Clyde, located in Cloud county, Kansas is hereby designated the official Kansas watermelon festival.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, after "ACT" by inserting "concerning official state festivals;"; also in line 1, by striking all after "the"; in line 2, by striking all before "official"; also in line 2, after "festival, by inserting "; official state watermelon festival"; and the bill be passed as amended.

Committee on **Commerce** recommends **HB 2627**, as amended by House Committee of the Whole, be amended on page 1, in line 28, before "cost" by inserting "replacement";

On page 2, in line 18, by striking "value" and inserting "replacement cost or unpaid balance of the cost"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 379** be amended on page 2, in line 8, by striking "(f)" and inserting "(e)"; in line 22, by striking ""Production" means to use non-alcoholic juice or other physical"; by striking all in lines 23 through 29 and inserting "Not less than 20% of the products utilized in the manufacture of domestic table wine and domestic fortified wine by a farm winery shall be grown in Kansas, except when a lesser proportion is authorized by the director based upon the director's findings and judgment. The production requirement of this subsection shall be determined based on the annual production of domestic table wine and domestic fortified wine by the farm winery.";

And by relettering subsections accordingly;

Also on page 2, in line 36, by striking "(f)" and inserting "(e)"; in line 41, by striking "(f)" and inserting "(e)"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2593**, as amended by House Committee, be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **Substitute for HB 2470; HB 2683, HB 2737** be passed.

Also, **Substitute for HB 2427** be amended on page 7, in line 21, by striking "on a public website which are"; in line 22, by striking "searchable by a key word search"; in line 29, by striking "the searchable"; in line 30, by striking "website" and inserting "access"; in line 32, by striking "websites" and inserting "access";

Also on page 7, following line 32, by inserting:

"(52) Records of a public agency which identify the home address or home ownership of a federal judge, a justice of the supreme court, a judge of the court of appeals, a district judge, a district magistrate judge, the United States attorney for the district of Kansas, an assistant United States attorney, the attorney general, an assistant attorney general, a district attorney or county attorney or an assistant district attorney or assistant county attorney. Such person or such person's employer shall file with the custodian of such record a request to have such person's identifying information removed from public access. Within seven days of receipt of such requests, the public agency shall remove such person's identifying information from such public access."; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2669, HB 2672; HB 2675**, as amended by House Committee; **HB 2677** be passed.

Committee on **Natural Resources** recommends **SB 314** be amended on page 1, following line 5, by inserting:

"New Section 1. The Kansas department of wildlife, parks and tourism shall offer a resident senior hunting and fishing pass to residents of this state who are 65 years of age or more. The fee for such pass shall be an amount not to exceed $\frac{1}{8}$ the fee for a general combination lifetime hunting and fishing license. The provisions of this section shall expire on June 30, 2020.";

Also on page 1, before line 17, by inserting:

"(3) a resident of this state who is 75 years of age or more;"

And by redesignating paragraphs accordingly;

On page 3, following line 14, by inserting:

"(i) The provisions of paragraph (b)(3) shall expire on June 30, 2020.";

Also on page 3, in line 25, after "(3)" by inserting "a resident of this state who is 75 years of age or more;

(4)";

And by redesignating paragraphs accordingly;

On page 4, following line 11, by inserting:

"(g) The provisions of paragraph (b)(3) shall expire on June 30, 2020.

Sec. 4. K.S.A. 2011 Supp. 32-988 is hereby amended to read as follows: 32-988.

(a) The secretary is authorized to adopt, in accordance with K.S.A. 32-805, and amendments thereto, rules and regulations fixing the amount of fees for the following items, subject to the following limitations and subject to the requirement that no such rules and regulations shall be adopted as temporary rules and regulations:

Big game permits

Resident (other than elk permit): maximum \$100

Nonresident (other than elk permit): maximum \$400

Elk permit: maximum \$350

Nonresident mule deer stamp: maximum \$150

Nonresident applications: maximum \$25

Combination hunting and fishing licenses

Resident: maximum \$50

Lifetime: maximum \$1,000; or 8 quarterly payments, each maximum \$150

Nonresident: maximum \$200

Commercial dog training permits: maximum \$25

Commercial guide permit or associate guide permit

Resident: maximum \$250

Nonresident: maximum \$1,000

Commercial harvest or dealer permits: maximum \$200

Commercial prairie rattlesnake harvesting permits

Resident or nonresident with valid hunting license: maximum \$5

Resident or nonresident nonfirearm without valid hunting license: maximum \$20

Controlled shooting area operator license: maximum \$400

Duplicate licenses, permits, stamps and other issues of the department: maximum \$10

Falconry

Permits: maximum \$300

Examinations: maximum \$100

Field trial permits: maximum \$25

Fishing licenses

Resident: maximum \$25

Lifetime: maximum \$500; or 8 quarterly payments, each maximum \$75

Nonresident: maximum \$75

Five-day nonresident: maximum \$25

Institutional group: maximum \$200

Special nonprofit group: maximum \$200

- Twenty-four-hour: maximum \$10
- Fur dealer licenses
 - Resident: maximum \$200
 - Nonresident: maximum \$400
- Furharvester licenses
 - Resident: maximum \$25
 - Lifetime: maximum \$500; or 8 quarterly payments, each maximum \$75
 - Nonresident: maximum \$400
- Game breeder permits: maximum \$15
- Handicapped hunting and fishing permits: maximum \$5
- Hound trainer-breeder running permits: maximum \$25
- Hunting licenses
 - Resident: maximum \$25
 - Lifetime: maximum \$500; or 8 quarterly payments, each maximum \$75
 - Nonresident 16 or more years of age: maximum \$125
 - Nonresident under 16 years of age: maximum \$75
 - Controlled shooting area: maximum \$25
 - Forty-eight-hour waterfowl permits: maximum \$25
- Migratory waterfowl habitat stamps: maximum \$8
- Mussel fishing licenses
 - Resident: maximum \$200
 - Nonresident: maximum \$1,500
- Rabbit permits
 - Live trapping: maximum \$200
 - Shipping: maximum \$400
- Raptor propagation permits: maximum \$100
- Rehabilitation permits: maximum \$50
- Scientific, educational or exhibition permits: maximum \$10
- Wildlife damage control permits: maximum \$10
- Wildlife importation permits: maximum \$10
- Wild turkey permits
 - Resident: maximum \$100
 - Nonresident: maximum \$400
 - Resident turkey tag: maximum \$20
 - Nonresident turkey tag: maximum \$30
- Special permits under K.S.A. 32-961: maximum \$100
- Miscellaneous fees
 - Special events on department land or water: maximum \$200
 - Special departmental services, materials or supplies: no maximum
 - Other issues of department: no maximum
 - Vendor bond: no maximum
- (b) The fee for a landowner-tenant resident big game or wild turkey hunting permit shall be an amount equal to $\frac{1}{2}$ the fee for a general resident big game or wild turkey hunting permit.
- (c) The fee for a big game or wild turkey hunting permit for a resident under 16 years of age shall be an amount equal to $\frac{1}{2}$ the fee for a general resident big game or wild turkey hunting permit.

(d) The fee for a furharvester license for a resident under 16 years of age shall be an amount equal to $\frac{1}{2}$ the fee for a resident furharvester license.

(e) For a resident who is at least 65 years of age, but less than 75 years of age:

(1) The fee for an annual hunting license shall be an amount equal to $\frac{1}{2}$ the fee for a general annual hunting license;

(2) the fee for an annual fishing license shall be an amount equal to $\frac{1}{2}$ the fee for a general annual fishing license; and

(3) the fee for an annual combination hunting and fishing license shall be an amount equal to $\frac{1}{2}$ the fee for a general annual combination hunting and fishing license.

(f) The secretary may establish, by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto, different fees for various classes and types of licenses, permits, stamps and other issuances of the department which may occur within each item as described under subsection (a).

(g) The provisions of subsection (e) shall expire on June 30, 2020.;

And by renumbering sections accordingly;

Also on page 4, in line 12, by striking "and 32-919" and inserting ", 32-919 and 32-988"

On page 1, in the title, in line 2, by striking "and 32-919" and inserting ", 32-919 and 32-988"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **HB 2414, HB 2687, HB 2703** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Wednesday, March 14, 2012.

Journal of the Senate

FORTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 14, 2012, 2:30 p.m.

The Senate was called to order by Vice President John Vratil.

The roll was called with forty senators present.

The Vice President introduced as guest chaplain, Reverend Thom Belote, Shawnee Mission Unitarian Universalist Church, Overland Park, Kansas, who delivered the invocation:

We pause for a moment of inspiration as we prepare to lead and legislate on behalf of Kansans of a beautiful diversity of faiths. Help us to strive to be as good and as wise as our God would have us be. Help us to be as fair and as judicious as our democracy demands.

God of our own faith, may we realize in our deliberations and discussions that it is a strong faith that is not threatened when others practice their own faith and follow their own conscience in personal matters, but it is a weak and insecure faith that is threatened by those who differ from us. May we confidently embrace Jefferson's words on religious liberty, that "truth is great and will prevail if left to herself; that (truth alone) is the proper and sufficient antagonist to error."

Help this legislative body to deliberate with sincerity, disagree with integrity, and debate with civility. Help each member to honor the power and privilege of his or her position by respecting all, honoring difference, and trusting the moral agency of all those on whose behalf each of you serves. Amen

The Pledge of Allegiance was led by Vice President John Vratil.

POINT OF PERSONAL PRIVILEGE

Senator Kultala rose on a Point of Personal Privilege to introduce the Southern Leavenworth Leadership Development Group.

Senator Emler rose on a Point of Personal Privilege to introduce Ruzanna Boyakhchyan, a junior at Bethany College in Lindsborg, Kansas, studying Political Science. Also introduced was Charlotte Anderson, who is a Student Life and International Students Advisor at Bethany College in Lindsborg, Kansas.

Senator Ostmeyer rose on a Point of Personal Privilege to introduce students from Palco High School in Rooks County.

Senator Love rose on a Point of Personal Privilege to introduce Mark Dabeck who has been accepted to the West Point Military Academy.

Senator Apple rose on a Point of Personal Privilege to introduce the Miami County

Leadership Class.

Senator Lynn rose on a Point of Personal Privilege to introduce two shadows, August Burg and Amy-Lee.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 465, AN ACT regulating traffic; concerning certain right-of-way violations; providing for increased penalties, by Committee on Ways and Means.

SB 466, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; prior service credit, by Committee on Ways and Means.

SB 467, AN ACT concerning income taxation; relating to credits; amending K.S.A. 79-32,141 and K.S.A. 2011 Supp. 79-32,160a and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-32,160f, by Committee on Ways and Means.

SB 468, AN ACT concerning income taxation; relating to credits; renewable electric cogeneration facilities; amending K.S.A. 2011 Supp. 79-32,246 and repealing the existing section, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Ethics and Elections: **SB 460**, **SB 461**.

Federal and State Affairs: **SB 462**.

Ways and Means: **SB 463**, **SB 464**.

CHANGE OF REFERENCE

The Vice President withdrew **HB 2697** from the Committee on **Ways and Means**, and referred the bill to the Committee on **Financial Institutions and Insurance**.

REFERENCE OF APPOINTMENTS

By the Governor:

Long-term Care Ombudsman:

Barbara J. Hickert, to serve a four year term to expire March 15, 2016
(Public Health and Welfare)

State Court of Tax Appeals, Member:

James (Jay) D. Cooper, to serve a four year term to expire January 15, 2016
(Assessment and Taxation)

State Court of Tax Appeals, Member:

Samuel H. Sheldon, to serve a four year term to expire January 15, 2016
(Assessment and Taxation)

COMMUNICATIONS FROM STATE OFFICERS

KANSAS DEPARTMENT OF REVENUE

March 14, 2012

In compliance with KSA 79-1490, David N. Harper, Director, Division of Property

Valuation, submitted the 2011 Preliminary Real Estate Appraisal/Sales Ratio Study.

The Vice President announced the above report is on file in the office of the Secretary of the Senate and is available for review at any time.

MESSAGE FROM THE HOUSE

Announcing passage of **Substitute HB 2689; HB 2729, HB 2769.**

Announcing passage of **SB 263, SB 265.**

Also, passage of **SB 177**, as amended by **House Substitute for SB 177.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Substitute HB 2689; HB 2729, HB 2769 were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2597, HB 2604, HB 2605, HB 2626, HB 2668** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Also, **HB 2649** be amended on page 1, in line 6, after "Supp." by inserting "74-509 and";

On page 1, in the title, in line 2, after "Supp." by inserting "74-509 and"; and the bill be passed as amended.

Committee on **Education** recommends **Substitute for HB 2477** be passed.

Also, **HB 2435**, as amended by House Committee, be amended on page 1, in line 27, by striking "an"; in line 28, before "educational" by inserting "a program operated at the postsecondary level by a designated"; in line 30, by striking "delivering programs that are" and inserting "a"; also in line 30, by striking "in a"; in line 31, after "field" by inserting "program"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2505** be amended on page 1, in line 6, before "K.S.A." by inserting "From and after January 21, 2013,";

On page 5, following line 23, by inserting:

"Sec. 2. K.S.A. 9-2111 is hereby amended to read as follows: 9-2111. (a) Except as provided in K.S.A. 9-2107, and amendments thereto, no trust company, trust department of a bank, corporation or other business entity, the home office of which is located outside the state of Kansas, shall establish or operate a trust facility within the state of Kansas, unless the laws of the state where the home office of the nonresident trust company, trust department of a bank, corporation or other business entity is located, reciprocally authorize a Kansas chartered trust company, trust department of a bank, corporation or other business entity to establish or operate a trust facility within that state.

(b) Before any nonresident trust company, trust department of a bank, corporation or other business entity establishes a trust facility in Kansas, a copy of the application submitted to the home state, and proof that the home state has reciprocity with Kansas, must be filed by the applicant with the commissioner.

(c) No Kansas trust company shall establish an out-of-state trust facility until an application has been filed with the commissioner and approval has been received. An

application filed pursuant to this section shall be subject to the provisions in K.S.A. 9-2108, and amendments thereto.

(d) No Kansas bank with a trust department shall establish an out-of-state trust facility until an application has been filed with the commissioner and approval has been received. An application filed pursuant to this section shall be subject to the provisions in K.S.A. 9-1135, and amendments thereto.

~~(b) (e) As used in this section, "trust facility" means any office, agency, desk or other place of business, at which trust business, as defined by K.S.A. 9-701 and amendments thereto, is conducted."~~

Also on page 5, in line 24, by striking "9-1104" and inserting "9-2111"; following line 24, by inserting:

"Sec. 4. On January 21, 2013, K.S.A. 9-1104 is hereby repealed.";

Also on page 5, in line 26, by striking all before the period and inserting "its publication in the Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "9-1104" by inserting "and 9-2111"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2465**, as amended by House Committee, be passed.

Also, **HB 2704** be amended on page 1, following line 4, by inserting:

"Section 1. K.S.A. 2011 Supp. 75-5220 is hereby amended to read as follows: 75-5220. (a) Except as provided in subsections (d), (e) and (f), within four business days of receipt of the notice provided for in K.S.A. 75-5218, and amendments thereto, the secretary of corrections shall notify the sheriff having such offender in custody to convey such offender immediately to the department of corrections reception and diagnostic unit or if space is not available at such facility, then to some other state correctional institution until space at the facility is available, except that, in the case of first offenders who are conveyed to a state correctional institution other than the reception and diagnostic unit, such offenders shall be segregated from the inmates of such correctional institution who are not being held in custody at such institution pending transfer to the reception and diagnostic unit when space is available therein. The expenses of any such conveyance shall be charged against and paid out of the general fund of the county whose sheriff conveys the offender to the institution as provided in this subsection.

(b) Any female offender sentenced according to the provisions of K.S.A. 75-5229, and amendments thereto, shall be conveyed by the sheriff having such offender in custody directly to a correctional institution designated by the secretary of corrections, subject to the provisions of K.S.A. 75-52,134, and amendments thereto. The expenses of such conveyance to the designated institution shall be charged against and paid out of the general fund of the county whose sheriff conveys such female offender to such institution.

(c) Each offender conveyed to a state correctional institution pursuant to this section shall be accompanied by the record of the offender's trial and conviction as prepared by the clerk of the district court in accordance with K.S.A. 75-5218, and amendments thereto.

(d) If the offender in the custody of the secretary is a juvenile, as described in K.S.A. 2011 Supp. 38-2366, and amendments thereto, such juvenile shall not be

transferred to the ~~state reception and diagnostic center~~ department of corrections reception and diagnostic unit until such time as such juvenile is to be transferred from a juvenile correctional facility to a department of corrections institution or facility.

(e) Any offender sentenced to a facility designated by the secretary of corrections to participate in an intensive substance abuse treatment program shall not be transferred to the ~~state reception and diagnostic center~~ department of corrections reception and diagnostic unit but directly to such facility, unless otherwise directed by the secretary. The secretary may transfer the housing and confinement of any offender sentenced to a facility to participate in an intensive substance abuse treatment program to any institution or facility pursuant to K.S.A. 75-5206, and amendments thereto.

(f) If the offender has 10 or less days remaining to be served on the prison portion of the sentence at the time the notice provided for in K.S.A. 75-5218, and amendments thereto, is received by the secretary of corrections, the secretary may order the offender discharged from the prison portion of the sentence.

(g) All costs incurred for medical care and treatment of the offender while in the actual physical custody of the secretary of corrections shall be the responsibility of the secretary of corrections.

Sec. 2 K.S.A. 2011 Supp. 75-5229 is hereby amended to read as follows: 75-5229.

(a) Every woman sentenced to imprisonment for a felony shall be sentenced to the custody of the secretary of corrections.

(b) Every woman sentenced to the custody of the secretary of corrections shall be given a scientific examination and study and shall have a program planned and recommended for her, ~~which examination, study and program shall be substantially equal to that provided for in K.S.A. 75-5262 and amendments thereto.~~ The examination shall be given, the study shall be made and the program shall be prepared in accordance with procedures prescribed by the secretary of corrections, subject to the provisions of K.S.A. 75-52,134, and amendments thereto. If the woman in the custody of the secretary is a juvenile, as described in K.S.A. 2011 Supp. 38-2366, and amendments thereto, such juvenile shall not be given a scientific examination and study until such time as such juvenile is to be transferred from a juvenile correctional facility to a department of corrections institution or facility.";

And by renumbering sections accordingly;

Also on page 1, in line 5, after "75-5265" by inserting "and K.S.A. 2011 Supp. 75-5220 and 75-5229";

On page 1, in the title, in line 1, after "ACT" by inserting "concerning the department of corrections; relating to the reception and diagnostic unit; Topeka correctional facility; amending K.S.A. 2011 Supp. 75-5220 and 75-5229 and repealing the existing sections; also"; also in line 1, by striking the semicolon; in line 2, by striking all before the period; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2646**, as amended by House Committee, be amended on page 1, in line 14, by striking "and" and inserting "or"; in line 15, by striking "90" and inserting "180";

On page 2, following line 12, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 12-1756a is hereby amended as follows: 12-1756a. (a) (1) An organization may file a petition with the district court for an order for temporary possession of property if:

~~(+)~~ (A) The property meets the definition of abandoned as set forth in K.S.A. 12-

1750, and amendments thereto;

~~(2)(B)~~ the organization intends to rehabilitate the property and use the property as housing; and

~~(3)(C)~~ the organization has sent notice to the enforcing officer and the parties in interest of the property, by certified or registered mail, mailed to their last known address and posted on the property at least 20 days but not more than 60 days before the date the petition is filed, of the organization's intent to file a petition for possession under K.S.A. 12-1750 through 12-1756e, and amendments thereto.

(2) The governing body of any city may file a petition with the district court for an order for temporary possession of property if:

(A) The property meets the definition of abandoned as set forth in K.S.A. 12-1750, and amendments thereto;

(B) the governing body of the city filing a petition under this section has designated an organization to rehabilitate the property;

(C) the organization designated under subsection (a)(2)(B) intends to rehabilitate the property and use the property as housing; and

(D) the governing body of the city filing the petition under this section has sent notice to the enforcing officer and the parties in interest of the property, by certified or registered mail, mailed to their last known address and posted on the property at least 20 days but not more than 60 days before the date the petition is filed, of the governing body's intent to file a petition for possession under K.S.A. 12-1750 through 12-1756e, and amendments thereto.

(b) The proceeding shall be commenced by filing a verified petition in the district court in the county in which the property is located. The petition shall state that the conditions specified in subsection (a) exist. All parties in interest of the property shall be named as defendants in the petition. Summons shall be issued and service shall be made pursuant to K.S.A. 60-303, and amendments thereto. Service may be made by publication if the organization or the governing body of a city with due diligence is unable to make service of summons upon a defendant pursuant to subsection (a)(3) of K.S.A. 60-307, and amendments thereto.

(c) Any defendant may file as part of such defendant's answer, as an affirmative defense, a plan for the rehabilitation of the property and evidence of capacity and resources necessary to complete rehabilitation of the property. The court shall grant the defendant 90 days to bring the property into compliance with applicable fire, housing and building codes and to pay all delinquent *ad valorem* property tax. For good cause shown, the court may extend the ninety-day compliance period for an additional 90 days. If the property is brought into such compliance within the ninety-day period or extension of time thereof, the petition shall be dismissed. If the defendant fails to bring the property into such compliance within the ninety-day period or extension of time thereof, or if the defendant's plan is otherwise insufficient, the defendant's affirmative defense shall be stricken.

(d) At the hearing on ~~the organization's a petition filed in accordance with subsection (a)~~, the organization or the governing body of a city shall submit to the court a plan for the rehabilitation of the property and present evidence that the organization has adequate resources to rehabilitate and thereafter manage the property. For the purpose of developing such a plan, representatives of the organization may be permitted entry onto the property by the court at such times and on such terms as the court may

deem appropriate.

(e) The court shall make its own determination as to whether the property is in fact abandoned consistent with the terms of K.S.A. 12-1750 through 12-1756e, and amendments thereto.

(f) If the court approves the petition, the court shall enter an order approving the rehabilitation plan and granting temporary possession of the property to the organization or the governing body of a city. The organization, subject to court approval, may enter into leases or other agreements in relation to the property. Whether the court approves or denies the petition, the organization shall provide the governing body of a city a copy of the order within 30 days of the organization's receipt or knowledge of such order.";

And by renumbering sections accordingly;

In line 13, after "12-1750" by striking "is" and inserting "and 12-1756a are";

On page 1, in the title, in line 1, after "to" by inserting "the qualifications and rehabilitation of"; also in line 1, by striking "and"; in line 2, by striking "qualifications thereof"; also in line 2, after "12-1750" by inserting "and 12-1756a"; in line 3, by striking "section"; and inserting "sections"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 327** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 327," as follows:

"Substitute for SENATE BILL No. 327

By Committee on Public Health and Welfare

"AN ACT concerning prescription of drugs; relating to electronic prescription and the prescription monitoring program; amending K.S.A. 65-4123 and K.S.A. 2011 Supp. 65-1626, 65-1637, 65-1683, 65-1685, 65-1693 and 65-4101 and repealing the existing sections.";

and the substitute bill be passed.

Also, **HB 2416** be amended on page 28, in line 28, by striking "authority" and inserting "secretary of health and environment";

On page 47, in line 37, by striking "authority" and inserting "department";

On page 73, following line 15, by inserting:

"Sec. 56. K.S.A. 2011 Supp. 65-6208 is hereby amended to read as follows: 65-6208. (a) Subject to the provisions of K.S.A. 2011 Supp. 65-6209, and amendments thereto, an annual assessment on inpatient services is imposed on each hospital provider in an amount equal to 1.83% of each hospital's net inpatient operating revenue for the hospital's fiscal year ~~2004~~ 2010. In the event that a hospital does not have a complete twelve-month ~~2004~~ 2010 fiscal year, the assessment under this section shall be \$200,000 until such date that such hospital has completed the hospital's first twelve-month fiscal year. Upon completing such first twelve-month fiscal year, such hospital's assessment under this section shall be the amount equal to 1.83% of such hospital's net operating revenue for such first completed twelve-month fiscal year.

(b) Nothing in this act shall be construed to authorize any home rule unit or other unit of local government to license for revenue or impose a tax or assessment upon hospital providers or a tax or assessment measured by the income or earnings of a hospital provider.";

And by renumbering sections accordingly;

Also on page 73, in line 19, after "65-1685," by inserting "65-6208,";

On page 1, in the title, in line 4, following "authority" by inserting "and hospital provider assessment"; in line 8, after "65-1685," by inserting "65-6208,"; and the bill be passed as amended.

HB 2660 be amended on page 2, in line 17, before "A" by inserting a period;

On page 3, in line 27, by striking ", comfort";

On page 4, in line 26, by striking "comfort,"; in line 40, by striking ", comfort";

On page 9, following line 19, by inserting:

"(j) No person shall maintain a day care facility unless such person is a high school graduate or the equivalent thereof, except where extraordinary circumstances exist, the secretary of health and environment may exercise discretion to make exceptions to this requirement. The provisions of this subsection shall not apply to any person who was maintaining a day care facility on the day immediately prior to July 1, 2010 or who had an application for an initial license or the renewal of an existing license pending on July 1, 2010.";

Also on page 9, in line 32, by striking ", comfort";

On page 10, in line 6, by striking ", comfort"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2432** be amended on page 1, in line 5, before "Section" by inserting "New"; in line 13, after the period by inserting "Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer."; in line 17, after the first "unlimited" period by inserting "or a county treasurer"; in line 18, after "unlimited" by inserting "or a county treasurer"; in line 21, after "unlimited" by inserting "or a county treasurer"; in line 24, after the period by inserting "Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer."; following line 35, by inserting:

"(e) The director of vehicles may transfer ducks unlimited license plates from a leased vehicle to a purchased vehicle.";

And by redesignating the subsections accordingly;

On page 2, in line 3, after the second "applicant" by inserting "either"; in line 5, before the period by inserting "or makes the annual logo use royalty payment to the county treasurer"; in line 6, before the comma by inserting "or faxed by ducks unlimited, or the annual logo use royalty payment is not made to the county treasurer"; following line 17, by inserting:

"(i) As a condition of receiving the ducks unlimited license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number and vehicle type to ducks unlimited and the county treasurer.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the ducks unlimited royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the ducks unlimited royalty fund shall be made in accordance with appropriations acts upon warrants approved by the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the

state treasurer's designee. Payments from the ducks unlimited royalty fund to the appropriate designee of duck unlimited of Kansas shall be made on a monthly basis.

New Sec. 2. On and after January 1, 2013, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one masonic lodge license plate for each such passenger vehicle or truck. In addition to the license plate, a person issued such license plate may request a decal of various masonic designations, such as previous offices held in the organization and organizational affiliations, as determined by the grand lodge of Kansas. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the presentation of the annual logo use authorization statement provided for in subsection (b). Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer. Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(b) The grand lodge of ancient free and accepted masons of Kansas may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be paid to the grand lodge of ancient free and accepted masons or a county treasurer and shall be divided to support the Kansas masonic library and museum and other charities through Kansas freemasons charities, inc. Any motor vehicle owner or lessee annually may apply to the grand lodge of ancient free and accepted masons of Kansas or a county treasurer for use of such logo. Upon annual application and payment to the grand lodge of ancient free and accepted masons of Kansas or a county treasurer in an amount of not less than \$25 or more than \$100 as a logo use royalty payment for each license plate to be issued, the grand lodge of ancient free and accepted masons of Kansas or a county treasurer shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of the registration. Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer. Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall provide the annual logo use authorization statement provided for in subsection (b). Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(e) The director of vehicles may transfer masonic lodge license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be annually, upon payment of the fee prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant either provides the annual logo use authorization statement provided for in subsection (b) or makes annual logo use royalty payment to the county treasurer. If such logo use authorization statement is not presented at the time of registration or faxed by the masonic lodge, or the annual logo use royalty payment is not made to a county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The grand lodge of ancient free and accepted masons of Kansas shall:

(1) Pay the initial cost of silk-screening plates authorized by this section; and
(2) provide to all county treasurers a toll-free telephone number where applicants can call the grand lodge of Kansas for information concerning the application process or the status of their license plate application.

(h) The grand lodge of ancient free and accepted masons of Kansas, with the approval of the director of vehicles and subject to availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) A fee, as determined by the grand lodge of Kansas, may be assessed for each decal issued under this section. Such decals shall be affixed to the license plate in the location required by the director of vehicles.

(j) As a condition of receiving the masonic lodge license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number and vehicle type to the masonic lodge and the county treasurer.

(k) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the masonic lodge royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the masonic lodge royalty fund shall be made in accordance with appropriations acts upon warrants approved by the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the masonic lodge royalty fund to the appropriate designee of grand lodge of ancient and free accepted masons of Kansas shall be made on a monthly basis.

Sec. 3. K.S.A. 2011 Supp. 8-1,141 is hereby amended to read as follows: 8-1,141.
(a) Any new distinctive license plate authorized for issuance on and after July 1, 1994, shall be subject to the personalized license plate fee prescribed by subsection (c) of K.S.A. 8-132, and amendments thereto. This section shall not apply to any distinctive license plate authorized prior to July 1, 1994.

(b) The director of vehicles shall not issue any new distinctive license plate authorized for issuance on and after July 1, 1995, unless there is a guarantee of an initial issuance of at least 500 license plates.

(c) The provisions of this section shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,145, or K.S.A. 2011 Supp. 8-177d, 8-1,163 or 8-1,166, and amendments thereto.

(d) The provisions of subsection (a), shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148, and amendments thereto, or K.S.A. 2011 Supp. 8-1,153, 8-1,158 or 8-1,161, and amendments thereto.

(e) The provisions of subsection (f) shall not apply to distinctive license plates issued under the provisions of K.S.A. 2011 Supp. 8-1,160, and amendments thereto, except that the division shall delay the manufacturing and issuance of such distinctive license plate until the division has received not less than 1,000 orders for such plate, including payment of the personalized license plate fee required under subsection (a). Upon certification by the director of vehicles to the director of accounts and reports that not less than 1,000 paid orders for such plate have been received, the director of accounts and reports shall transfer \$40,000 from the state highway fund to the distinctive license plate fund.

(f) (1) Any person or organization sponsoring any distinctive license plate authorized by the legislature on and after July 1, 2004, shall submit to the division of vehicles a nonrefundable amount not to exceed \$20,000, to defray the division's cost for developing such distinctive license plate.

(2) All moneys received under this subsection shall be remitted by the secretary of revenue to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the distinctive license plate fund which is hereby created in the state treasury. All moneys credited to the distinctive license plate fund shall be used by the department of revenue only for the purpose associated with the development of distinctive license plates. All expenditures from the distinctive license plate application fee fund shall be made in accordance with appropriation acts, upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the department of revenue.

(g) (1) Except for educational institution license plates issued under K.S.A. 8-1,142, and amendments thereto, the director of vehicles shall discontinue the issuance of any distinctive license plate authorized prior to July 1, 2004, and which is subject to the provisions of subsection (b) if:

(A) Less than 500 license plates, including annual renewals, are issued for that distinctive license plate by July 1, 2006; and

(B) less than 250 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period after July 1, 2006.

(2) The director of vehicles shall discontinue the issuance of any distinctive license plate authorized on and after July 1, 2004, if:

(A) Less than 500 plates, including annual renewals, are issued for that distinctive license plate by the end of the second year of sales; and

(B) less than 250 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period.

(h) An application for any distinctive license plate issued after December 31, 2012, and the corresponding royalty fee may be collected either by the county treasurer or the entity benefiting from the issuance of the distinctive license plate. Annual royalty payments collected by the county treasurers shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of a segregated royalty fund which shall be administered by

the state treasurer. All expenditures from the royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the royalty fund shall be made to the entity benefiting from the issuance of the distinctive license plate on a monthly basis.

Sec. 4. K.S.A. 2011 Supp. 8-1,142 is hereby amended to read as follows: 8-1,142. (a) As used in this section, "educational institution" means:

(1) Any state educational institution under the control and supervision of the state board of regents;

(2) any municipal university;

(3) any not-for-profit independent institution of higher education which is accredited by the north central association of colleges and secondary schools accrediting agency based on its requirements as of April 1, 1985, is operated independently and not controlled or administered by the state or any agency or subdivision thereof, maintains open enrollment and the main campus or principal place of operation of which is located in Kansas;

(4) any community college organized and operating under the laws of this state; and

(5) Haskell Indian Nations university.

(b) Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of not more than 20,000 pounds who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one educational institution license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, plus the payment of an additional fee of \$5 for each plate, and the presentation of the annual emblem use authorization statement provided for in subsection (c). Presentation of the annual emblem use authorization statement shall not be required by the county treasurer if the emblem use royalty payment is paid to the county treasurer.

(c) Any educational institution may authorize through its officially recognized alumni association or foundation the use of such institution's official emblems to be affixed on license plates as provided by this section. Any royalty payment to such alumni association ~~or~~ foundation or county treasurer derived from this section, except reasonable administrative costs, shall be used for recognition of academic achievement or excellence subject to the approval of the chancellor or president of the educational institution. Any motor vehicle owner or lessee may annually apply to the alumni association ~~or~~ foundation or county treasurer for the use of the institution's emblems. Upon annual application and payment to the alumni association ~~or~~ foundation or county treasurer in an amount of not less than \$25 nor more than \$100 as an emblem use royalty payment for each educational institution license plate to be issued, the alumni association or foundation shall issue to the motor vehicle owner or lessee, without further charge, an emblem use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration. Presentation of the annual emblem use authorization statement shall not be required by the county treasurer if the emblem use royalty payment is paid to the county treasurer.

(d) Any applicant for an educational institution license plate may make application

for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for the educational institution license plates shall provide the annual emblem use authorization statement provided for in subsection (c). Application for registration of a passenger vehicle or truck and issuance of the license plates under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(f) The director of vehicles may transfer educational institution license plates from a leased vehicle to a purchased vehicle.

(g) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (b), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant either provides the annual emblem use authorization statement provided for in subsection (c) or makes the annual emblem use royalty payment directly to the county treasurer. If such emblem use authorization statement is not presented at the time of registration or faxed by the alumni association or foundation, or the annual emblem use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the educational institution license plates to the county treasurer of such person's residence.

~~(g)~~(h) The director of vehicles shall not issue any educational institution license plates for any educational institution, unless such educational institution's alumni association or foundation guarantees the initial issuance of at least 500 license plates.

~~(h)~~(i) The director of vehicles shall discontinue the issuance of an educational institution's license plate authorized under this section if:

(1) Less than 500 educational institution license plates, including annual renewals, are issued for an educational institution by the end of the second year of sales; and

(2) less than 250 educational institution license plates, including annual renewals, are issued for an educational institution during any subsequent two-year period.

~~(i)~~(j) Each educational institution's alumni association or foundation shall:

(1) Pay the initial cost of silk-screening for such educational license plates; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the alumni association or foundation for information concerning the application process or the status of their license plate application.

~~(j)~~(k) Each educational institution's alumni association or foundation, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a license plate to be issued under the provisions of this section.

(l) As a condition of receiving the educational institution license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, emblem use royalty payment amount, plate number and vehicle type to the relevant educational institution and the state treasurer.

(m) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. In the case of an educational institution that is a state

educational institution as defined by K.S.A. 76-711, and amendments thereto, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the appropriate account of the restricted fees fund of such state educational institution. In the case of an educational institution which is not a state educational institution as defined by K.S.A. 76-711, and amendments thereto, upon receipt of each such remittance, the state treasurer shall remit the entire amount to the educational institutions emblem royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the educational institutions emblem royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the educational institutions emblem royalty fund to the respective educational institutions shall be made on a monthly basis.

Sec. 5. K.S.A. 8-1,148 is hereby amended to read as follows: 8-1,148. (a) ~~On and after July 1, 1999,~~ Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of not more than 20,000 pounds who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one children's trust fund license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the presentation of the annual logo use authorization statement provided for in subsection (b). Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(b) ~~The advisory committee on children and families~~ Kansas children's cabinet established in K.S.A. 38-1901, and amendments thereto, may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment to such ~~committee~~ cabinet or county treasurer derived from this section shall be credited to the family and children trust account of the family and children investment fund, established in K.S.A. 38-1808, and amendments thereto, and, shall be used in accordance with the provisions of paragraph (2) of subsection (c) of K.S.A. 38-1808, and amendments thereto. Any motor vehicle owner or lessee may annually apply to the ~~committee~~ cabinet or county treasurer for the use of such logo. Upon annual application and payment to the ~~committee~~ cabinet or county treasurer in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each children's trust fund plate to be issued, the ~~committee~~ cabinet shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration. Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(c) Any applicant for a children's trust fund license plate may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of motor vehicles, and any applicant for the children's trust fund license plates shall provide the annual logo use authorization statement provided for in subsection (b). Application for registration of a passenger or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the

director.

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

(e) The director of vehicles may transfer children's trust fund license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant either provides the annual logo use authorization statement provided for in subsection (b) or makes the annual logo use royalty payment directly to the county treasurer. If such logo use authorization statement is not presented at the time of registration or faxed by the cabinet, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the children's trust fund license plate to the county treasurer of such person's residence.

~~(f)(g)~~ The advisory committee on children and families Kansas children's cabinet shall:

(1) Pay the initial cost of silk-screening for such children's trust fund license plates; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the children's trust fund for information concerning the application process or the status of their license plate application.

~~(g)(h)~~ The advisory committee on children and families Kansas children's cabinet, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the children's trust fund license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number, school district and vehicle type to the Kansas children's cabinet.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the family and children trust account of the family and children investment fund, established by K.S.A. 38-1808, and amendments thereto.

Sec. 6. K.S.A. 8-1,150 is hereby amended to read as follows: 8-1,150. (a) Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Kansas foundation for agriculture in the classroom license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the presentation of the annual logo use authorization statement provided for in subsection (b). Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(b) The board of directors of the Kansas foundation for agriculture in the classroom may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be paid to the foundation or county treasurer and shall be used in accordance with the by-laws of the foundation to further the mission of the foundation. Any motor vehicle owner or lessee annually may apply to the board or county treasurer for the use of such logo. Upon annual application and payment to the board or county treasurer in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, the board shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration. Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall provide the annual logo use authorization statement provided for in subsection (b). Application for registration of a passenger vehicle, truck or motorcycle and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(e) The director of vehicles may transfer Kansas foundation for agriculture in the classroom license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant either provides the annual logo use authorization statement provided for in subsection (b) or makes the annual logo use royalty payment to the county treasurer. If such logo use authorization statement is not presented at the time of registration or faxed by the board, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(g)~~(g) The board of directors of the Kansas foundation for agriculture in the classroom shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the board for information concerning the application process or the status of their license plate application.

~~(g)~~(h) The board of directors of the Kansas foundation for agriculture in the classroom, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the Kansas foundation for agriculture in the

classroom license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number and vehicle type to the Kansas foundation for agriculture in the classroom.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the agriculture in the classroom royalty fund which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the agriculture in the classroom royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the agriculture in the classroom royalty fund to the Kansas foundation for agriculture in the classroom shall be made on a monthly basis.

Sec. 7. K.S.A. 8-1,151 is hereby amended to read as follows: 8-1,151. (a) ~~On and after January 1, 2002~~; Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Ancient Arabic Order, Nobles of the Mystic Shrine of North America (Shriners) license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the presentation of the annual logo use authorization statement provided for in subsection (b). Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(b) The shrine temple to which the person is a member in good standing may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be paid to the shrine temple or county treasurer and shall be used to support the shriners hospitals for children. Any motor vehicle owner or lessee annually may apply to the shrine temple or county treasurer for the use of such logo. Upon annual application and payment to the shrine temple or county treasurer in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, the shrine temple shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration. Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall provide the annual logo use authorization statement provided for in subsection (b). Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished

by the director.

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

(e) The director of vehicles may transfer shriners license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant either provides the annual logo use authorization statement provided for in subsection (b) or makes the annual logo use royalty payment to the county treasurer. If such logo use authorization statement is not presented at the time of registration or faxed by the temple, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(f)~~(g) The shrine temples of Kansas shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the shrine temples for information concerning the application process or the status of their license plate application.

~~(g)~~(h) The shrine temples of Kansas, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the shriner's license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number and vehicle type to the designated shrine temple of Kansas and the state treasurer.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the shriner's royalty fund which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the shriner's royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the shriner's royalty fund to the appropriate designee of the designated shrine temples of Kansas shall be made on a monthly basis.

Sec. 8. K.S.A. 2011 Supp. 8-1,153 is hereby amended to read as follows: 8-1,153.

(a) ~~On and after January 1, 2005,~~ Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one helping schools license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the presentation of the annual logo use authorization statement provided for

in subsection (b). Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(b) The state board of education may authorize the use of the logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the helping schools license plate program fund. Any motor vehicle owner or lessee annually may apply to the state board of education or county treasurer for the use of such logo. Upon annual application and payment to the board or county treasurer in an amount of \$40 as a logo use royalty payment for each license plate to be issued, the board shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration. Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall provide the annual logo use authorization statement provided for in subsection (b). Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director. The school district to receive the royalty payment shall be designated by the applicant on such forms.

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

(e) The director of vehicles may transfer helping schools license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant either provides the annual logo use authorization statement provided for in subsection (b) or makes the annual logo use royalty payment to the county treasurer. If such logo use authorization statement is not presented at the time of registration or faxed by the board, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(g)~~(g) The helping schools license plate shall not be developed by the division until the state board of education has collected sufficient logo use royalty payments under subsection (b), to comply with the provisions of paragraph (1) of subsection (e) of K.S.A. 8-1, 141, and amendments thereto.

~~(g)~~(h) The state board of education, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the helping schools license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number, school district and vehicle type to the state board of education and the state treasurer.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the helping schools license plate program fund.

Sec. 9. K.S.A. 2011 Supp. 8-1,158 is hereby amended to read as follows: 8-1,158.

(a) ~~On and after January 1, 2008,~~ Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one breast cancer research and outreach license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the presentation of the annual logo use authorization statement provided for in subsection (b). Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(b) The university of Kansas cancer center may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be paid to the university of Kansas cancer center or county treasurer, and shall be used to support a statewide coordinator for the midwest cancer alliance that serves as a liaison between the university of Kansas cancer center, hospitals, physicians and clinics across the state of Kansas. This statewide coordination includes the provision of assistance to the university of Kansas cancer center statewide medical director in working to ensure that breast cancer patients in communities across Kansas are aware of what prevention and early detection protocols, treatment choices and clinical studies are available to them. Any motor vehicle owner or lessee annually may apply to the university of Kansas cancer center or county treasurer for use of such logo. Upon annual application and payment to the university of Kansas cancer center or county treasurer in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each such license plate to be issued, the university of Kansas cancer center shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration. Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall provide the annual logo use authorization statement provided for in subsection (b). Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished

by the director.

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

(e) The director of vehicles may transfer breast cancer research and outreach license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant either provides the annual logo use authorization statement provided for in subsection (b) or makes the annual royalty payment to the county treasurer. If such statement is not presented at the time of registration or faxed by the university of Kansas, or the annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(f)~~(g) The university of Kansas cancer center shall provide to all county treasurers a toll-free telephone number where applicants can call the university of Kansas cancer center for information concerning the application process or the status of such applicant's license plate application.

(h) As a condition of receiving the breast cancer research and outreach license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the university of Kansas cancer center and the state treasurer.

(i) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the breast cancer research royalty fund, which is hereby created in the state treasury and shall be administered by the university of Kansas medical center. All expenditures from the breast cancer research royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or the chancellor's designee.

Sec. 10. K.S.A. 2011 Supp. 8-1,161 is hereby amended to read as follows: 8-1,161. ~~(a) On and after January 1, 2010,~~ Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of not more than 20,000 pounds who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one support Kansas arts license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the presentation of the annual logo use authorization statement provided for in subsection (b). Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(b) The Kansas arts commission, created under K.S.A. 74-5202, and amendments thereto, may authorize the use of their logo to be affixed on license plates as provided

by this section. Any royalty payment to such commission or the county treasurer derived from this section shall be credited to the Kansas arts commission special gifts fund and, shall be used in accordance with the provisions of K.S.A. 74-5204, and amendments thereto. Any motor vehicle owner or lessee may annually apply to the commission or county treasurer for the use of such logo. Upon annual application and payment to the commission or county treasurer in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, the commission shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration. Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(c) Any applicant for a support Kansas arts license plate may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of motor vehicles, and any applicant for the support Kansas arts license plates shall provide the annual logo use authorization statement provided for in subsection (b). Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(e) The director of vehicles may transfer support Kansas arts license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant either provides the annual logo use authorization statement provided for in subsection (b) or makes the annual logo use royalty payment to the county treasurer. If such logo use authorization statement is not presented at the time of registration or faxed by the commission, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the support Kansas arts license plate to the county treasurer of such person's residence.

~~(f)(g)~~ The Kansas arts commission shall:

(1) Pay the initial cost of silk-screening for such support Kansas arts license plates; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the Kansas arts commission for information concerning the application process or the status of their license plate application.

~~(g)(h)~~ The Kansas arts commission, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the support Kansas arts license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and

vehicle type to the Kansas arts commission.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas arts commission special gifts fund.

Sec. 11. K.S.A. 2011 Supp. 8-1,162 is hereby amended to read as follows: 8-1,162. (a) ~~On and after January 1, 2012,~~ Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Boy Scouts of America license plate for each such passenger vehicle or truck. In addition to the license plate, a person issued such a license plate may request a decal for the order of the arrow, wood badge, God and country award and eagle scout for each license plate. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the presentation of the annual logo use authorization statement provided for in subsection (b). Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(b) A Boy Scouts of America council may authorize the use of their logo to be affixed on license plates or any decal as provided by this section. Any royalty payment received pursuant to this section shall be paid to the Boy Scouts of America or county treasurer and shall be used to support the Boy Scouts of America. Any motor vehicle owner or lessee annually may apply to the Boy Scouts of America or county treasurer for the use of such logo. Upon annual application and payment to the Boy Scouts of America or county treasurer in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate and decal to be issued, the Boy Scouts of America shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration. Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall provide the annual logo use authorization statement provided for in subsection (b). Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(e) The director of vehicles may transfer Boy Scouts of America license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made

to any applicant until such applicant provides the annual logo use authorization statement provided for in subsection (b) or makes the annual logo use royalty payment to the county treasurer. If such logo use authorization statement is not presented at the time of registration or faxed by the Boy Scouts of America, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(f)~~(g) The Boy Scouts of America councils shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the Boy Scouts of America councils for information concerning the application process or the status of their license plate application.

~~(g)~~(h) The Boy Scouts of America councils, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate and decals to be issued under the provisions of this section.

~~(h)~~(i) A fee of \$2 shall be paid for each decal issued under this section. Such decals shall be affixed to the license plate in the location required by the director.

(j) As a condition of receiving the Boy Scouts of America license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, decal types used, plate number and vehicle type to the designated Kansas Boy Scouts of America council and the state treasurer.

(k) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the Boy Scouts of America royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the Boy Scouts of America royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the Boy Scouts of America royalty fund to the designated Boy Scouts of America council shall be made on a monthly basis.

Sec. 12. K.S.A. 2011 Supp. 8-1,164 is hereby amended to read as follows: 8-1,164. ~~(a) On and after January 1, 2012;~~ Any owner or lessee of one or more passenger vehicles, trucks registered for a gross weight of 20,000 pounds or less or motorcycles, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one I'm pet friendly license plate for each such passenger vehicle, truck or motorcycle. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the presentation of the annual logo use authorization statement provided for in subsection (b). Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(b) The college of veterinary medicine at Kansas state university may authorize the use of their I'm pet friendly logo to be affixed on license plates as provided by this

section. Any royalty payment received pursuant to this section shall be paid to the college of veterinary medicine at Kansas state university or county treasurer and shall be used to support education regarding the spaying and neutering of dogs and cats in Kansas and veterinary student externships at animal shelters in Kansas. Any motor vehicle owner or lessee annually may apply to the college of veterinary medicine at Kansas state university or county treasurer for the use of such logo. Upon annual application and payment to the college of veterinary medicine at Kansas state university or county treasurer in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, the college of veterinary medicine at Kansas state university shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration. Presentation of the annual logo use authorization statement shall not be required by the county treasurer if the annual logo use royalty payment is paid to the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall provide the annual logo use authorization statement provided for in subsection (b). Application for registration of a passenger vehicle, truck or motorcycle and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(e) The director of vehicles may transfer I'm pet friendly license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides the annual logo use authorization statement provided for in subsection (b) or makes the annual logo use royalty payment to the county treasurer. If such logo use authorization statement is not presented at the time of registration or faxed by the college, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(g)~~(g) The college of veterinary medicine at Kansas state university shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all the county treasurers a toll-free number where applicants can call the college of veterinary medicine at Kansas state university for information concerning the application process or the status of their license plate application.

~~(h)~~(h) The college of veterinary medicine at Kansas state university, with approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the I'm pet friendly license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division

authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the college of veterinary medicine at Kansas state university.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the appropriate account of the restricted fees fund of the Kansas state university veterinary medical center.

Sec. 13. K.S.A. 8-1,148, 8-1,150 and 8-1,151 and K.S.A. 2011 Supp. 8-1,141, 8-1,142, 8-1,153, 8-1,158, 8-1,161, 8-1,162 and 8-1,164 are hereby repealed.";

And by renumbering sections accordingly;

Also on page 2, in line 18, following "after" by inserting "January 1, 2013, and";

On page 1, in the title, in line 1, by striking "motor vehicles; relating to"; in line 2, by striking all before the period and inserting "amending K.S.A. 8-1,148, 8-1,150 and 8-1,151 and K.S.A. 2011 Supp. 8-1,141, 8-1,142, 8-1,153, 8-1,158, 8-1,161, 8-1,162 and 8-1,164 and repealing the existing sections"; and the bill be passed as amended.

Committee on **Ways and Means** begs leave to submit the following report:

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

By the Governor:

Secretary, Department of Social and Rehabilitation Services: K.S.A. 2011 Supp. 75-5301

Phyllis Gilmore, serves at the pleasure of the Governor

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into the Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Umbarger in the chair.

On motion of Senator Umbarger the following report was adopted:

Recommended **SB 447**; **Sub HB 2055**, **Sub HB 2166**, **Sub HB 2207**; **HB 2335**, **HB 2412**, **HB 2420**, **HB 2468**, **HB 2469**, **HB 2472**, **HB 2473**, **HB 2491**, **HB 2496**, **HB 2546**, **HB 2600**, **HB 2666**, **HB 2669**, **HB 2672**, **HB 2675**, **HB 2677** be passed.

HB 2413, **HB 2534** be amended by adoption of the committee amendments, and the bills be passed as amended.

SCR 1616 be adopted.

HCR 5032 be adopted.

SB 314 be passed over and retain a place on the calendar.

On motion of Senator V. Schmidt, the Senate adjourned until 2:30 p.m., Thursday, March 15, 2012.

Journal of the Senate

FORTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 15, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Though we know that it will happen
We always feel the sting
Of continually getting blamed
For almost everything!

It seems that it must be
A part of human nature,
When something has gone wrong,
To blame the legislature.

People seldom think to ask
Which way we cast our vote.
If they don't like the bill we passed,
We ALL become the goat.

Please help the people realize, O God,
We EXPECT to take the blame
For every vote we've ever cast
Since the day we came!

But no one likes to take the blame
For things we did not do.
Like everyone we want to be
Treated fairly, too!

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator Morris rose on a Point of Personal Privilege to introduce his granddaughter, Savannah Tasset, and her friend, Clara Bartlett, who were serving as pages.

Senator Emler recognized the Leadership group from Lincoln County.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 467, SB 468; HB 2769.**

Federal and State Affairs: **Sub HB 2689.**

KPERS Select: **SB 466.**

Natural Resources: **HB 2729.**

Transportation: **SB 465.**

CHANGE OF REFERENCE

There being an objection to **HB 2597, HB 2604**, appearing on the Consent Calendar, the President withdrew the bills and placed them on the calendar under the heading of General Orders.

The President withdrew **HB 2597** from the Calendar under the heading of General Orders and referred the bill to the Committee on **Natural Resources**.

MESSAGE FROM THE HOUSE

The House concurs in Senate amendments to **HB 2459**.

FINAL ACTION ON CONSENT CALENDAR

HB 2429, HB 2507, HB 2509, HB 2588 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

HB 2429, AN ACT concerning state educational institutions; relating to the state educational institution project delivery construction procurement act and expiration thereof; amending K.S.A. 2011 Supp. 76-7,125 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2507, AN ACT repealing K.S.A. 40-3508; concerning reinsurance limits for mortgage guaranty insurance companies.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2509, AN ACT designating a part of K-9 highway as the David Mee memorial

highway; amending K.S.A. 2011 Supp. 68-1051 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2588, AN ACT concerning water; relating to debt authorization for water districts; amending K.S.A. 19-3553 and K.S.A. 2011 Supp. 82a-619 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 447, AN ACT concerning wildlife, parks and tourism; relating to vessel fees; amending K.S.A. 2011 Supp. 32-1172 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Huntington, Kelsey, King, Longbine, Love, Marshall, Masterson, McGinn, Morris, Ostmeier, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Haley, Hensley, Holland, Kelly, Kultala, Lynn, Merrick, Olson, Pilcher-Cook, Pyle, Schodorf, Steineger.

The bill passed.

SCR 1616, in support of the Native Nations Law Symposium and urging the Governor to declare a "Tribal Law Day.", was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The resolution was adopted.

Sub HB 2055, AN ACT concerning criminal procedure; relating to district attorney offender reports; amending K.S.A. 22-3432 and K.S.A. 2011 Supp. 22-3427 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed.

Sub HB 2166, AN ACT concerning cities; relating to the publication of certain ordinances; amending K.S.A. 12-3001 and 12-3007 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed.

Sub HB 2207, AN ACT concerning limited liability companies; relating to series limited liability companies; amending K.S.A. 17-7663 and 17-7682 and repealing the existing sections, was considered on final action.

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

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Haley, Hensley, Holland, Huntington, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Francisco, Kelly.

The substitute bill passed.

HB 2335, AN ACT concerning the Kansas act against discrimination; amending K.S.A. 44-1002 and 44-1006 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2412, AN ACT concerning cities; relating to dissolution, certain cities, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco,

Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2413, AN ACT concerning criminal procedure; relating to aid to indigent defendants; disclosure of tax information by department of revenue; amending K.S.A. 2011 Supp. 79-3234 and repealing the existing section; also repealing K.S.A. 2011 Supp. 79-3234b, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2420, AN ACT concerning cities; relating to bonded debt limits; amending and repealing the existing section; amending K.S.A. 2011 Supp. 10-308 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Ostmeyer, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Olson, Pilcher-Cook, Pyle, Steineger.

The bill passed.

HB 2468, AN ACT concerning criminal procedure; relating to discovery and production requirements of defense attorneys; amending K.S.A. 2011 Supp. 22-3212 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Huntington, Kelsey, King, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Petersen, Pilcher-Cook, Reitz, V. Schmidt, Schodorf, Teichman, Umbarger, Wagle.

Nays: Francisco, Haley, Hensley, Holland, Kelly, Kultala, Owens, Pyle, A. Schmidt, Steineger, Taddiken, Vratil.

The bill passed.

EXPLANATION OF VOTE

Mr. President: I vote "NO" on **HB 2468**. As anyone who has ever rooted for the underdog when Perry Mason brought in that piece of previously undiscovered evidence for the defense knows, there is a decided difference between the resources available to the tax payer supported prosecution and the resources available to an often hasty and/or underfunded defense. There's a reason only a few states have a reciprocity of evidence

law like this. What's "good for the goose is not good for the gander" if one has unlimited resources on the one hand while the other hand does not. – With Liberty and Justice for Some—DAVID HALEY

HB 2469, AN ACT concerning crimes, criminal procedure and punishment; relating to payment of board of indigents' services fees; relating to parole revocation proceedings; amending K.S.A. 22-4529 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2472, AN ACT concerning rural water districts; definitions; amending K.S.A. 2011 Supp. 82a-612 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2473, AN ACT concerning civil procedure; relating to pleadings and discovery; amending K.S.A. 2011 Supp. 60-208 and 60-226 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2491, AN ACT concerning wildlife; relating to hunting; amending K.S.A. 2011 Supp. 32-1002 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2496, AN ACT concerning law enforcement; relating to law enforcement officers and juvenile justice authority employees; amending K.S.A. 2011 Supp. 38-2386 and 74-5602 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2534, AN ACT concerning children and minors; relating to reporting of disappearance or death of a child; relating to interference with law enforcement; amending K.S.A. 2011 Supp. 21-5904 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2546, AN ACT concerning the Kansas military board; relating to the conveyance of certain property, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2600, AN ACT concerning mental health information; relating to access by law enforcement officers; amending K.S.A. 2011 Supp. 65-5603 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2666, AN ACT concerning experience requirements for certain contractors; amending K.S.A. 2011 Supp. 12-1509, 12-1526 and 12-1542 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2669, AN ACT repealing K.S.A. 19-901, 19-902, 19-903 and 19-904; concerning matron of a county jail, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2672, AN ACT repealing K.S.A. 19-825; concerning the vacating and reinstating of a sheriff for failing to perform certain duties, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2675, AN ACT concerning county clerks and county appraisers; amending K.S.A. 79-408 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2677, AN ACT dealing with county appraisers; amending K.S.A. 19-430 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HCR 5032, commending the positive approach and best practices of the Crisis Intervention Team program and encouraging the development of active crisis intervention team programs statewide, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The resolution was adopted.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Umbarger, Marshall, Apple and King introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1834—

A RESOLUTION honoring and commemorating the Sisters of Mercy Hospitals in Kansas.

WHEREAS, Mercy Health Center, Fort Scott, celebrated its 125th year anniversary last year, on March 1, 2012, Mercy Hospital of Independence will celebrate its 85th year anniversary and Mercy Maude Norton of Columbus was established in 1917; and

WHEREAS, Mercy Hospital in Fort Scott was established when Sr. Theresa Dolan and Sr. Mary Delores Drew arrived in Fort Scott intending to establish a school only to learn the community was in desperate need of a hospital instead. A small 10-bed hospital had been prepared and was waiting for operation. There had not been a hospital in the area for more than 30 years, and the closest one was 90 miles away in Kansas City. Mercy Hospital of Independence was founded in 1927 by the same order of the Religious Sisters of Mercy. Maude Norton Memorial City Hospital was established in 1917 and in November of 2009, the hospital joined with Sisters of Mercy Health System. In January of 2012, the hospital became known as Mercy Maude Norton of Columbus; and

WHEREAS, Once a 10-bed hospital in downtown Fort Scott, the current Mercy Hospital now stands strong on a hill at the south end of Fort Scott. The state-of-the-art facility opened in 2002 following a \$2.2 million capital campaign; a testimony to the philanthropic support from individuals whose lives have been touched by the exceptional care at Mercy. Mercy now operates physician clinics in three counties in southeast Kansas; Bourbon, Linn and Crawford, as well as a multi-specialty clinic where patients see physician specialists who travel to Fort Scott to limit the need for patients to travel out of town; and

WHEREAS, Mercy's Independence-based facilities offer full-service primary inpatient and outpatient care; physician services through the Mercy Physician Group; home health services; outpatient rehabilitation; community fitness; and retail pharmacy services. In addition, Mercy sponsors a rural outreach health clinic, located in Cherryvale, which has just relocated and expanded to offer additional services,

extended hours and a second provider; and

WHEREAS, The Maude Norton Memorial City Hospital was established in 1917 by the terms of William Norton's will. His home, located at 200 North Kansas Avenue, was donated to the city of Columbus for use as a hospital. It was dedicated to the memory of his daughter Maude, who died in a swimming accident in 1905. The Norton home, considered a mansion during that period, served as the hospital until 1952, when it was demolished and replaced by a more modern building. Several additions and remodeling projects have taken place over the years, but the hospital retains the charm and atmosphere unique to a period of time considered by many to be the Mercy "good old days"; and

WHEREAS, Over the years other service lines have been added to accommodate patients' growing health care needs. Mercy Home Health, Mercy Imaging Services, cancer care services, Mercy Urgent Care, Mercy Rehabilitation Services and Health for Life all focused around providing convenient access to the quality services Mercy patients have grown to appreciate. Mercy's plans for this decade include providing patients access to an even larger network of providers and services as well as incorporating the latest technology to make health care easier; and

WHEREAS, For 125 years Mercy has been steadfast yet dynamic; committed to and seeking out methods to serve the health care needs of the Fort Scott, Independence and Columbus communities and far beyond: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we commend and congratulate the Sisters of Mercy Hospitals in Kansas for the compassionate and caring service that they have given to the citizens of rural Kansas over the last 125 years; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to each Sisters of Mercy Hospital in Kansas and Lynn Britton, CEO, Mercy Health of St. Louis, MO.

On emergency motion of Senator Umbarger **SR 1834** was adopted unanimously.

Senator Umbarger honored and commemorated the Sisters of Mercy Hospitals in Kansas. The following guests were acknowledged for their support of the Hospitals: Sister Annrene Brau, Eric Ammons, Sister Margaret Andrew, Reta Baker, Cindy Neely, Sharon Campbell, Joanne Cox, Patty Doncouse, Terri Floyd, Dale Cation, Brenda Stokes, Mary Wynn, William James Shafer, Julie Eichenberger, Karen Endicott-Coyan and Dena Splitter. The Senate welcomed them with a standing ovation.

Senators Longbine, Brungardt, Francisco, Love, Masterson, Merrick and Reitz introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1835—

A RESOLUTION congratulating and commending the 2012 Kansas Master Teachers.

WHEREAS, Seven of the state's best teachers have been selected as Kansas Master Teachers for 2012. These seven outstanding educators will be honored on Wednesday, April 4, with a day of receptions, seminars and tours at sponsoring institution Emporia State University; and

WHEREAS, The 2012 Kansas Master Teachers are Shelley Aistrup, a principal at both Northview Elementary School and College Hill Preschool in Manhattan-Ogden USD 383; Cindy Ehrstein, an eighth grade language arts teacher at Andover Central

Middle School in Andover USD 385; Sandra Gonsher, a second grade teacher at Sunrise Point Elementary in Blue Valley USD 229; Kendra Metz, a seventh grade reading and language arts teacher at South West Middle School in Lawrence USD 497; Katrina Paradis, an English teacher at Salina Central High School in Salina USD 305; Jodi Testa, a third grade teacher at Lincoln Elementary School in Geary County USD 475; and Marc Woofter, a principal at Comanche Intermediate Center in Dodge City USD 443; and

WHEREAS, Emporia State University established the Kansas Master Teacher Awards in 1954. The awards are presented annually to teachers who have served the profession long and well and who also exemplify the outstanding qualities of earnest and conscientious teachers; and

WHEREAS, Since 1980, Bank of America has pledged more than \$100,000 to permanently endow the Kansas Master Teacher awards. In 1984, the Black family of Broken Bow, Oklahoma, established an endowed chair for Kansas Master Teachers. The fund provides a stipend to bring two Master Teachers to Emporia State University for part of a semester. During this time, the teachers present to classes of education students; and

WHEREAS, The members of the Kansas Senate recognize the invaluable contribution of great teachers such as those being honored here today. These 2012 Kansas Master Teachers serve as mentors and role models and lay the groundwork for the best educators of tomorrow. They go above and beyond what is expected and offer inspiration along with instruction. They teach with heart and soul. By giving the best of themselves, they encourage students to give their best in return; and

WHEREAS, Local teacher associations, educational organizations and school faculties nominate candidates for the awards. A committee representing educational organizations from across Kansas selected the 2012 winners: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we offer our heartfelt thanks to these extraordinary educators – these men and women who face so many challenges in the classroom each day, yet persevere, choosing the satisfaction of doing their best and overcoming the frustrations inherent in their jobs; that we congratulate and commend the seven 2012 Kansas Master Teachers for demonstrating excellence in their profession and devotion to the children of Kansas and extend our best wishes for their continued success and happiness; and

Be it further resolved: That the Secretary of the Senate shall send seven enrolled copies of this resolution to Senator Longbine for presentation to the 2012 Kansas Master Teachers who are present in the Senate Chamber today.

On emergency motion of Senator Longbine **SR 1835** was adopted unanimously.

Senator Longbine congratulated and commended the 2012 Kansas Master Teachers. The 2012 Kansas Master Teachers in attendance were: Shelley Aistrup, Cindy Ehrstein, Sandra Gonsher, Kendra Metz, Katrina Paradis, Jodi Testa, Marc Woofter, Tyler Curtis and Lori Mann. The Senate acknowledged their achievement with a standing ovation.

Senators Morris, Abrams, Apple, Brungardt, Donovan, Emler, Hensley, Holland, Huntington, Kelsey, Kultala, Longbine, Love, Lynn, Ostmeyer, Owens, Petersen, Pilcher-Cook, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Umbarger, Vratil and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1836—

A RESOLUTION congratulating and commending the Voyager class, 2013
graduating class of the Kansas Academy of Mathematics and Science.

WHEREAS, The Legislature of the state of Kansas enacted legislation in 2006 authorizing the establishment of the Kansas Academy of Mathematics and Science to promote mathematics and science education, increase retention of intellectual capital and promote economic development; and

WHEREAS, The Legislature of the state of Kansas approved five years of funding for the Kansas Academy of Mathematics and Science in 2008; and

WHEREAS, Fort Hays State University is a forward-thinking liberal and applied arts university, and is recognized internationally for offering more than 60 degrees in a technology-rich environment. Fort Hays State University aggressively seeks innovative solutions to meet the educational needs of Kansans and enhance the economic future of the state; and

WHEREAS, The State Board of Regents selected Fort Hays State University as the site to host the Kansas Academy of Mathematics and Science in 2007; and

WHEREAS, Fort Hays State University was able to establish the Kansas Academy of Mathematics and Science in a single year, allowing Kansas to become the 16th state in the country with an academic early-entry-to-college program offering a unique residential learning experience for high achieving high school juniors and seniors who are academically talented in science and mathematics; and

WHEREAS, The Kansas Academy of Mathematics and Science provides a unique, hands-on rigorous research environment with PhD. faculty that focuses on academics, research, leadership development and civic engagement allowing Fort Hays State University to cultivate future citizen-leaders; and

WHEREAS, Graduates of the Kansas Academy of Mathematics and Science receive a high school diploma and 68 hours of college credit; and

WHEREAS, The 2013 graduates of the Kansas Academy of Mathematics and Science are: Quentin Aker, Wichita; Lexia Aurand, Belleville; Bliss Betzen, Parsons; Emily Cress, Lyons; Eric Crook, Ottawa; Amber Curtis, Bucklin; Deborah Denny, Hutchinson; Hayley Disney, Topeka; Joseph Dougherty, Garnett; Samantha Elledge, Green; Andrew Foust, Augusta; Matthew Gaylor, Benton; Katharine Goebel, El Dorado; Alex Hatfield, Leon; Jessica Hayes, Abilene; Joshua Hoover, Washington; Dallas Hyder, Olathe; Jinho (Peter) Jung, Gwangju Metropolitan, South Korea; Tengzhi (Oliver) Liu, Guangzhou, China; Rex Miller, Olathe; Trisha Penning, Atchison; Steven Powell, Wichita; Laura Rokey, Sabetha; Cera Smart, Mayetta; Morgen Smith, Holton; Brandon Tomas, Wichita; Alec Weaver, Olathe; Luke Wright, Abilene: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the 2013 graduates of the Kansas Academy of Mathematics and Science; we wish them continued success in their academic and personal pursuits and encourage them to use their significant gifts to improve the future of their home state; and

Be it further resolved: That the members of the Kansas Senate express gratitude to the educators and support staff who, through their own dedication and commitment to excellence in education in the fields of mathematics and science, have brought this program to fruition through the successes of each graduating class. Their efforts are

helping to forge the future for the state of Kansas; and

Be it further resolved: That the Secretary of the Senate shall send 28 enrolled copies of this resolution to the director of the Kansas Academy of Mathematics and Science for forwarding to each of the 2013 graduates of the Kansas Academy of Mathematics and Science plus six copies for the director of the Kansas Academy of Mathematics and Science.

On emergency motion of Senator A. Schmidt **SR 1836** was adopted unanimously.

Senator A. Schmidt congratulated and commended the 2013 graduating class of the Kansas Academy of Mathematics and Science. The graduates and guests of the 2013 class were: Eric Crook, Joseph Dougherty, Deborah Denny, Jessica Hayes, Luke Wright, Steven Powell, Emily Cress, Quentin Aker, Amber Curtis, Andrew Foust, Matthew Gaylor, Katharine Goebel, Alex Hatfield, Dallas Hyder, Jinho (Peter) Jung, Tengzhi (Oliver) Lieu, Rex Miller, Alex Weaver, Trisha Penning, Cera Smart, Morgen Smith, Hayley Disney, Lexia Aurand, Samantha Elledge, Joshua Hoover, Laura Rokey, Bliss Betzen, Brandon Tomas, Dr. Edward Hammond, Diane Gasper, Raymond Hillegas, Ron Keller and Debra Prideaux. The Senate acknowledged their achievement with a standing ovation.

REPORT ON ENGROSSED BILLS

SB 263 reported correctly engrossed March 15, 2012.

SB 265 reported correctly engrossed March 14, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 412** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 412," as follows:

"Substitute for SENATE BILL No. 412

By Committee on Agriculture

"AN ACT concerning water; relating to appropriation of water for sand and gravel projects; amending K.S.A. 2011 Supp. 82a-734 and repealing the existing section."; and the substitute bill be passed.

Also, **HB 2503**, as amended by House Committee, be amended on page 5, in line 40, by striking "and"; also in line 40, before "74-50,163" by inserting ", 74-555 and";

On page 1, in the title, in line 4, after "74-551" by inserting "and K.S.A. 2011 Supp. 74-555"; and the bill be passed as amended.

HB 2516, as amended by House Committee, be amended on page 3, in line 25, by striking "The chief engineer may require owners of water rights"; by striking all in lines 26 through 30; in line 31, by striking "(c)"; and the bill be passed as amended.

HB 2517, as amended by House Committee, be amended on page 5, following line 42, by inserting:

"(p) The provisions of this section shall expire on July 1, 2022.";

On page 6, following line 19, by inserting:

"(d) The provisions of this section shall expire on July 1, 2022."; and the bill be passed as amended.

HB 2596 be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2596," as follows:

"SENATE Substitute for HOUSE BILL No. 2596

By Committee on Agriculture

"AN ACT concerning agriculture; relating to animal health; amending K.S.A. 47-120, 47-121, 47-122, 47-237, 47-238, 47-419, 47-422, 47-424, 47-1001, 47-1002, 47-1005, 47-1010, 47-1102, 47-1213, 47-1217, 47-1219, 47-1301, 47-1305, 47-1306, 47-1509, 47-1701, 47-1710, 47-1711, 47-1723, 47-1725, 47-1726, 47-1727, 47-1801, 47-1804, 47-1807 and 47-2306 and K.S.A. 2011 Supp. 47-1008, 47-1302, 47-1706, 47-1707, 47-1708, 47-1709, 47-1809, 47-1825 and 47-1826 and repealing the existing sections; also repealing K.S.A. 47-619, 47-621, 47-636, 47-637, 47-638, 47-639, 47-641, 47-642, 47-643, 47-644, 47-647, 47-648, 47-649, 47-650, 47-651, 47-652, 47-653, 47-653d, 47-653e, 47-653f, 47-653g, 47-653h, 47-654, 47-655, 47-656, 47-666, 47-667, 47-668, 47-669, 47-670, 47-671, 47-921, 47-922, 47-923 and 47-1005b and K.S.A. 2011 Supp. 47-672 and 47-1307.";

and the substitute bill be passed.

HB 2730, as amended by House Committee, be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2730," as follows:

"SENATE Substitute for HOUSE BILL No. 2730

By Committee on Agriculture

"AN ACT concerning the department of agriculture; relating to the duties of he secretary of agriculture; inspections; licensing; amending K.S.A. 36-505, 36-515a, 36-517, 65-660, 65-674, 65-682, 65-6a34 and 65-6a41 and K.S.A. 2011 Supp. 36-501, 36-502, 36-506, 36-510, 36-515, 36-515b, 36-518, 36-519, 36-520, 65-655, 65-656, 65-657, 65-658, 65-685, 65-688, 65-689, 65-690, 65-6a18, 65-6a20 and 65-6a31 and repealing the existing sections; also repealing K.S.A. 36-508, 36-511, 36-513, 36-515c, 65-619, 65-620, 65-621, 65-622, 65-623, 65-624, 65-625, 65-631, 65-632, 65-633, 65-634, 65-637, 65-638, 65-639, 65-640, 65-642, 65-651, 65-652, 65-654, 65-659, 65-661, 65-666, 65-667, 65-677 and 65-681 and K.S.A. 2011 Supp. 36-503, 36-504, 36-507, 36-509, 65-626, 65-635, 65-641, 65-653, 65-673, 65-676, 65-683, 65-684, 65-686, 74-591, 74-592, 74-593, 74-594, 74-595, 74-596, 74-596a, 74-597, 74-598, 74-5,101 and 74-5,102.";

and the substitute bill be passed.

Committee on **Assessment and Taxation** recommends **Substitute for HB 2455** be passed.

Also, **HB 2157** be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2157," as follows:

"SENATE Substitute for HOUSE BILL No. 2157

By Committee on Assessment and Taxation

AN ACT concerning income taxation; relating to apportionment of business income by certain taxpayers; election thereof; requirements; amending K.S.A. 2011 Supp. 79-3279 and repealing the existing section.";

and the substitute bill be passed.

Sub HB 2161 be amended by substituting a new bill to be designated as "SENATE Substitute for Substitute HOUSE BILL No. 2161," as follows:

"SENATE Substitute for Substitute HOUSE BILL No. 2161

By Committee on Assessment and Taxation

"AN ACT concerning taxation; relating to earned income tax credit; homestead property tax refunds; amending K.S.A. 2011 Supp. 79-32,205, 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections."; and the substitute bill be passed.

SCR 1612 be adopted.

Also, **SB 409** be amended on page 2, following line 4, by inserting:

"Sec. 2. K.S.A. 79-2961 is hereby amended to read as follows: 79-2961. (a) The county clerk shall certify to the county treasurer when budgets are made pursuant to K.S.A. 79-2960, and amendments thereto, and tax levies are filed with the county clerk. Prior to crediting the proper amounts under subsection (c) and except as provided in subsection (d), the county treasurer shall divide the amount paid by the state treasurer to the county treasurer among the county and all other taxing subdivisions of the county except school districts and any incorporated city within which any portion of the Fort Riley military reservation is located and which would otherwise be a participant in the Riley county allocation, which comply with the requirements of this act, in the proportion that the product of the last preceding total tangible tax rate of each subdivision, times its equalized tangible assessed valuation for the preceding year, is to the sum of such products of all the tangible tax-levying political subdivisions, except school districts and any incorporated city within which any portion of the Fort Riley military reservation is located and which would otherwise be a participant in the Riley county allocation, exclusive of the levy by the county for any deficiency for state purposes.

(b) No political subdivision shall be entitled to participate in the distribution of any money appropriated to carry out K.S.A. 79-2960, and amendments thereto, and this section unless and until such political subdivision has adopted and certified a budget for the ensuing year which shows as a separate item the amount of the distribution to one or more tax levy funds of general application within such subdivision except bond and interest funds and has certified a tax levy for each such fund that will produce a sum of money less than the amount which a maximum levy would produce for each such fund, in an amount equal to or in excess of the amount of such distribution. The budget of each political subdivision also shall show that the aggregate levies made by such tangible property tax-levying political subdivisions will produce a sum less than the amount which the aggregate levy would produce in an amount equal to or in excess of the aggregate amount of the budget items of such distribution shown in the aggregate levy that property tax revenues from the preceding year have been reduced by an amount equal to 80% of the amount received by the political subdivision from the local ad valorem tax reduction fund.

(c) In crediting the amount that has been divided pursuant to subsection (a) or subsection (d), the county treasurer shall proceed as follows: Upon receipt of the payment from the state treasurer each year, credit the appropriate fund or funds of each political subdivision complying with the provisions of this act with its proportionate share of such payment and the county treasurer shall notify such political subdivision of

the amounts so credited. This section and K.S.A. 79-2960, and amendments thereto, shall not apply to school districts.

(d) The amount paid by the state treasurer to the county treasurer of each county under subsection (d) of K.S.A. 79-2959, and amendments thereto, shall be divided only among the one or more community colleges or municipal universities, or both, which received amounts under this section from the payment made from the local *ad valorem* tax reduction fund on January 15, 1983. The amount received by each such community college or municipal university under this subsection shall bear the same proportion to the total amount paid to such county under subsection (d) of K.S.A. 79-2959, and amendments thereto, as the amount received by such community college or municipal university under this section from the payment made to such county from the local *ad valorem* tax reduction fund on January 15, 1983, bears to the total amount received by all such community colleges and municipal universities under this section from such payment.";

And by renumbering sections accordingly;

Also on page 2, in line 5, after "K.S.A." by inserting "79-2961 and K.S.A."; also in line 5, by striking "is" and inserting "are";

On page 1, in the title, in line 2, after "fund;" by inserting "distribution to political subdivisions;"; also in line 2, after "amending" by inserting "K.S.A. 79-2961 and"; in line 3 by striking "section" and inserting "sections"; and the bill be passed as amended.

SB 415 be amended on page 2, in line 35, by striking "10%" and inserting "3%"; and the bill be passed as amended.

SB 442 be amended on page 5, by striking all in lines 34 through 43;

By striking all on pages 6 through 9;

On page 10, by striking all in lines 1 through 37;

And by renumbering sections accordingly;

Also on page 10, in line 38, by striking "and 79-3603 are" and inserting "is";

On page 1, in the title, in line 1, after "concerning" by inserting "property"; also in line 1, by striking "property and sales tax"; in line 2, by striking "for" and inserting a semicolon; in line 3, by striking "79-3603 and"; also in line 3, by striking "sections" and inserting "section" and the bill be passed as amended.

Committee on **Education** recommends **HB 2004** be amended by substituting a new bill to be designated as "SENATE Substitute for Substitute for HOUSE BILL No. 2004," as follows:

"SENATE Substitute for Substitute for HOUSE BILL No. 2004

By Committee on Education

"AN ACT concerning the low-income family postsecondary savings account incentive program; amending K.S.A. 2011 Supp. 75-650 and repealing the existing section."; and the substitute bill be passed.

Committee on **Financial Institutions and Insurance** recommends **HB 2486**, **HB 2520**; **HB 2697**, as amended by House Committee, be passed.

Committee on **Judiciary** recommends **HB 2621** be passed.

Also, **HB 2464**, as amended by House Committee, be amended on page 3, in line 41, by striking "law"; in line 42, by striking "enforcement"; and inserting "government"; and the bill be passed as amended.

HB 2494 be amended on page 2, in line 28, by striking "offense as described" and inserting "crime as defined"; and the bill be passed as amended.

HB 2613, as amended by House Committee, be amended on page 2, following line 28, by inserting:

"Sec. 3. K.S.A. 2011 Supp. 60-3106 is hereby amended to read as follows: 60-3106. (a) Within 21 days of the filing of a petition under this act a hearing shall be held at which the plaintiff must prove the allegation of abuse by a preponderance of the evidence and the defendant shall have an opportunity to cross-examine the petitioner's witnesses and present evidence on the defendant's behalf. Upon the filing of the petition, the court shall set the case for hearing. ~~At the hearing, the court shall and~~ advise the parties of the right to be represented by counsel.

(b) Prior to the hearing on the petition and upon a finding of good cause shown, the court on motion of a party may enter such temporary relief orders in accordance with subsection (a)(1), (2), (4) or (5) of K.S.A. 60-3107, and amendments thereto, or any combination thereof, as it deems necessary to protect the plaintiff or minor children from abuse. Temporary orders may be granted *ex parte*. Immediate and present danger of abuse to the plaintiff or minor children shall constitute good cause for purposes of this section. No temporary order shall have the effect of modifying an existing order granting legal custody, residency, visitation or parenting time unless there is sworn testimony at a hearing to support a showing of good cause.

(c) If a hearing under subsection (a) is continued, the court may make or extend such temporary orders under subsection (b) as it deems necessary.";

On page 5, in line 9, after "defendant" by inserting "has been personally served with a copy of the motion and"; in line 10, after "evidence" by inserting "and cross-examine witnesses"; in line 13, before "has" by inserting "(A) has previously violated a valid protection order, or (B)"; in line 17, by striking "no" and inserting "not";

On page 7, in line 11, after "defendant" by inserting "has been personally served with a copy of the motion and"; in line 12, after "evidence" by inserting "and cross-examine witnesses"; in line 15, before "has" by inserting "(A) has previously violated a valid protection order, or (B)"; in line 19, by striking "no" and inserting "not"; in line 38, after "60-3104," by inserting "60-3106,";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "60-3104," by inserting "60-3106,,"; and the bill be passed as amended.

HB 2655, as amended by House Committee, be amended on page 1, in line 10, after "intent" by inserting "to"; also in line 10, by striking "to"; in line 36, by striking "an official" and inserting "any";

On page 2, in line 12, by striking "official"; and the bill be passed as amended.

Committee on **Natural Resources** recommends **HB 2685** be amended on page 2, in line 32, after "rights" by inserting "or are an eligible water right holder"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **HB 2471**, (Corrected), as amended by the House Committee, be amended on page 1, in line 35, after "Kansas" by inserting ", or the successor of such entity,";

On page 2, in line 6, after "association" by inserting ", or the successor of such entity,"; in line 14, after "association" by inserting ", or the successor of such entity,"; in line 26, after "had" by inserting "or shall have"; in line 32, by striking "two" and inserting "three"; also in line 32, after the period by inserting "On the effective date of this act, the current expiration date of the term of office of each existing board member shall be extended by one year from such expiration date. On and after the effective date of this act, no member shall serve more than two consecutive terms."; and the bill be passed as amended.

Also, **HB 2631**, as amended by House Committee, be amended on page 1, following line 4, by inserting:

"Section 1. K.S.A. 2011 Supp. 65-1424 is hereby amended to read as follows: 65-1424. (a) As used in this act:

(1) "Proprietor" means any person who employs dentists or dental hygienists in the operation of a dental office.

(2) "Dental franchisor" means any person or entity, pursuant to a written agreement, who provides a licensed dentist any dental practice management consulting services, which may include marketing or advertising services, signage or branding consulting, or places in possession of a licensed dentist such dental material or equipment as may be necessary for the management of a dental office on the basis of a lease or any other agreement for compensation. A person or entity is not a dental franchisor if the agreement with the dentist:

(A) Permits the person or entity to interfere with the professional judgment of the dentist; or

(B) contains terms that would constitute a violation of the dental practices act, rules and regulations adopted by the board, any orders and directives issued by the board or any other applicable law.

(3) "Unlicensed proprietor" means any person or entity not authorized to own or operate a dental practice that enters into an agreement with a dentist or dental hygienist related to the practice of dentistry or dental hygiene which:

(A) Permits the person or entity to interfere with the professional judgment of the dentist; or

(B) contains terms that would constitute a violation of the dental practices act, rules and regulations adopted by the board, any orders and directives issued by the board or any other applicable law.

A licensee of dentistry who enters into any arrangement with an unlicensed proprietor may have such license limited, suspended or revoked by the board.

(b) The estate or agent for a deceased or substantially disabled dentist may employ dentists, for a period of not more than ~~one year~~ 18 months following the date of death or substantial disability of the dentist, to provide service to patients until the practice can be sold or closed. Upon application showing good cause, including, but not limited to, evidence of a good faith effort to sell or close the dental practice, the Kansas dental

board may extend the time in six-month increments for a period of not more than one additional year for which the practice can be sold or closed. The Kansas dental board may adopt rules and regulations as necessary to carry out the provisions of this section.";

Also on page 1, in line 5, before "K.S.A." by inserting "On and after July 1, 2012,";

And by renumbering sections accordingly;

On page 3, in line 12, after "permit" by inserting "I";

On page 6, in line 22, by striking "temporary" and inserting "palliative"; following line 26, by inserting:

"(7) the dental hygienist notifies the patient or the patient's parent or legal guardian of such patient's need for treatment by a dentist, when the dental hygienist finds an apparent need for evaluation to diagnose the presence of dental caries and other abnormalities";

And redesignating paragraphs accordingly;

On page 7, in line 28, before "The" by inserting "On and after July 1, 2012,";

On page 8, following line 16, by inserting:

"(c) The provisions of this section shall become effective on and after July 1, 2012."

Also on page 8, before "K.S.A." by inserting "On and after July 1, 2012,";

On page 10, in line 37, by striking "Kansas administrative regulation 71-2-2" and inserting "rules and regulations adopted by the Kansas dental board"; in line 39, by striking "Kansas administrative regulation 71-5-1" and inserting "rules and regulations adopted by the Kansas dental board";

On page 11, in line 13, before "K.S.A." by inserting "On and after July 1, 2012,"; also in line 13, after "Supp." by inserting "65-1424,"; in line 15, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, after "Supp." by inserting "65-1424,"; and the bill be passed as amended.

Substitute HB 2659 be amended on page 2, in line 29, by striking "health and"; in line 30, by striking "environment"; and inserting "aging";

On page 3, in line 19, by striking "two" and inserting "three"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2614** be passed.

Also, **HB 2674** be amended on page 1, in line 17, by striking "Officers and"; by striking all in lines 18 and 19; and the bill be passed as amended.

Committee on **Utilities** recommends **HB 2489** be passed.

Also, **HB 2390** be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2390," as follows:

"SENATE Substitute for HOUSE BILL No. 2390

By Committee on Utilities

"AN ACT concerning KAN-ED; amending K.S.A. 2011 Supp. 66-2010, 72-9712, 75-2546, 75-7222, 75-7223, 75-7224 and 75-7226 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 75-7228.";

and the substitute bill be passed.

HB 2526 be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2526," as follows:

"SENATE Substitute for HOUSE BILL No. 2526

By Committee on Utilities

"AN ACT concerning energy; relating to the state corporation commission, powers and duties; amending K.S.A. 55-152 and 66-131 and K.S.A. 2011 Supp. 66-1257 and 66-1260 and repealing the existing sections.";

and the substitute bill be passed.

Committee on **Ways and Means** recommends **HB 2706**, as amended by House Committee of the Whole, be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2011 Supp. 45-221 is hereby amended to read as follows: 45-221. (a) Except to the extent disclosure is otherwise required by law, a public agency shall not be required to disclose:

(1) Records the disclosure of which is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2011 Supp. 75-4315d, and amendments thereto, or the disclosure of which is prohibited or restricted pursuant to specific authorization of federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2011 Supp. 75-4315d, and amendments thereto, to restrict or prohibit disclosure.

(2) Records which are privileged under the rules of evidence, unless the holder of the privilege consents to the disclosure.

(3) Medical, psychiatric, psychological or alcoholism or drug dependency treatment records which pertain to identifiable patients.

(4) Personnel records, performance ratings or individually identifiable records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries or actual compensation employment contracts or employment-related contracts or agreements and lengths of service of officers and employees of public agencies once they are employed as such.

(5) Information which would reveal the identity of any undercover agent or any informant reporting a specific violation of law.

(6) Letters of reference or recommendation pertaining to the character or qualifications of an identifiable individual, except documents relating to the appointment of persons to fill a vacancy in an elected office.

(7) Library, archive and museum materials contributed by private persons, to the extent of any limitations imposed as conditions of the contribution.

(8) Information which would reveal the identity of an individual who lawfully makes a donation to a public agency, if anonymity of the donor is a condition of the donation, except if the donation is intended for or restricted to providing remuneration or personal tangible benefit to a named public officer or employee.

(9) Testing and examination materials, before the test or examination is given or if it is to be given again, or records of individual test or examination scores, other than records which show only passage or failure and not specific scores.

(10) Criminal investigation records, except as provided herein. The district court, in an action brought pursuant to K.S.A. 45-222, and amendments thereto, may order disclosure of such records, subject to such conditions as the court may impose, if the

court finds that disclosure:

- (A) Is in the public interest;
- (B) would not interfere with any prospective law enforcement action, criminal investigation or prosecution;
- (C) would not reveal the identity of any confidential source or undercover agent;
- (D) would not reveal confidential investigative techniques or procedures not known to the general public;
- (E) would not endanger the life or physical safety of any person; and
- (F) would not reveal the name, address, phone number or any other information which specifically and individually identifies the victim of any sexual offense in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto.

If a public record is discretionarily closed by a public agency pursuant to this subsection, the record custodian, upon request, shall provide a written citation to the specific provisions of paragraphs (A) through (F) that necessitate closure of that public record.

(11) Records of agencies involved in administrative adjudication or civil litigation, compiled in the process of detecting or investigating violations of civil law or administrative rules and regulations, if disclosure would interfere with a prospective administrative adjudication or civil litigation or reveal the identity of a confidential source or undercover agent.

(12) Records of emergency or security information or procedures of a public agency, or plans, drawings, specifications or related information for any building or facility which is used for purposes requiring security measures in or around the building or facility or which is used for the generation or transmission of power, water, fuels or communications, if disclosure would jeopardize security of the public agency, building or facility.

(13) The contents of appraisals or engineering or feasibility estimates or evaluations made by or for a public agency relative to the acquisition or disposal of property, prior to the award of formal contracts therefor.

(14) Correspondence between a public agency and a private individual, other than correspondence which is intended to give notice of an action, policy or determination relating to any regulatory, supervisory or enforcement responsibility of the public agency or which is widely distributed to the public by a public agency and is not specifically in response to communications from such a private individual.

(15) Records pertaining to employer-employee negotiations, if disclosure would reveal information discussed in a lawful executive session under K.S.A. 75-4319, and amendments thereto.

(16) Software programs for electronic data processing and documentation thereof, but each public agency shall maintain a register, open to the public, that describes:

- (A) The information which the agency maintains on computer facilities; and
- (B) the form in which the information can be made available using existing computer programs.

(17) Applications, financial statements and other information submitted in connection with applications for student financial assistance where financial need is a consideration for the award.

(18) Plans, designs, drawings or specifications which are prepared by a person

other than an employee of a public agency or records which are the property of a private person.

(19) Well samples, logs or surveys which the state corporation commission requires to be filed by persons who have drilled or caused to be drilled, or are drilling or causing to be drilled, holes for the purpose of discovery or production of oil or gas, to the extent that disclosure is limited by rules and regulations of the state corporation commission.

(20) Notes, preliminary drafts, research data in the process of analysis, unfunded grant proposals, memoranda, recommendations or other records in which opinions are expressed or policies or actions are proposed, except that this exemption shall not apply when such records are publicly cited or identified in an open meeting or in an agenda of an open meeting.

(21) Records of a public agency having legislative powers, which records pertain to proposed legislation or amendments to proposed legislation, except that this exemption shall not apply when such records are:

(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or

(B) distributed to a majority of a quorum of any body which has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(22) Records of a public agency having legislative powers, which records pertain to research prepared for one or more members of such agency, except that this exemption shall not apply when such records are:

(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or

(B) distributed to a majority of a quorum of any body which has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(23) Library patron and circulation records which pertain to identifiable individuals.

(24) Records which are compiled for census or research purposes and which pertain to identifiable individuals.

(25) Records which represent and constitute the work product of an attorney.

(26) Records of a utility or other public service pertaining to individually identifiable residential customers of the utility or service, except that information concerning billings for specific individual customers named by the requester shall be subject to disclosure as provided by this act.

(27) Specifications for competitive bidding, until the specifications are officially approved by the public agency.

(28) Sealed bids and related documents, until a bid is accepted or all bids rejected.

(29) Correctional records pertaining to an identifiable inmate or release, except that:

(A) The name; photograph and other identifying information; sentence data; parole eligibility date; custody or supervision level; disciplinary record; supervision violations; conditions of supervision, excluding requirements pertaining to mental health or substance abuse counseling; location of facility where incarcerated or location of parole office maintaining supervision and address of a releasee whose crime was committed after the effective date of this act shall be subject to disclosure to any person other than

another inmate or releasee, except that the disclosure of the location of an inmate transferred to another state pursuant to the interstate corrections compact shall be at the discretion of the secretary of corrections;

(B) the ombudsman of corrections, the attorney general, law enforcement agencies, counsel for the inmate to whom the record pertains and any county or district attorney shall have access to correctional records to the extent otherwise permitted by law;

(C) the information provided to the law enforcement agency pursuant to the sex offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, shall be subject to disclosure to any person, except that the name, address, telephone number or any other information which specifically and individually identifies the victim of any offender required to register as provided by the Kansas offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, shall not be disclosed; and

(D) records of the department of corrections regarding the financial assets of an offender in the custody of the secretary of corrections shall be subject to disclosure to the victim, or such victim's family, of the crime for which the inmate is in custody as set forth in an order of restitution by the sentencing court.

(30) Public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.

(31) Public records pertaining to prospective location of a business or industry where no previous public disclosure has been made of the business' or industry's interest in locating in, relocating within or expanding within the state. This exception shall not include those records pertaining to application of agencies for permits or licenses necessary to do business or to expand business operations within this state, except as otherwise provided by law.

(32) Engineering and architectural estimates made by or for any public agency relative to public improvements.

(33) Financial information submitted by contractors in qualification statements to any public agency.

(34) Records involved in the obtaining and processing of intellectual property rights that are expected to be, wholly or partially vested in or owned by a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, or an assignee of the institution organized and existing for the benefit of the institution.

(35) Any report or record which is made pursuant to K.S.A. 65-4922, 65-4923 or 65-4924, and amendments thereto, and which is privileged pursuant to K.S.A. 65-4915 or 65-4925, and amendments thereto.

(36) Information which would reveal the precise location of an archeological site.

(37) Any financial data or traffic information from a railroad company, to a public agency, concerning the sale, lease or rehabilitation of the railroad's property in Kansas.

(38) Risk-based capital reports, risk-based capital plans and corrective orders including the working papers and the results of any analysis filed with the commissioner of insurance in accordance with K.S.A. 40-2c20 and 40-2d20, and amendments thereto.

(39) Memoranda and related materials required to be used to support the annual actuarial opinions submitted pursuant to subsection (b) of K.S.A. 40-409, and amendments thereto.

(40) Disclosure reports filed with the commissioner of insurance under subsection (a) of K.S.A. 40-2,156, and amendments thereto.

(41) All financial analysis ratios and examination synopses concerning insurance companies that are submitted to the commissioner by the national association of insurance commissioners' insurance regulatory information system.

(42) Any records the disclosure of which is restricted or prohibited by a tribal-state gaming compact.

(43) Market research, market plans, business plans and the terms and conditions of managed care or other third-party contracts, developed or entered into by the university of Kansas medical center in the operation and management of the university hospital which the chancellor of the university of Kansas or the chancellor's designee determines would give an unfair advantage to competitors of the university of Kansas medical center.

(44) The amount of franchise tax paid to the secretary of revenue or the secretary of state by domestic corporations, foreign corporations, domestic limited liability companies, foreign limited liability companies, domestic limited partnership, foreign limited partnership, domestic limited liability partnerships and foreign limited liability partnerships.

(45) Records, other than criminal investigation records, the disclosure of which would pose a substantial likelihood of revealing security measures that protect: (A) Systems, facilities or equipment used in the production, transmission or distribution of energy, water or communications services; (B) transportation and sewer or wastewater treatment systems, facilities or equipment; or (C) private property or persons, if the records are submitted to the agency. For purposes of this paragraph, security means measures that protect against criminal acts intended to intimidate or coerce the civilian population, influence government policy by intimidation or coercion or to affect the operation of government by disruption of public services, mass destruction, assassination or kidnapping. Security measures include, but are not limited to, intelligence information, tactical plans, resource deployment and vulnerability assessments.

(46) Any information or material received by the register of deeds of a county from military discharge papers (DD Form 214). Such papers shall be disclosed: To the military dischargee; to such dischargee's immediate family members and lineal descendants; to such dischargee's heirs, agents or assigns; to the licensed funeral director who has custody of the body of the deceased dischargee; when required by a department or agency of the federal or state government or a political subdivision thereof; when the form is required to perfect the claim of military service or honorable discharge or a claim of a dependent of the dischargee; and upon the written approval of the commissioner of veterans affairs, to a person conducting research.

(47) Information that would reveal the location of a shelter or a safehouse or similar place where persons are provided protection from abuse or the name, address, location or other contact information of alleged victims of stalking, domestic violence or sexual assault.

(48) Policy information provided by an insurance carrier in accordance with subsection (h)(1) of K.S.A. 44-532, and amendments thereto. This exemption shall not be construed to preclude access to an individual employer's record for the purpose of verification of insurance coverage or to the department of labor for their business purposes.

(49) An individual's e-mail address, cell phone number and other contact

information which has been given to the public agency for the purpose of public agency notifications or communications which are widely distributed to the public.

(50) Information provided by providers to the local collection point administrator or to the 911 coordinating council pursuant to the Kansas 911 act, and amendments thereto, upon request of the party submitting such records.

(b) Except to the extent disclosure is otherwise required by law or as appropriate during the course of an administrative proceeding or on appeal from agency action, a public agency or officer shall not disclose financial information of a taxpayer which may be required or requested by a county appraiser or the director of property valuation to assist in the determination of the value of the taxpayer's property for ad valorem taxation purposes; or any financial information of a personal nature required or requested by a public agency or officer, including a name, job description or title revealing the salary or other compensation of officers, employees or applicants for employment with a firm, corporation or agency, except a public agency. Nothing contained herein shall be construed to prohibit the publication of statistics, so classified as to prevent identification of particular reports or returns and the items thereof.

(c) As used in this section, the term "cited or identified" shall not include a request to an employee of a public agency that a document be prepared.

(d) If a public record contains material which is not subject to disclosure pursuant to this act, the public agency shall separate or delete such material and make available to the requester that material in the public record which is subject to disclosure pursuant to this act. If a public record is not subject to disclosure because it pertains to an identifiable individual, the public agency shall delete the identifying portions of the record and make available to the requester any remaining portions which are subject to disclosure pursuant to this act, unless the request is for a record pertaining to a specific individual or to such a limited group of individuals that the individuals' identities are reasonably ascertainable, the public agency shall not be required to disclose those portions of the record which pertain to such individual or individuals.

(e) The provisions of this section shall not be construed to exempt from public disclosure statistical information not descriptive of any identifiable person.

(f) Notwithstanding the provisions of subsection (a), any public record which has been in existence more than 70 years shall be open for inspection by any person unless disclosure of the record is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or by a policy adopted pursuant to K.S.A. 72-6214, and amendments thereto.

(g) Any confidential records or information relating to security measures provided or received under the provisions of subsection (a)(45) shall not be subject to subpoena, discovery or other demand in any administrative, criminal or civil action.";

And by renumbering remaining sections accordingly;

Also on page 1, in line 21, by striking "is" and inserting "and K.S.A. 2011 Supp. 45-221 are";

Also on page 1, in the title, in line 2, after the semicolon by inserting "relating to open records;"; also in line 2, after "75-3043a" by inserting "and K.S.A. 2011 Supp. 45-221"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

COMMITTEE OF THE WHOLE

On motion of Senator J. Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Schodorf in the chair.

On motion of Senator Schodorf the following report was adopted.

Recommended **SB 431; HB 2465; Sub HB 2470; HB 2599, HB 2612, HB 2618, HB 2683, HB 2737** be passed.

SB 379, SB 436; HB 2417; Sub HB 2427; HB 2432, HB 2461, HB 2557, HB 2704 be amended by adoption of the committee amendments, and the bills be passed as amended.

SB 311 be amended by the adoption of the committee amendments, be further amended by motion of Senator McGinn, on page 9, in line 38, after the first "on" by inserting "commerce and";

On page 10, in line 3, after "on" by inserting "commerce and";

On page 20, in line 21, after "fund" by inserting ": *Provided*, That the amount transferred from the medicaid fraud prosecution revolving fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the attorney general by other state agencies which receive appropriations from the state general fund to provide such services";

Also on page 20, following line 26, by inserting the following:

"Sec. 42.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, pursuant to section 64(a) of chapter 118 of the 2011 Session Laws of Kansas on the cosmetology fee fund of the Kansas board of cosmetology is hereby increased from \$816,055 to \$830,955.

Sec. 43.

GOVERNMENTAL ETHICS COMMISSION

(a) On July 1, 2012, the position limitation established for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the governmental ethics commission is hereby decreased from 9.00 to 8.50.";

And by renumbering remaining sections accordingly" and **SB 311** be passed as further amended.

An amendment by Senator A. Schmidt on **SB 311** was withdrawn.

SB 314 be amended by the adoption of the committee amendments.

Senator Pyle made a motion that **SB 314** be rereferred to the Committee on Natural Resources.

Upon the showing of five hands a roll call was requested:

On roll call, the vote was: Yeas 5; Nays 35; Present and Passing 0; Absent or Not Voting 0.

Yeas: Kelly, Kultala, Olson, Pilcher-Cook, Pyle.

Nays: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelsey, King, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Ostmeyer, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The motion failed.

Senator Ostmeyer further amended **SB 314** on page 1, in line 7, after "senior" by inserting "combination"; in line 28, by striking all after "(6)"; by striking all in lines 29 and 30; in line 31, by striking "(7)"; and by redesignating remaining paragraphs accordingly and **SB 314** be passed as further amended.

SB 390 be amended by adoption of the committee amendments, be further amended by motion of Senator Brungardt on page 3, in line 40, by striking "statute book" and inserting "Kansas register" and **SB 390** be passed as further amended.

Sub SB 397 be amended by adoption of the committee amendments, be further amended by motion of Senator V. Schmidt on page 125, in line 11, by striking "mental retardation" and inserting "intellectual disability" and **Sub SB 397** be passed as further amended.

FINAL ACTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Emler an emergency was declared by a 2/3 constitutional majority, and **SB 311, SB 314, SB 379, SB 390; Sub SB 397; SB 431, SB 436; HB 2417; Sub HB 2427; HB 2432, HB 2461, HB 2465; Sub HB 2470; HB 2557, HB 2599, HB 2612, HB 2618, HB 2683, HB 2704, HB 2737** were advanced to Final Action and roll call.

SB 311, AN ACT making and concerning appropriations for fiscal years ending June 30, 2012, and June 30, 2013, for state agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing.

On roll call, the vote was: Yeas 33; Nays 7; Present and Passing 0; Absent or Not Voting 0.

Yeas: Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Reitz, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Abrams, Merrick, Olson, Pilcher-Cook, Pyle, A. Schmidt, Steineger.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote No on **SB 311**. I support and respect the Pawnee County officials, community leaders and citizens in their consistent and unyielding support for the state institutions housed in their county. I am disappointed that their efforts to keep the Isaac Ray facility for its intended purpose (forensic evaluations) is left at risk by intended appropriations in **SB 311**. I fought to change **SB 311** direction by amending it on the floor. I was unable to execute that action but was able to raise Pawnee County concerns on the Senate floor and gain support for a hearing with Pawnee County

officials. Mr. President, I will continue my support for this effort. – ALLEN C. SCHMIDT

SB 314, AN ACT concerning the department of wildlife, parks and tourism; relating to licenses; amending K.S.A. 2011 Supp. 32-906, 32-919 and 32-988 and repealing the existing sections.

On roll call, the vote was: Yeas 23; Nays 17; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Bruce, Brungardt, Donovan, Emler, Francisco, Haley, Huntington, Kelsey, Longbine, Love, Masterson, Merrick, Morris, Ostmeyer, Owens, Petersen, Reitz, A. Schmidt, Taddiken, Umbarger, Vratil, Wagle.

Nays: Apple, Faust-Goudeau, Hensley, Holland, Kelly, King, Kultala, Lynn, Marshall, McGinn, Olson, Pilcher-Cook, Pyle, V. Schmidt, Schodorf, Steineger, Teichman.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. President: I want to thank the Senate body for its thoughtful consideration of **SB 314**. Coincidentally, we have brought this for your consideration on the 75th Anniversary of the Wildlife and Sports Restoration Program, often referred to as Pittman Robertson/Dingle Johnson. Pittman Robertson was passed in 1937 and Dingle Johnson was passed in 1950.

The Kansas House passed a resolution that expresses the unselfish commitment that sportsmen and women have had to preserving the natural resources of the United States. Kansas is no exception. Since 1950, when Pittman Robertson was passed, Kansas sportsmen and women – in partnership with Fish and Game, Wildlife and Parks, and now Wildlife Parks and Tourism – have created outdoor recreation opportunities and the diversity of those opportunities are second to none in North America.

Our seniors are paying the excise tax on the sporting equipment they buy, but if we cannot show them as a hunter or angler we cannot guarantee their money is coming back to Kansas. – RALPH OSTMEYER

Senators Bruce, Francisco, Haley, Morris, A. Schmidt, Umbarger, Vratil and Wagle request the record to show they concur with the "Explanation of Vote" offered by Senator Ostmeyer on **SB 314**.

MR. PRESIDENT: By passing **SB 314** we have opened a great potential of giving back to Kansans in wetlands conservation, aquatic education, wildlife restoration, boat safety and many other conservation programs. Through the Senior lifetime hunting and fishing pass we will be bringing back millions of dollars we have already paid out on the Federal excise taxes paid for fishing and hunting equipment purchased. This is a responsible way to conserve, protect, and extend the great sporting environment of Kansas.

I support **SB 314** because it helps us ensure we hand the great Kansas sporting outdoors to the next generation. Thank-you, Mr. President. – ALLEN C. SCHMIDT

Senators Abram, Bruce, Francisco, Haley, Masterson, Morris, Owens, Petersen, Vratil and Wagle request the record to show they concur with the "Explanation of Vote" offered by Senator Schmidt on **SB 314**.

SB 379, AN ACT concerning farm wineries; amending K.S.A. 2011 Supp. 41-308a and repealing the existing section.

On roll call, the vote was: Yeas 22; Nays 18; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Emler, Faust-Goudeau, Haley, Longbine, Love, Masterson, McGinn, Morris, Ostmeyer, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil.

Nays: Brungardt, Donovan, Francisco, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Lynn, Marshall, Merrick, Olson, Petersen, Pilcher-Cook, Pyle, Wagle.

The bill passed, as amended.

EXPLANATION OF VOTE

Mr. President: I do not understand why the Kansas Legislature consistently works to protect and promote big business interests in this state yet so easily turns it back on agricultural entrepreneurs who have literally built their businesses from the Kansas ground up. I vote "NO" on **SB 379**. – TOM HOLLAND

Senators Francisco, Kelly and Lynn request the record to show they concur with the "Explanation of Vote" offered by Senator Holland on **SB 379**.

SB 390, AN ACT concerning farm wineries; relating to farm winery license; authority of licensee; amending K.S.A. 2011 Supp. 41-308a and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

Sub SB 397, AN ACT providing for a change in terminology in the statutes from the terms mental retardation, handicap and similar terms to the term intellectual disability and similar terms; amending K.S.A. 17-1762, 19-4001, 19-4002, 19-4002a, 19-4002b, 19-4003, 19-4004, 19-4005, 19-4007, 19-4009, 19-4010, 19-4011, 39-927, 39-971, 39-1001, 39-1002, 39-1005, 39-1006, 39-1007, 39-1201, 39-1202, 39-1205, 39-1207, 39-1803, 58-24a16, 59-2946, 59-2972, 59-3077, 65-5a14, 65-3501, 65-4202, 65-4212, 65-4411, 65-4412, 65-4413, 65-4414, 65-4415, 65-5601, 72-6203, 74-8917, 75-4375, 75-5399, 75-6508, 76-12b01, 76-12b02, 76-12b03, 76-12b07, 76-12b11 and 76-17c01 and K.S.A. 2011 Supp. 12-1675, 21-5417, 21-6622, 39-923, 39-936, 39-1401, 39-1702, 40-3401, 50-676, 65-180, 65-1124, 65-1626, 65-4915, 65-4921, 65-6805, 72-962, 74-5344, 75-4265, 75-5321a, 75-6506, 75-6609, 75-6610, 75-7303 and 79-3606 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-3606g.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens,

Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed, as amended.

SB 431, AN ACT concerning the credit union administrator; pertaining to certain positions in the unclassified service; amending K.S.A. 17-2234 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

SB 436, AN ACT concerning the department of health and environment; relating to education and screening for congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases and disorders; creating the Kansas newborn screening fund; amending K.S.A. 2011 Supp. 40-3213 and 65-180 and repealing the existing sections.

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

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Ostmeyer, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Olson, Pilcher-Cook.

The bill passed, as amended.

HB 2417, AN ACT concerning driver's licenses; amending K.S.A. 2011 Supp. 8-247 and 8-2,101 and repealing the existing sections.

On roll call, the vote was: Yeas 11; Nays 29; Present and Passing 0; Absent or Not Voting 0.

Yeas: Donovan, Emler, Faust-Goudeau, Haley, Kelsey, McGinn, Petersen, Reitz, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Bruce, Brungardt, Francisco, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, Merrick, Morris, Olson, Ostmeyer, Owens, Pilcher-Cook, Pyle, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Wagle.

A constitutional majority having failed to vote in favor of the bill, **HB 2417** did not pass.

Sub HB 2427, AN ACT concerning the Kansas open records act; relating to information concerning law enforcement officers; amending K.S.A. 2011 Supp. 45-221 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens,

Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed, as amended.

HB 2432, AN ACT concerning distinctive license plates; amending K.S.A. 8-1,148, 8-1,150 and 8-1,151 and K.S.A. 2011 Supp. 8-1,141, 8-1,142, 8-1,153, 8-1,158, 8-1,161, 8-1,162 and 8-1,164 and repealing the existing sections.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Haley, Hensley, Holland, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Ostmeyer, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Emler, Francisco, Huntington, Olson, Pilcher-Cook.

The bill passed, as amended.

HB 2461, AN ACT concerning retirement and benefits, relating to the Kansas public employees retirement fund; alternative investments; amending K.S.A. 2011 Supp. 74-4921 and repealing the existing section.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Masterson, McGinn, Morris, Ostmeyer, Owens, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil.

Nays: Abrams, Love, Lynn, Marshall, Merrick, Olson, Petersen, Pilcher-Cook, Pyle, Reitz, Wagle.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT; It is understood that KPERS is underfunded. However moving to riskier investments albeit with higher percentage returns in an effort to make up for the underfunding is moving in the wrong direction. – STEVE E. ABRAMS

Senators Lynn, Marshall, Olson and Petersen request the record to show they concur with the "Explanation of Vote" offered by Senator Abrams on **HB 2461**.

HB 2465, AN ACT concerning crimes, punishment and criminal procedure; relating to lifetime electronic monitoring of certain offenders; amending K.S.A. 2011 Supp. 21-6604 and 22-3717 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

Sub HB 2470, AN ACT concerning scrap metal dealers; relating to unlawful acts; fees; amending K.S.A. 2011 Supp. 50-6,111 and 50-6,112a and repealing the existing

sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed.

HB 2557, AN ACT concerning commercial vehicles; requiring an annual commercial vehicle fee; amending K.S.A. 79-306d and K.S.A. 2011 Supp. 8-1,152, 79-6a01, 79-6a02, 79-6a03, 79-6a04, 79-1439, 79-3425i and 79-5101 and repealing the existing sections.

On roll call, the vote was: Yeas 32; Nays 8; Present and Passing 0; Absent or Not Voting 0.

Yeas: Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Marshall, McGinn, Morris, Olson, Ostmeyer, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil.

Nays: Abrams, Lynn, Masterson, Merrick, Pilcher-Cook, Pyle, Steineger, Wagle.

The bill passed, as amended.

HB 2599, AN ACT concerning motor vehicles; relating to certain antique license plates; providing for registration decals; amending K.S.A. 2011 Supp. 8-172 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2612, AN ACT designating a portion of Kansas highway 79 as the Barnes brothers memorial highway.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2618, AN ACT concerning the portable electronics insurance act; amending K.S.A. 2011 Supp. 40-5603, 40-5605 and 40-5607 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco,

Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2683, AN ACT concerning the director of penal institutions; amending K.S.A. 22-3416 and repealing the existing section; also repealing K.S.A. 75-5207, 75-5208 and 75-5213.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2704, AN ACT concerning the department of corrections; relating to the reception and diagnostic unit; Topeka correctional facility; amending K.S.A. 2011 Supp. 75-5220 and 75-5229 and repealing the existing sections; also repealing K.S.A. 75-5262, 75-5263, 75-5264 and 75-5265.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2737, AN ACT concerning juvenile offenders; relating to consecutive sentencing; amending K.S.A. 2011 Supp. 38-2369 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

MESSAGE FROM THE HOUSE

Announcing passage of **Substitute HB 2431; HB 2749, HB 2755, HB 2757.**

Announcing passage of **SB 298, SB 316.**

Also, passage of **SB 310**, as amended, **SB 334**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Substitute HB 2431; HB 2749, HB 2755, HB 2757 were thereupon introduced and read by title.

CHANGE OF REFERENCE

The President withdrew **SB 373; HB 2520** from the Calendar under the heading of General Orders and referred the bills to the Committee on **Federal and State Affairs**.

On motion of Senator Emler, the Senate adjourned until 8:00 a.m., Friday, March 16, 2012.

Journal of the Senate

FORTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 16, 2012, 8:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-six senators present.
Senators Brungardt, Kelsey, Love and Steineger were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Even though we complain about the intense schedule, the unjust criticism, and the frustrations. I doubt there are any of us who don't experience a touch of awe as we view this imposing edifice from ninth street.

There is so much history here, Lord. While we assemble day after day, every once in a while we may seem to hear the echoes of debates reaching back into the nineteenth century. And we might even sense the presence of outstanding Senators of the past who have sat where we sit and stood where we stand.

Over the years there have been at least thirty-one who have gone on to Congress. Three of them are serving there today. Fifteen of our forty-one governors once served in this chamber. It is entirely possible that future Congressmen and Congresswomen are standing here as we pray.

And now we are in the process of restoring the State House, as much as possible, to its original appearance. (Pardon me, Lord, as I share my hope that restoration to its original appearance doesn't apply to the restrooms!)

Never let us, O God, lose the sense of history that permeates this place.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Transportation: **HB 2431, HB 2749, HB 2757.**

Ways and Means: **HB 2755.**

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Emler, Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson,

Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1837—

A RESOLUTION congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.

WHEREAS, On August 13, 1887, a group of Kansas fire service leaders met at Minneapolis, Kansas and organized the Kansas State Firemen's Association for the benefit of present and future Kansas firefighters; and

WHEREAS, The Kansas State Firemen's Association eventually changed its name to the Kansas State Firefighter's Association; and

WHEREAS, The Kansas State Firefighter's Association represents 16,000 firefighters, both volunteer and paid, from 660 fire departments across the state; and

WHEREAS, The primary goal of the Kansas State Firefighter's Association is to be dedicated to the safety and education of Kansas firefighters; and

WHEREAS, To provide for the safety of Kansas firefighters, the Kansas State Firefighter's Association provides free training to nearly 1,000 Kansas firefighters each year; and

WHEREAS, Kansas firefighters and their families make significant sacrifices to ensure the protection of Kansas lives and property; and

WHEREAS, The Kansas State Firefighter's Association has enjoyed a rich and proud heritage, and is the preeminent fire service organization in the state of Kansas: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the Kansas State Firefighter's Association and its members be congratulated and commended on the 125th Anniversary of their organization; and

Be it further resolved: That the 13th day of August of 2012 be recognized as Kansas Firefighter Day in honor of the sacrifices made by Kansas firefighters and their families over the past 125 years; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Emler.

On emergency motion of Senator Emler **SR 1837** was adopted unanimously.

Senator Emler congratulated and commended the Kansas State Firefighter's Association on their 125th anniversary. The following Firefighters introduced were John Paulson, his wife Lisa, Steve Hirsch, J.L. Ellis, Shane Pearson, Justin Couse, Ron Ewing and Doug Janssen. The Senate acknowledged them with a standing ovation.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **HB 2117** be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2117," as follows:

"SENATE Substitute for HOUSE BILL No. 2117
By Committee on Assessment and Taxation

"AN ACT concerning taxation; relating to income tax, rate for individuals, credits, deductions and income determination; sales tax rate and distribution of revenue; severance tax, exemptions; homestead property tax refunds; food sales tax refund; amending K.S.A. 39-7,132, 65-7107, 74-8206, 74-8304, 79-32,118, 79-32,128, 79-32,177, 79-32,190 and 79-32,200 and K.S.A. 2011 Supp. 40-2246, 74-50,173, 74-50,208; 74-8316, 74-8401, 79-32,110, 79-32,111, 79-32,117, 79-32,119, 79-32,138, 79-32,143, 79-32,143a, 79-32,182b, 79-32,201, 79-32,204, 79-32,207, 79-32,210, 79-32,212, 79-32,222, 79-32,266, 79-3603, 79-3620, 79-3703, 79-3710, 79-4217, 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections; also repealing K.S.A. 79-32,176 and 79-32,182 and K.S.A. 2011 Supp. 79-32,111a, 79-32,120, 79-32,202, 79-32,213, 79-32,242, 79-3633, 79-3634, 79-3635, 79-3636, 79-3637, 79-3638 and 79-3639.

and the substitute bill be passed.

On motion of Senator Emler the Senate recessed until the sound of the gavel.

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

REPORT ON ENROLLED BILLS

SB 249, SB 264, SB 266, SB 270, SB 374, SB 384, SB 406 reported correctly enrolled properly signed and presented to the Governor on March 16, 2012.

SR 1833, SR 1834, SR 1835, SR 1836 reported correctly enrolled properly signed and presented to the Secretary of the Senate on March 16, 2012.

REPORT OF STANDING COMMITTEES

Committee on Assessment and Taxation recommends HB 2769 be passed.

Committee on **Education** recommends **HB 2200**, as amended by House Committee of the Whole, be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2200," as follows:

"SENATE Substitute for HOUSE BILL No. 2200

By Committee on Education

"AN ACT concerning school districts; relating to the amount of base state aid per pupil; relating to the local option budget; amending K.S.A. 2011 Supp. 72-6410 and 72-6433 and repealing the existing sections.";

and the substitute bill be passed.

Committee on **Federal and State Affairs** recommends **SB 356** be amended on page 1, following line 5, by inserting:

"New Section 1. The owner of a home-owned amusement ride shall acquire and maintain a general liability insurance policy, and shall annually submit proof of such insurance to the secretary in such form and manner as prescribed by the secretary. The owner of the home-owned amusement ride shall make such proof of insurance available for inspection upon request.";

Also on page 1, in line 26, by striking "or"; in line 30, after "devices" by inserting ";

or

(D) home-owned amusement rides";

On page 2, in line 4, after "(d)" by inserting "'Home-owned amusement ride" means an amusement ride owned by a not-for-profit entity and operated:

- (1) Solely within a single county;
 - (2) by individuals on a volunteer basis; and
 - (3) for a period not to exceed 12 days within one calendar year.
- (e)";

And by redesignating subsections accordingly;

On page 3, in line 13, following "44-1612," by inserting "and section 1,,"; following line 15, by inserting the following:

"Sec. 4. K.S.A. 2011 Supp. 44-1614 is hereby amended to read as follows: 44-1614. The secretary of labor shall adopt rules and regulations necessary to implement provisions of the Kansas amusement ride act, K.S.A. 2011 Supp. 44-1601 through ~~44-1612 44-1613 and section 1~~, and amendments thereto; ~~and K.S.A. 2011 Supp. 44-1613, and amendments thereto. Nothing herein shall be construed to authorize the secretary of labor to adopt rules and regulations regulating amusement rides exempted from the Kansas amusement ride act. Such rules and regulations shall be adopted on or before July 1, 2010.~~";

And by renumbering sections accordingly;

Also on page 3, in line 16, by striking "and" and inserting a comma; also in line 16, after "44-1613" by inserting "and 44-1614";

On page 1, in the title, in line 2, by striking "and" and inserting a comma; in line 3, after "1613" by inserting "and 44-1614"; and the bill be passed as amended.

Also, **SB 400** be amended on page 1, in line 15, by striking all after "if"; by striking all in lines 16 through 19; in line 20, by striking "issued"; in line 21, by striking "occurred on" and inserting "been issued for"; also in line 21, after the period by inserting "If the citation is issued for a violation of an ordinance or resolution related to the occupancy of the property, then such list shall not be required to be provided until at least 10 days following the date of the issuance of the citation. For any citation issued for a violation of an ordinance or resolution that is not related to the occupancy of the property,"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2077**, as amended by Senate Committee, be amended on page 2, by striking all in lines 34 through 43;

By striking all on pages 3 and 4;

On page 5, by striking all in lines 1 through 11 and inserting the following:

"New Section 1. (a) With respect to any insurer registered under K.S.A. 40-3305, and amendments thereto, and in accordance with subsection (d), the commissioner of insurance shall have the power to participate in a supervisory college for any domestic insurer that is part of an insurance holding company system with international operations in order to determine compliance by the insurer with this act.

(b) The powers of the commissioner of insurance with respect to supervisory colleges include, but are not limited to, the following:

- (1) Initiating the establishment of a supervisory college;
- (2) clarifying the membership and participation of other supervisors in the supervisory college;

(3) clarifying the functions of the supervisory college and the role of other regulators, including the establishment of a group-wide supervisor;

(4) coordinating the ongoing activities of the supervisory college, including planning meetings, supervisory activities and processes for information sharing;

(5) establishing a crisis management plan; and

(6) establishing a regular assessment to the insurer for the payment of expenses incurred pursuant to subsection (c).

(c) Each registered insurer subject to this section shall be liable for and shall pay the expenses, including reasonable expenses for necessary travel, the commissioner of insurance reasonably incurred with respect to the participation in a supervisory college in accordance with subsection (d). A supervisory college may be convened as either a temporary or permanent forum for communication and cooperation between the regulators charged with the supervision of the insurer or its affiliates.

(d) In order to assess the business strategy, financial position, legal and regulatory position, risk exposure, risk management and governance processes, and as part of the examination of individual insurers in accordance with K.S.A. 40-3307, and amendments thereto, the commissioner of insurance may participate in a supervisory college with other regulators charged with supervision of the insurer or its affiliates, including other state, federal and international regulatory agencies. The commissioner of insurance may enter into agreements in accordance with K.S.A. 40-3308, and amendments thereto, providing the basis for cooperation between the commissioner of insurance and the other regulatory agencies, and the activities of the supervisory college. Nothing in this section shall delegate to the supervisory college the authority of the commissioner of insurance to regulate or supervise the insurer or its affiliates within the jurisdiction of the supervisory college.

New Sec. 2. K.S.A. 40-3301 through 40-3315 inclusive, and sections 1 and 2, and amendments thereto, shall be known and may be cited as the insurance holding company act.

Sec. 3. K.S.A. 40-3302 is hereby amended to read as follows: 40-3302. As used in this act, unless the context otherwise requires:

(a) "Affiliate" of, or person "affiliated" with, a specific person, means a person that directly, or indirectly through one or more intermediaries, controls, ~~or~~ is controlled by, or is under common control with; the person specified.

(b) "Commissioner of insurance" means the commissioner of insurance, the commissioner's deputies, or the insurance department, as appropriate.

(c) "Control" including the terms "controlling," "controlled by" and "under common control with," means the possession, direct or indirect, of the power to direct or cause the direction of the management ~~and~~ or policies of a person, whether through the ownership of voting securities, by contract other than a commercial contract for goods or nonmanagement services, or otherwise, unless the power is the result of an official position with or corporate office held by the person. Control shall be presumed to exist if any person, directly or indirectly, owns, controls, holds with the power to vote, or holds proxies representing 10% or more of the voting securities of any other person. This presumption may be rebutted by a showing made in the manner provided by subsection (k) of K.S.A. 40-3305, and amendments thereto, that control does not exist in fact. The commissioner of insurance may determine, after a hearing in accordance with the provisions of the Kansas administrative procedure act, that control

exists in fact, notwithstanding the absence of a presumption to that effect.

(d) "Enterprise risk" means any activity, circumstance, event or series of events involving one or more affiliates of an insurer that, if not remedied promptly, is likely to have a material adverse effect upon the financial condition or liquidity of the insurer or its insurance holding company system as a whole, including, but not limited to, anything that would cause the insurer's risk-based capital to fall into company action level RBC, as such term is defined in K.S.A. 40-2c01 et seq., and amendments thereto, and K.S.A. 40-2d01 et seq., and amendments thereto, as appropriate, or would cause the insurer to be in hazardous financial condition as set forth in K.S.A. 40-222b, 40-222c and 40-222d, and amendments thereto.

(e) "Insurance holding company system" means two or more affiliated persons, one or more of which is an insurer.

(f) "Insurer" means any corporation, company, association, society, fraternal benefit society, health maintenance organization, nonprofit medical and hospital service corporation, nonprofit dental service corporation, reciprocal exchange, person or partnership writing contracts of insurance, indemnity or suretyship in this state upon any type of risk or loss except lodges, societies, persons or associations transacting business pursuant to the provisions of K.S.A. 40-202, and amendments thereto.

(g) "Person" means an individual, corporation, a partnership, an association, a joint stock company, a trust, an unincorporated organization, any similar entity or any combination of the foregoing acting in concert.

(h) "Securityholder" of a specified person means one who owns any security of such person, including common stock, preferred stock, debt obligations, and any other security convertible into or evidencing the right to acquire any of the foregoing.

(i) "Subsidiary" of a specified person means an affiliate controlled by such person directly, or indirectly, through one or more intermediaries.

(j) "Voting security" means any security convertible into or evidencing a right to acquire a voting security.

Sec. 4. K.S.A. 40-3304 is hereby amended to read as follows: 40-3304. (a) (1) No person other than the issuer shall make a tender offer for or a request or invitation for tenders of, or enter into any agreement to exchange securities or, seek to acquire, or acquire, in the open market or otherwise, any voting security of a domestic insurer if, after the consummation thereof, such person would, directly or indirectly (or by conversion or by exercise of any right to acquire) be in control of such insurer, and no person shall enter into an agreement to merge with or otherwise to acquire control of a domestic insurer or any person controlling a domestic insurer unless, at the time any such offer, request, or invitation is made or any such agreement is entered into, or prior to the acquisition of such securities if no offer or agreement is involved, such person has filed with the commissioner of insurance and has sent to such insurer, a statement containing the information required by this section and such offer, request, invitation, agreement or acquisition has been approved by the commissioner of insurance in the manner hereinafter prescribed. The requirements of this section shall not apply to the merger or consolidation of those companies subject to the requirements of K.S.A. 40-507 and 40-1216 to 40-1225, inclusive, and amendments thereto.

(2) For the purposes of this section:

(A) A domestic insurer shall include any person controlling a domestic insurer unless such person as determined by the commissioner of insurance is either directly or

through its affiliates primarily engaged in business other than the business of insurance. ~~For the purposes of this section;~~

(B) "Person" shall not include any securities broker holding, in the usual and customary broker's function, less than 20% of the voting securities of ~~an~~ the insurance company or of any person which controls ~~an~~ the insurance company.

(b) The statement to be filed with the commissioner of insurance hereunder shall be made under oath or affirmation, shall be accompanied by a nonrefundable filing fee of \$1,000 and shall contain the following information:

(1) The name and address of each person by whom or on whose behalf the merger or other acquisition of control referred to in subsection (a) ~~of this section~~ is to be affected, hereinafter called "acquiring party," and:

(A) If such person is an individual, such individual's principal occupation ~~and~~, all offices and positions held by such individual during the past five years and any conviction of crimes other than minor traffic violations during the past 10 years;

(B) if such person is not an individual, a report of the nature of its business operations during the past five years or for such lesser period as such person and any predecessors thereof shall have been in existence; an informative description of the business intended to be done by such person and such person's subsidiaries; and a list of all individuals who are or who have been selected to become directors or executive officers of such person, or who perform or will perform functions appropriate to such positions. Such list shall include for each such individual the information required by subparagraph (A) ~~of this subsection~~;

(2) the source, nature and amount of the consideration used or to be used in effecting the merger or other acquisition of control, a description of any transaction wherein funds were or are to be obtained for any such purpose including any pledge of the insurer's stock, or the stock of any of its subsidiaries or controlling affiliates, and the identity of persons furnishing such consideration, except that where a source of such consideration is a loan made in the lender's ordinary course of business, the identity of the lender shall remain confidential, if the person filing such statement so requests;

(3) fully audited financial information as to the earnings and financial condition of each acquiring party for the preceding five fiscal years of each such acquiring party or for such lesser period as such acquiring party and any predecessors thereof shall have been in existence, and similar unaudited information as of a date not earlier than 90 days prior to the filing of the statement;

(4) any plans or proposals which each acquiring party may have to liquidate such insurer, to sell its assets ~~or~~, merge or consolidate it with any person or to make any other material change in to its business ~~or~~, corporate structure or management;

(5) the number of shares of any security referred to in subsection (a) ~~of this section~~ which each acquiring party proposes to acquire and the terms of the offer, request, invitation, agreement or acquisition referred to in subsection (a) ~~of this section~~, and a statement as to the method by which the fairness of the proposal was arrived at;

(6) the amount of each class of any security referred to in subsection (a) ~~of this section~~ which is beneficially owned or concerning which there is a right to acquire beneficial ownership by each acquiring party;

(7) a full description of any contracts, arrangements or understandings with respect to any security referred to in subsection (a) ~~of this section~~ in which any acquiring party is involved, including but not limited to transfer of any of the securities, joint ventures,

loan or option arrangements, puts or calls, guarantees of loans, guarantees against loss or guarantees of profits, division of losses or profits, or the giving or withholding of proxies. Such description shall identify the persons with whom such contracts, arrangements or understandings have been entered into;

(8) a description of the purchase of any security referred to in subsection (a) ~~of this section~~ during the ~~12-calendar~~ 12-calendar months preceding the filing of the statement, by any acquiring party, including the dates of purchase, names of the purchasers, and consideration paid or agreed to be paid therefor;

(9) a description of any recommendations to purchase any security referred to in subsection (a) ~~of this section~~ made during the ~~12-calendar~~ 12-calendar months preceding the filing of the statement, by any acquiring party, or by anyone based upon interviews or at the suggestion of such acquiring party;

(10) copies of all tender offers for, requests or invitations for tenders of, exchange offers for and agreements to acquire or exchange any securities referred to in subsection (a) ~~of this section~~, and, if distributed, of additional soliciting material relating thereto;

(11) the terms of any agreement, contract or understanding made with or proposed to be made with any broker-dealer as to solicitation of securities referred to in subsection (a) ~~of this section~~ for tender, and the amount of any fees, commissions or other compensation to be paid to broker-dealers with regard thereto;

(12) an agreement by the person required to file the statement referred to in subsection (a) that it will provide the annual report, specified in subsection (1) of K.S.A. 40-3305, and amendments thereto, for so long as control exists;

(13) an acknowledgment by the person required to file the statement referred to in subsection (a) that the person and all subsidiaries within its control in the insurance holding company system will provide to the commissioner of insurance upon request such information as the commissioner of insurance deems necessary to evaluate enterprise risk to the insurer; and

(14) such additional information as the commissioner of insurance may by rule or regulation prescribe as necessary or appropriate for the protection of policyholders of the insurer or in the public interest.

If the person required to file the statement referred to in subsection (a) ~~of this section~~ is a partnership, limited partnership, syndicate or other group, the commissioner of insurance may require that the information called for by paragraphs (1) through ~~(12)~~ (14) of subsection (b) ~~of this section~~ shall be given with respect to each partner of such partnership or limited partnership, each member of such syndicate or group, and each person who controls such partner or member. If any such partner, member or person is a corporation or the person required to file the statement referred to in subsection (a) ~~of this section~~ is a corporation, the commissioner of insurance may require that the information called for by paragraphs (1) through ~~(12)~~ (14) of subsection (b) ~~of this section~~ shall be given with respect to such corporation, each officer and director of such corporation and each person who is directly or indirectly the beneficial owner of more than 10% of the outstanding voting securities of such corporation.

If any material change occurs in the facts set forth in the statement filed with the commissioner of insurance and sent to such insurer pursuant to this section, an amendment setting forth such change, together with copies of all documents and other material relevant to such change, shall be filed with the commissioner of insurance and sent to such insurer within two business days after the person learns of such change.

(c) If any offer, request, invitation, agreement or acquisition referred to in subsection (a) ~~of this section~~ is proposed to be made by means of a registration statement under the securities act of 1933 or in circumstances requiring the disclosure of similar information under the securities exchange act of 1934, or under a state law requiring similar registration or disclosure, the person required to file the statement referred to in subsection (a) ~~of this section~~ may utilize such documents in furnishing the information called for by that statement.

(d) (1) The commissioner of insurance shall approve any merger or other acquisition of control referred to in subsection (a) ~~of this section~~ unless, after a public hearing thereon conducted in accordance with the provisions of the Kansas administrative procedure act, the commissioner finds that:

(A) After the change of control the domestic insurer referred to in subsection (a) ~~of this section~~ would not be able to satisfy the requirements for the issuance of a license to write the line or lines of insurance for which it is presently licensed;

(B) the financial condition of any acquiring party is such as might jeopardize the financial stability of the insurer or prejudice the interest of its policyholders;

(C) the plans or proposals which the acquiring party has to liquidate the insurer, sell its assets ~~or~~, consolidate or merge it with any person, or to make any other material change in its business ~~or~~, corporate structure or management, are unfair and unreasonable to policyholders of the insurer ~~and or are~~ not in the public interest; or

(D) the competence, experience and integrity of those persons who would control the operation of the insurer are such that it would not be in the interest of policyholders of the insurer ~~and or~~ of the public to permit the merger or other acquisition of control; or

(E) the acquisition is likely to be hazardous or prejudicial to the insurance-buying public.

(2) The public hearing referred to in paragraph (1) of subsection (d) ~~of this section~~ shall be held as soon as practical after the statement required by this subsection (a) ~~of this section~~ is filed, and at least 20 ~~days'~~ days notice thereof shall be given by the commissioner of insurance to the person filing the statement. Not less than seven ~~days'~~ days notice of such public hearing shall be given by the person filing the statement to the insurer and to such other persons as may be designated by the commissioner of insurance. At such hearing, the person filing the statement, the insurer, any person to whom notice of hearing was sent, and any other person whose interests may be affected thereby shall have the right to present evidence, examine and cross-examine witnesses, and offer oral and written arguments in accordance with the Kansas administrative procedure act. In the absence of intervention, such insurer or person shall have the right to present oral or written statements in accordance with subsection (c) of K.S.A. 77-523, and amendments thereto.

(3) If the proposed acquisition of control will require the approval of more than one commissioner of insurance, the public hearing referred to in paragraph (2) may be held on a consolidated basis upon request of the person filing the statement referred to in subsection (a). Such person shall file the statement referred to in subsection (a) with the national association of insurance commissioners within five days of making the request for a public hearing. A commissioner of insurance may opt out of a consolidated hearing, and shall provide notice to the applicant of the opt-out within 10 days of the receipt of the statement referred to in subsection (a). A hearing conducted on a

consolidated basis shall be public and shall be held within the United States before the commissioners of insurance of the states in which the insurers are domiciled. Such commissioners of insurance shall hear and receive evidence. A commissioner of insurance may attend such hearing, in person or by telecommunication.

(4) As a condition of a change of control of a domestic insurer, any determination by the commissioner of insurance that the person acquiring control of the insurer shall be required to maintain or restore the capital of the insurer to the level required by the laws and regulations of this state shall be made not later than 60 days after the date of notification of the change in control submitted pursuant to subsection (a) of this act.

(5) The commissioner of insurance may retain at the acquiring person's expense any attorneys, actuaries, accountants and other experts not otherwise a part of the commissioner's staff as may staff of the commissioner of insurance as the commissioner of insurance deems to be reasonably necessary to assist the commissioner of insurance in reviewing the proposed acquisition of control.

(e) The provisions of this section shall not apply to any offer, request, invitation, agreement or acquisition which the commissioner of insurance by order shall exempt therefrom as:

(1) Not having been made or entered into for the purpose and not having the effect of changing or influencing the control of a domestic insurer; or

(2) as otherwise not comprehended within the purposes of this section.

(f) The following shall be violations of this section:

(1) The failure to file any statement, amendment or other material required to be filed pursuant to subsection (a) or (b) ~~of this section~~; or

(2) the effectuation or any attempt to effectuate an acquisition of control of, or merger with, a domestic insurer unless the commissioner of insurance has given the ~~commissioner's~~ requisite approval thereto.

(g) The courts of this state are hereby vested with jurisdiction over every security holder of a domestic insurer and every person not resident, domiciled or authorized to do business in this state who files a statement with the commissioner of insurance under this section and over all actions involving such person arising out of violations of this section. Each such person shall be deemed to have performed acts equivalent to and constituting an appointment by such a person of the commissioner of insurance to be such person's true and lawful attorney upon whom may be served all lawful process in any action, suit or proceeding arising out of violations of this section. Copies of all such lawful process shall be served on the commissioner of insurance and transmitted by registered or certified mail by the commissioner of insurance to such person at such person's last known address.

Sec. 5. K.S.A. 40-3305 is hereby amended to read as follows: 40-3305. (a) Every insurer which is authorized to do business in this state and which is a member of an insurance holding company system shall register with the commissioner of insurance, except a foreign insurer subject to registration requirements and standards adopted by statute or regulation in the jurisdiction of its domicile which are substantially similar to those contained in this section. Any insurer which is subject to registration under this section shall register within 15 days after it becomes subject to registration, and annually thereafter by May 1 of each year unless the commissioner of insurance for good cause shown extends the time for registration, and then within such extended time. The commissioner of insurance may require any authorized insurer which is a member

of ~~a~~ an insurance holding company system and which is not subject to registration under this section to furnish a copy of the registration statement, the summary specified in subsection (c) or other information filed by such insurance company with the insurance regulatory authority of domiciliary jurisdiction.

(b) Pursuant to subsection (a), every insurer subject to registration shall file a registration statement on a form provided by the commissioner of insurance, which shall contain current information about:

(1) The capital structure, general financial condition, ownership and management of the insurer and any person controlling the insurer;

(2) the identity and relationship of every member of the insurance holding company system;

(3) the following agreements in force and transactions currently outstanding or which ~~have~~ occurred during the last calendar year between such insurer and its affiliates:

(A) Loans, other investments, or purchases, sales or exchanges of securities of the affiliates by the insurer or of the insurer by its affiliates;

(B) purchases, sales, or exchanges of assets;

(C) transactions not in the ordinary course of business;

(D) guarantees or undertakings for the benefit of an affiliate which result in an actual contingent exposure of the insurer's assets to liability, other than insurance contracts entered into in the ordinary course of the insurer's business;

(E) all management agreements ~~and~~, service contracts and ~~all~~ cost sharing arrangements;

(F) reinsurance agreements;

(G) dividends and other distributions to shareholders; and

(H) consolidated tax allocation agreements.

(4) Other matters concerning transactions between registered insurers and any affiliates as may be included from time to time in any registration forms adopted or approved by the commissioner of insurance;

(5) any pledge of the insurer's stock, including stock of any subsidiary or controlling affiliate, for a loan made to any member of the insurance holding company system;

(6) if requested by the commissioner of insurance, the insurer shall include financial statements of or within an insurance holding company system, including all affiliates. Financial statements may include, but are not limited to, annual audited financial statements filed with the U.S. Securities and Exchange Commission (SEC) pursuant to the securities act of 1933, as amended, or the securities exchange act of 1934, as amended. An insurer required to file financial statements pursuant to this paragraph may satisfy the request by providing the commissioner of insurance with the most recently filed parent corporation financial statements that have been filed with the SEC;

(7) statements that the insurer's board of directors and principal officers oversee corporate governance and internal controls and that the insurer's principal officers have approved, implemented and continue to maintain and monitor corporate governance and internal control procedures; and

(8) any other information required by the commissioner of insurance by rules and regulations.

(c) All registration statements shall ~~contain~~ be accompanied by a summary outlining all items in the current registration statement representing changes from the prior registration statement.

(d) No information need be disclosed on the registration statement filed pursuant to subsection (b) if such information is not material for the purpose of this section. Unless the commissioner of insurance by rules and regulations or order provides otherwise, sales, purchases, exchanges, loans or extensions of credit, investments or guarantees, involving .5% or less of an insurer's admitted assets as of the December 31 next preceding shall ~~not~~ be deemed ~~material~~ immaterial for purposes of this section.

(e) Each registered insurer shall keep current the information required to be disclosed in such insurer's registration statement by reporting all material changes or additions on amendment forms provided by the commissioner of insurance within 15 days after the end of the month in which it learns of each such change or addition, except each registered insurer shall report all dividends and other distributions to shareholders within five business days following its declaration. Any such dividend or distribution shall not be paid for at least 10 business days from the commissioner's receipt of the notice of its declaration.

(f) Any person within an insurance holding company system subject to registration shall ~~be required to~~ provide complete and accurate information to an insurer, where such information is reasonably necessary to enable the insurer to comply with the provisions of this act.

(g) The commissioner of insurance shall terminate the registration of any insurer which demonstrates that such insurer no longer is a member of an insurance holding company system.

(h) The commissioner of insurance may require or allow two or more affiliated insurers subject to registration hereunder to file a consolidated registration statement.

(i) The commissioner of insurance may allow an insurer which is authorized to do business in this state and which is part of an insurance holding company system to register on behalf of any affiliated insurer which is required to register under subsection (a) and to file all information and material required to be filed under this section.

(j) The provisions of this section shall not apply to any information or transaction if and to the extent the commissioner of insurance by rules and regulations or order shall exempt the same from the provisions of this section.

(k) Any person may file with the commissioner of insurance a disclaimer of affiliation with any authorized insurer or such a disclaimer may be filed by such insurer or any member of an insurance holding company system. The disclaimer shall fully disclose all material relationships and bases for affiliation between such person and such insurer as well as the basis for disclaiming such affiliation. After a disclaimer has been filed, the insurer shall be relieved of any duty to register or report under this section which may arise out of the insurer's relationship with such person unless and until the commissioner of insurance disallows such a disclaimer. The commissioner of insurance shall disallow such a disclaimer only after furnishing all parties in interest with notice and opportunity to be heard in accordance with the provisions of the Kansas administrative procedure act.

(l) The ultimate controlling person of every insurer subject to registration also shall file an annual enterprise risk report. The report, to the best of the ultimate controlling person's knowledge and belief, shall identify the material risks within the insurance

holding company system that could pose enterprise risk to the insurer. The report shall be filed with the lead state commissioner of insurance of the insurance holding company system as determined by the procedures within the financial analysis handbook adopted by the national association of insurance commissioners. The first enterprise risk report shall be filed no later than May 1, 2014, and annually thereafter by May 1 of each year unless the commissioner of insurance for good cause shown extends the time for filing.

(m) The failure of an insurer or the ultimate controlling person of an insurer to file a registration statement, any summary of the registration statement or enterprise risk filing required by this section within the specified time for filing shall be a violation by the insurer or by the ultimate controlling person of the insurer, as applicable.

Sec. 6. K.S.A. 40-3306 is hereby amended to read as follows: 40-3306. (a) Material transactions by registered insurers with their affiliates shall be subject to the following standards:

(1) The terms shall be fair and reasonable;

(2) agreements for cost-sharing services and management shall include such provisions as required by rules and regulations adopted by the commissioner of insurance;

(3) the charges or fees for services performed shall be reasonable;

~~(3)(4) expenses incurred and payment received shall be allocated to the insurer in conformity with customary insurance accounting practices consistently applied with respect to such transactions shall be allocated to the insurer in conformity with the requirements of K.S.A. 40-225, and amendments thereto;~~

~~(4)(5) the books, accounts and records of each party to all such transactions shall be so maintained as to clearly and accurately disclose the nature and details of the transactions including such accounting information necessary to support the reasonableness of the charges or fees to the respective parties; and~~

~~(5)(6) the insurer's surplus as regards policyholders following any transactions, dividends or distributions to shareholder affiliates shall be reasonable in relation to the insurer's outstanding liabilities and adequate to its financial needs.~~

(b) The following transactions involving a domestic insurer and any person in such insurer's insurance holding company system may not be entered into unless the insurer has notified the commissioner in writing of such insurer's intention to enter into such transaction at least 30 days prior thereto, or such shorter period as the commissioner may permit, and the commissioner has not disapproved such transaction within such period.

(1) Sales, purchases, exchanges, loans or extensions of credit, guarantees or investments provided such transactions are equal to or exceed:

(A) With respect to nonlife insurers, the lesser of 3% of the insurer's admitted assets or 25% of surplus as regards policyholders; or

(B) with respect to life insurers, 3% of the insurer's admitted assets, each as of December 31 next preceding.

(2) Loans or extensions of credit to any person who is not an affiliate, where the insurer makes such loans or extensions of credit with the agreement or understanding that the proceeds of such transactions, in whole or in substantial part, are to be used to make loans or extensions of credit to, purchase assets of, or make investments in, any affiliate of the insurer making such loans or extensions of credit provided such

transactions are equal to or exceed:

(A) With respect to nonlife insurers, the lesser of 3% of the insurer's admitted assets or 25% of surplus as regards policyholders; or

(B) with respect to life insurers, 3% of the insurer's admitted assets, each as of December 31 next preceding.

(3) Reinsurance agreements or modifications thereto, including:

(A) All reinsurance pooling agreements; and

(B) agreements in which the reinsurance premium or a change in the insurer's liabilities, or the projected reinsurance premium or a projected change in the insurer's liabilities in any of the next three consecutive years equals or exceeds 5% of the insurer's surplus as regards policyholders, as of December 31 next preceding, including those agreements which may require as consideration the transfer of assets from an insurer to a nonaffiliate, if an agreement or understanding exists between the insurer and nonaffiliate that any portion of such assets will be transferred to one or more affiliates of the insurer;

(4) all management agreements, service contracts, tax allocation agreements and all cost-sharing arrangements; and

(5) any material transactions, specified by regulation rules and regulations, which the commissioner of insurance determines may adversely affect the interests of ~~the~~ an insurer's policyholders.

Nothing herein contained shall be deemed to authorize or permit any transactions which, in the case of an insurer not a member of the same insurance holding company system, would be otherwise contrary to law.

(c) A domestic insurer may not enter into transactions which are part of a plan or series of like transactions with persons within the insurance holding company system if the purpose of those separate transactions is to avoid the ~~statutory~~ threshold amount required under this section and thus avoid the review that would occur otherwise. If the commissioner of insurance determines that such separate transactions were entered into over any ~~12-month~~ 12-month period for such purpose, the commissioner of insurance may exercise authority under K.S.A. 40-3311, and amendments thereto.

(d) The commissioner of insurance, in reviewing transactions pursuant to subsection (b), shall consider whether the transactions comply with the standards set forth in subsection (a), and whether they may adversely affect the interests of policyholders.

(e) The commissioner of insurance shall be notified within 30 days of any investment of the domestic insurer in any one corporation if the total investment in such corporation by the insurance holding company system exceeds 10% of such corporation's voting securities.

(f) A transaction subject to approval by the commissioner of insurance pursuant to K.S.A. 40-3304, and amendments thereto, shall not be subject to the requirements of this section.

~~(f)(g)~~ (1) No insurer subject to registration under K.S.A. 40-3305, and amendments thereto, ~~shall may~~ pay any extraordinary dividend or make any other extraordinary distribution to such insurer's shareholders until:

(A) Thirty days after the commissioner of insurance has received notice of the declaration thereof and has not within such period disapproved such payment; or

(B) the commissioner of insurance ~~shall have~~ has approved such payment within

such 30-day period.

(2) ~~(A)~~ For purposes of this section, an extraordinary dividend or distribution includes any dividend or distribution of cash or other property, ~~whose fair market value~~ the fair market value of which, together with that of other dividends or distributions made within the preceding 12 months exceeds the greater of: ~~(A)~~

~~(i)~~ Ten percent of such insurer's surplus as regards policyholders as of December 31 ~~next immediately~~ preceding; or ~~(B)~~

~~(ii)~~ the net gain from operations of such insurer, if such insurer is a life insurer, or the net income, if such insurer is not a life insurer, not including realized capital gains for the 12-month period ending December 31 ~~next immediately~~ preceding, but shall not include pro rata distributions of any class of the insurer's own securities.

(B) In determining whether a dividend or distribution is extraordinary, an insurer, other than a life insurer, may carry forward net income from the previous two calendar years that has not already been paid out as dividends. This carry-forward shall be computed by taking the net income from the second and third preceding calendar years, not including realized capital gains, less dividends paid in the second and immediately preceding calendar years.

~~(C)~~ An extraordinary dividend or distribution shall also include any dividend or distribution made or paid out of any funds other than earned surplus arising from the insurer's business, as defined in K.S.A. 40-233, and amendments thereto. The provisions of K.S.A. 40-233, and amendments thereto, shall not be construed so as to prohibit an insurer, subject to registration under K.S.A. 40-3305, and amendments thereto, from making or paying an extraordinary dividend or distribution in accordance with this section.

(3) Notwithstanding any other provisions of law, an insurer may declare an extraordinary dividend or distribution which is conditional upon the ~~commissioner's approval thereof, and such a declaration shall confer no approval of the commissioner of insurance. No declaration shall confer any~~ rights upon shareholders until:

(A) The commissioner of insurance has approved the payment of such dividend or distribution; or

(B) the commissioner of insurance has not disapproved such payment within the 30-day period referred to above.

~~(g)~~(h) (1) Notwithstanding the control of a domestic insurer by any person, the officers and directors of the insurer shall not thereby be relieved of any obligation or liability to which they would otherwise be subject by law, and the insurer shall be managed so as to assure its separate operating identity consistent with this act.

(2) Nothing herein shall preclude a domestic insurer from having or sharing a common management or cooperative or joint use of personnel, property or services with one or more other persons under arrangements meeting the standards of K.S.A. 40-3306, and amendments thereto.

~~(h)~~(i) For purposes of this act, in determining whether an insurer's surplus as regards policyholders is reasonable in relation to the insurer's outstanding liabilities and adequate to such insurer's financial needs, the following factors, among others, shall be considered:

(1) The size of the insurer as measured by such insurer's assets, capital and surplus, reserves, premium writings, insurance in force and other appropriate criteria;

(2) the extent to which the insurer's business is diversified among the several lines

of insurance;

- (3) the number and size of risks insured in each line of business;
- (4) the extent of the geographical dispersion of the insurer's insured risks;
- (5) the nature and extent of the insurer's reinsurance program;
- (6) the quality, diversification, and liquidity of the insurer's investment portfolio;
- (7) the recent past and projected future trend in the size and performance of the insurer's surplus as regards policyholders;
- (8) the surplus as regards policyholders maintained by other comparable insurers;
- (9) the adequacy of the insurer's reserves;
- (10) the quality and liquidity of investments in affiliates. The commissioner of insurance may treat any such investment as a disallowed asset for purposes of determining the adequacy of surplus as regards policyholders whenever in the commissioner's judgment such investment so warrants; and
- (11) the quality of the insurer's earnings and the extent to which the reported earnings include extraordinary items.

Sec. 7. K.S.A. 40-3307 is hereby amended to read as follows: 40-3307. (a) Subject to the limitation contained in this section and in addition to the powers which the commissioner of insurance has under K.S.A. 40-222 and K.S.A. 40-222a, and amendments thereto, relating to the examination of insurers, the commissioner of insurance shall ~~also~~ have the power ~~to order any insurer registered under K.S.A. 40-3305 to produce such records, books, or other information papers in the possession of the insurer or its affiliates as shall be necessary to ascertain the financial condition or legality of conduct of such insurer. In the event such insurer fails to comply with such order, the commissioner of insurance shall have the power to examine such affiliates to obtain such information~~ examine any insurer registered under K.S.A. 40-3305, and amendments thereto, and such insurer's affiliates to ascertain the financial condition, including enterprise risk, of such insurer.

(b) ~~(1)~~ The commissioner of insurance shall exercise his power under subsection (A) of this section only if the examination of the insurer under K.S.A. 40-222 or K.S.A. 40-222a is inadequate or the interests of the policyholders of such insurer may be adversely affected may order any insurer registered under K.S.A. 40-3305, and amendments thereto, to produce such records, books or other information in the possession of the insurer or its affiliates as are reasonably necessary to determine compliance with this act.

(2) To determine compliance with this act, the commissioner of insurance may order any insurer registered under K.S.A. 40-3305, and amendments thereto, to produce information not in the possession of the insurer, if the insurer can obtain access to such information pursuant to contractual relationships, statutory obligations or another method. In the event the insurer cannot obtain the information requested by the commissioner of insurance, the insurer shall provide the commissioner of insurance a detailed explanation of the reason that the insurer cannot obtain the information and the identity of the holder of information. Whenever it appears to the commissioner of insurance that the detailed explanation is without merit, the commissioner of insurance may require, after notice and hearing, the insurer to pay a penalty of not more than \$1,000 for each day's delay, or may suspend or revoke the license of the insurer.

(c) The commissioner of insurance may retain at the registered insurer's expense such attorneys, actuaries, accountants and other experts not otherwise a part of the

commissioner's staff as ~~shall the commissioner of insurance shall determine to~~ be reasonably necessary to assist in the conduct of the examination under subsection (a) ~~of this section~~. Any persons so retained shall be under the direction and control of the commissioner of insurance and shall act in a purely advisory capacity.

(d) Each registered insurer producing examination records, books and papers pursuant to subsection (a) ~~of this section~~ shall be liable for and shall pay the expense of such examination in accordance with K.S.A. 40-223 and K.S.A. 40-253, and amendments thereto.

(e) The commissioner of insurance shall have the power to issue subpoenas, administer oaths and examine under oath any person for purposes of determining compliance with this section. Upon the failure or refusal of any person to obey a subpoena, the commissioner of insurance may petition a court of competent jurisdiction, and upon proper showing, the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the court order shall be punishable as contempt of court. Every person subpoenaed shall be obliged to attend as a witness at the place specified in the subpoena, when subpoenaed, anywhere within the state. Such person shall be entitled to the same fees and mileage, if claimed, as a witness in K.S.A. 28-125, and amendments thereto. Fees, mileage and actual expense, if any, necessarily incurred in securing the attendance and testimony of witnesses shall be itemized, charged against and paid by the company being examined.

Sec. 8. K.S.A. 40-3308 is hereby amended to read as follows: 40-3308. ~~All information, documents and copies thereof obtained by or disclosed to the commissioner of insurance or any other person in the course of an examination or investigation made pursuant to K.S.A. 40-3307 and amendments thereto and all information reported pursuant to K.S.A. 40-3305 and amendments thereto, shall be given confidential treatment and shall not be subject to subpoena. Such information, documents and copies thereto shall not be made public by the commissioner of insurance, the national association of insurance commissioners or any other person, except to insurance departments of other states and as otherwise provided in this section, without the prior written consent of the insurer to which it pertains. If the commissioner of insurance, after giving the insurer and its affiliates who would be affected thereby, notice and opportunity to be heard in accordance with the provisions of the Kansas administrative procedure act, determines that the interests of policyholders, shareholders or the public will be served by the publication thereof, the commissioner may publish all or any part thereof in such a manner as the commissioner may deem appropriate.~~

(a) Documents, materials or other information obtained by or disclosed to the commissioner of insurance or any other person in the course of an examination or investigation made pursuant to K.S.A. 40-3307, and amendments thereto, and all information reported pursuant to subsections (b)(12) and (13) of K.S.A. 40-3304, 40-3305 and 40-3306, and amendments thereto, shall:

- (1) Be confidential and privileged;
 - (2) not be subject to disclosure under the Kansas open records act, K.S.A. 45-215 *et seq.*, and amendments thereto;
 - (3) not be subject to subpoena; and
 - (4) not be subject to discovery or admissible in evidence in any private civil action.
- (b) The commissioner of insurance shall not otherwise make the documents,

materials or other information public without the prior written consent of the insurer to which it pertains unless the commissioner of insurance, after giving the insurer and its affiliates who would be affected thereby, notice and opportunity to be heard in accordance with the provisions of the Kansas administrative procedure act, determines that the interests of policyholders, shareholders or the public would be served by the publication thereof, in which event the commissioner of insurance may publish all or any part thereof in such a manner as the commissioner of insurance may deem appropriate. In making such determination, the commissioner of insurance also shall take into consideration any potential adverse consequences of the disclosure thereof.

(c) Neither the commissioner of insurance nor any person who received documents, materials or other information while acting under the authority of the commissioner of insurance or with whom such documents, materials or other information are shared pursuant to this section shall be permitted or required to testify in any private civil action concerning any confidential documents, materials or information subject to subsection (a).

(d) In order to assist in the performance of the commissioner of insurance's duties, the commissioner of insurance:

(1) May share documents, materials or other information, including the confidential and privileged documents, materials or information subject to subsection (a), with other state, federal and international regulatory agencies, with the national association of insurance commissioners and its affiliates and subsidiaries, and with state, federal and international law enforcement authorities, including members of any supervisory college described in section 1, and amendments thereto, provided that the recipient agrees in writing to maintain the confidentiality and privileged status of the document, material or other information, and has verified in writing the legal authority to maintain confidentiality;

(2) not withstanding the provisions of paragraph (1) above, the commissioner of insurance may only share confidential and privileged documents, material or information reported pursuant to subsection (1) of K.S.A. 40-3305, and amendments thereto, with the commissioner of insurance of states having statutes or regulations substantially similar to subsections (a) and (b), and who have agreed in writing not to disclose such information;

(3) may receive documents, materials or information, including otherwise confidential and privileged documents, materials or information from the national association of insurance commissioners, and its affiliates and subsidiaries, and from regulatory and law enforcement officials of other foreign or domestic jurisdictions, and shall maintain as confidential or privileged any document, material or information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material or information. Documents received pursuant to this section shall not be subject to disclosure pursuant to the open records act, K.S.A. 45-215 *et seq.*, and amendments thereto; and

(4) shall enter into written agreements with the national association of insurance commissioners governing sharing and use of information provided pursuant to this act consistent with this subsection that shall:

(i) Specify procedures and protocols regarding the confidentiality and security of information shared with the national association of insurance commissioners and its affiliates and subsidiaries pursuant to this act, including procedures and protocols for

sharing by the national association of insurance commissioners with other state, federal or international regulators;

(ii) specify that ownership of information shared with the national association of insurance commissioners and its affiliates and subsidiaries pursuant to this act remains with the commissioner of insurance and the national association of insurance commissioners' use of the information is subject to the direction of the commissioner of insurance;

(iii) require prompt notice to be given to an insurer and its affiliates whose confidential information in the possession of the national association of insurance commissioners, pursuant to this act, is subject to a request or subpoena to the national association of insurance commissioners for disclosure or production; and

(iv) require the national association of insurance commissioners and its affiliates and subsidiaries to consent to intervention by an insurer in any judicial or administrative action in which the national association of insurance commissioners and its affiliates and subsidiaries may be required to disclose confidential information about the insurer and its affiliates shared with the national association of insurance commissioners and its affiliates and subsidiaries pursuant to this act.

(e) The sharing of information by the commissioner of insurance, pursuant to this act, shall not constitute a delegation of regulatory authority or rulemaking, and the commissioner of insurance is solely responsible for the administration, execution and enforcement of the provisions of this act.

(f) No waiver of any applicable privilege or claim of confidentiality in the documents, materials or information shall occur as a result of disclosure to the commissioner of insurance under this act or as a result of sharing as authorized in subsection (d).

(g) Documents, materials or other information in the possession or control of the national association of insurance commissioners, pursuant to this act, shall be confidential by law and privileged, shall not be subject to the open records act, K.S.A. 45-215 *et seq.*, and amendments thereto, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action.

(h) The provisions of this section shall expire on July 1, 2017, unless the legislature acts to reenact such provision. The provisions of this section shall be reviewed by the legislature prior to July 1, 2017.

Sec. 9. K.S.A. 40-3309 is hereby amended to read as follows: 40-3309. The commissioner of insurance, upon notice and opportunity for all interested persons to be heard, may issue such ~~rules, regulations~~ rules and regulations and orders as shall be necessary to carry out the provisions of this act. Hearings on orders, as defined in subsection (d) of K.S.A. 77-502, and amendments thereto, shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

Sec. 10. K.S.A. 40-3310 is hereby amended to read as follows: 40-3310. (a) Whenever it appears to the commissioner of insurance that any insurer or any director, officer, employee or agent thereof has committed or is about to commit a violation of this act or of any rule, regulation, or order issued by the commissioner of insurance hereunder, the commissioner of insurance may apply to the district court in and for the county in which the principal office of the insurer is located or if such insurer has no such office in this state then to the district court of Shawnee county for an order enjoining such insurer or such director, officer, employee or agent thereof from

violating or continuing to violate this act or any such rule, regulation or order, and for such other equitable relief as the nature of the case and the interests of the insurer's policyholders, creditors and shareholders or the public may require.

(b) No security which is the subject of any agreement or arrangement regarding acquisition, or which is acquired or to be acquired, in contravention of the provisions of this act ~~or of~~ any rules and regulations or order issued by the commissioner of insurance hereunder may be voted at any shareholders' meeting, or may be counted for quorum purposes, and any action of shareholders requiring the affirmative vote of a percentage of shares may be taken as though such securities were not issued and outstanding. However, no action taken at any such meeting shall be invalidated by the voting of such securities, unless the action would materially affect control of the insurer or unless the courts of this state have so ordered. If an insurer or the commissioner of insurance has reason to believe that any security of the insurer has been or is about to be acquired in contravention of the provisions of this act or of any rule, regulation or order issued by the commissioner of insurance hereunder the insurer or the commissioner of insurance may apply to the district court of Shawnee county or to the district court for the county in which the insurer has its principal place of business to enjoin any offer, request, invitation, agreement or acquisition made in contravention of K.S.A. 40-3304, and amendments thereto, or any rules and regulations, or order issued by the commissioner of insurance thereunder to enjoin the voting of any security so acquired, to void any vote of such security already cast at any meeting of shareholders, and for such other equitable relief as the nature of the case and the interests of the insurer's policyholders, creditors and shareholders or the public may require.

(c) In any case where a person has acquired or is proposing to acquire any voting securities in violation of this act or any rule, regulation or order issued by the commissioner of insurance hereunder, the district court of Shawnee county or the district court for the county in which the insurer has its principal place of business may, on such notice as the court deems appropriate, upon the application of the insurer or the commissioner of insurance seize or sequester any voting securities of the insurer owned directly or indirectly by such person, and issue such orders with respect thereto as may be appropriate to effectuate the provisions of this act. Notwithstanding any other provisions of law, for the purposes of this act the situs of the ownership of the securities of domestic insurers shall be deemed to be in this state.

Sec. 11. K.S.A. 40-3311 is hereby amended to read as follows: 40-3311. (a) Every director or officer of an insurance holding company system who knowingly violates, participates in, or assents to, or who knowingly shall permit any of the officers or agents of the insurer to engage in transactions or make investments which have not been properly reported or submitted pursuant to subsection (a) of K.S.A. 40-3305, or subsections (c) or (d) of K.S.A. 40-3306, and amendments thereto, or which otherwise violates this act, shall pay, in such directors' or officers' individual capacity, a civil forfeiture of not more than \$5,000 per violation, after notice and hearing before the commissioner of insurance. In determining the amount of the civil forfeiture, the commissioner of insurance shall take into account the appropriateness of the forfeiture with respect to the gravity of the violation, the history of previous violations, and such other matters as justice may require.

(b) Whenever it appears to the commissioner of insurance that any insurer subject to this act or any director, officer, employee or agent thereof has engaged in any

transaction or entered into a contract which is subject to K.S.A. 40-3306, and amendments thereto, and which would not have been approved had such approval been requested, the commissioner of insurance may order the insurer to cease and desist immediately any further activity under that transaction or contract. After notice and hearing the commissioner ~~may also~~ of insurance also may order the insurer to void any such contracts and restore the status quo if such action is in the best interest of the policyholders, creditors or the public.

(c) Whenever it appears to the commissioner of insurance that any insurer or any director, officer, employee or agent thereof has committed a willful violation of this act, the commissioner of insurance may cause criminal proceedings to be instituted by the district court for the county in which the principal office of the insurer is located or if such insurer has no such office in this state, then by the district court for Shawnee county against such insurer or the responsible director, officer, employee or agent thereof. Any insurer which willfully violates this act may be fined not more than \$50,000. Any individual who willfully violates this act may be fined in individual capacity not more than \$10,000 or, be imprisoned for not more than one to three years, or both.

(d) Any officer, director or employee of an insurance holding company system who knew or reasonably should have known they were subscribing to or making or causing to be made any false statements, false reports or false filings with the intent to deceive the commissioner of insurance in the performance of duties under this act, upon conviction thereof, shall be imprisoned for not more than five to 10 years or fined \$100,000, or both. Any fines imposed shall be paid by the officer, director or employee in such person's individual capacity.

Sec. 12. K.S.A. 40-3311a is hereby amended to read as follows: 40-3311a. On and after July 1, 1993, when it appears to the commissioner of insurance that any person has committed a violation of this act which makes the continued operation of an insurer contrary to the interests of policyholders or the public, the commissioner ~~may~~ of insurance, after giving notice and an opportunity to be heard, may determine to suspend, revoke or refuse to renew such insurer's license or authority to do business in this state for such period as the commissioner of insurance finds is required for the protection of policyholders or the public. Any such determination shall be accompanied by specific findings of fact and conclusions of law.

Sec. 13. K.S.A. 2011 Supp. 40-401 is hereby amended to read as follows: 40-401. Any 10 or more persons, a majority of whom are citizens of this state, may associate in accordance with the provisions of this code and form an incorporated company, upon either the stock or mutual plan, to make insurance upon the lives of persons and every insurance appertaining thereto or connected therewith and to grant, purchase or dispose of annuities, and to issue funding agreements, guaranteed investment contracts and synthetic guaranteed investment contracts. Such companies may incorporate: (a) In their policies provisions or conditions for the waiver of premiums or for the granting of an annuity to the insured, or for special surrender values or other benefits in the event the insured shall from any cause become unemployed or totally and permanently disabled; (b) in their policies provisions for acceleration of life or annuity benefits in advance of the time they would otherwise be payable subject to such reserve and other regulatory standards as the commissioner may prescribe by rules and regulations, except that any provision providing for acceleration of life or annuity benefits for persons diagnosed as

having a medical condition usually requiring continuous confinement for the rest of the person's life in a nursing home or other eligible facility as defined in the policy, may also provide for acceleration of benefits upon diagnosis of such condition even if the person is not confined in a nursing home or similar facility; (c) in their policies and annuity contracts provisions or conditions for waiver of surrender charges upon terms and conditions as specified in the policy or contract, subject to rules and regulations adopted by the commissioner of insurance; or (d) in their policies provisions for the payment of a larger sum if death is caused by accident than if it results from any other causes.

Prior to the payment of any accelerated benefit, the insurer shall receive from any assignee or irrevocable beneficiary of the policy a signed acknowledgment of concurrence for the payment. For the purposes of this section, "totally and permanently disabled" means disabled continuously for a period, such period to be specified in any such provision, of not less than 60 days nor more than one year, except this provision shall not apply to and specifically excludes group life insurance. Such company may make insurance on the health of individuals, against accidental personal injury, disablement or death and against loss, liability or expense on account thereof. Such company so transacting such health and accident insurance business, or either kind, shall maintain statutory and separate reserves for such business, shall issue such contracts only in separate policies except as otherwise permitted herein and shall make separate reports to the commissioner of insurance of the premiums received and expenses and losses incurred in connection with such business, except that such reports will not be required for accelerated benefits incorporated in a life or annuity policy. Long-term care insurance meeting the applicable requirements of K.S.A. 40-2227 and 40-2228, and amendments thereto, may be incorporated in life insurance policies and annuities if approved by the commissioner.

The business of life insurance in this state shall not be in any way conducted or transacted by any company which in this state makes insurance on marine, fire, inland or any other like risks, except that, ~~Life:~~ (a) Life, health and accident insurance on the group or industrial plan may be combined in one policy, which shall show the premium charged for life insurance and the premium charged for health and accident insurance, and the insured, at the insured's option, may discontinue either and by payment of the stated premium continue the other; and (b)(1) specified disease or critical illness riders, or both, meeting the applicable requirements of K.S.A. 40-2201 et seq., and amendments thereto, and article 4 of Kansas administrative regulations, and amendments thereto, may be incorporated in life insurance policies which shall show the premium charged for specified disease or critical illness, or both, insurance and the premium charged for life insurance; and (2) the insured, at the insured's option, may discontinue the disease or critical illness rider, or both, and continue the life insurance policy by payment of the stated premium. The amount of capital stock of a company organized on the stock plan shall be not less than \$600,000.

Companies organized on the mutual plan shall be required to have applications from at least 200 persons for insurance upon their lives, aggregating not less than \$400,000, upon which one full annual premium in cash shall have been paid. No such company shall transact any business of insurance until, if a stock company, all the capital stock named in its charter has been paid in cash including all contributions to surplus to be made by the original purchasers of such stock. The surplus shall be at least \$600,000,

and at least \$400,000 in securities authorized by this code shall have been deposited with the commissioner of insurance pursuant to K.S.A. 40-229a, and amendments thereto, and if a mutual company, a guaranty fund of at least \$1,200,000, and at least \$400,000 of which shall be in securities as authorized in this code and deposited with the commissioner of insurance pursuant to K.S.A. 40-229a, and amendments thereto. The guaranty fund may be returned to the contributors with interest at 6% per annum whenever the surplus shall equal the amount of such guaranty fund and interest, and no company shall transact any business of insurance unless it shall maintain the capital or surplus or both required of a company commencing to transact business, or, if a mutual company, the required number and amount of applications for insurance have been received and the annual premiums collected in cash. The securities deposited pursuant to this section shall be held by the commissioner of insurance in trust for the benefit and protection of the policyholders or creditors, or both, of the company depositing the same and may be withdrawn only upon order of the commissioner of insurance.

The commissioner of insurance may adopt rules and regulations to implement the provisions of this section.,"

And by renumbering sections accordingly;

On page 5, in line 12, by striking "2010 Supp. 40-2122 and 40-2124" and inserting "40-3302, 40-3304, 40-3305, 40-3306, 40-3307, 40-3308, 40-3309, 40-3310, 40-3311 and 40-3311a and K.S.A. 2011 Supp. 40-401"; in line 15, by striking "Kansas register" and inserting "statute book";

On page 1, in the title, in line 3, by striking "the Kansas"; by striking all in lines 4 and 5; in line 6, by striking all before the second "and" and inserting "insurance; pertaining to insurance holding companies; pertaining to certain additional riders on life insurance policies; amending K.S.A. 40-3302, 40-3304, 40-3305, 40-3306, 40-3307, 40-3308, 40-3309, 40-3310, 40-3311 and 40-3311a and K.S.A. 2011 Supp. 40-401";

And the bill be passed as amended.

Also, **HB 2485**, as amended by House Committee, be amended on page 3, following line 3, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 12-4516 is hereby amended to read as follows: 12-4516. (a) (1) Except as provided in subsection (b), (c) and (d), any person who has been convicted of a violation of a city ordinance of this state may petition the convicting court for the expungement of such conviction and related arrest records if three or more years have elapsed since the person:

(A) Satisfied the sentence imposed; or

(B) was discharged from probation, parole or a suspended sentence.

(2) Except as provided in subsection (b), (c) and (d), any person who has fulfilled the terms of a diversion agreement based on a violation of a city ordinance of this state may petition the court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of the violation of a city ordinance which would also constitute:

(1) Vehicular homicide, as defined by K.S.A. 21-3405, prior to its repeal, or K.S.A.

2011 Supp. 21-5406, and amendments thereto;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto;

(4) a violation of the provisions of the fifth clause of K.S.A. 8-142, and amendments thereto, relating to fraudulent applications;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603 or 8-1604, and amendments thereto;

(7) a violation of the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(c) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of the violation of a city ordinance which would also constitute a violation of K.S.A. 8-1567, and amendments thereto.

(d) There shall be no expungement of convictions or diversions for a violation of a city ordinance which would also constitute a violation of K.S.A. 8-2,144, and amendments thereto.

(e) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. The petition shall state: (1) The defendant's full name;

(2) the full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;

(3) the defendant's sex, race and date of birth;

(4) the crime for which the defendant was arrested, convicted or diverted;

(5) the date of the defendant's arrest, conviction or diversion; and

(6) the identity of the convicting court, arresting law enforcement agency or diverting authority. A municipal court may prescribe a fee to be charged as costs for a person petitioning for an order of expungement pursuant to this section. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the Kansas parole board.

(f) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement; and

(3) the expungement is consistent with the public welfare.

(g) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the

petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer, as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; ~~or~~

(K) for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2011 Supp. 75-7c01 *et seq.*, and amendments thereto; or

(L) in any application for a license to engage in the business of insurance;

(3) the court, in the order of expungement, may specify other circumstances under which the arrest, conviction or diversion is to be disclosed; and

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged.

(h) Whenever a person is convicted of an ordinance violation, pleads guilty and pays a fine for such a violation, is placed on parole or probation or is granted a suspended sentence for such a violation, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(i) Subject to the disclosures required pursuant to subsection (g), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of an offense has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such offense.

(j) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

(1) The person whose record was expunged;

(2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;

(3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;

(4) the secretary of social and rehabilitation services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services of any person whose record has been expunged;

(5) a person entitled to such information pursuant to the terms of the expungement order;

(6) a prosecuting attorney, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;

(7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;

(8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for

employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act: (A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and (B) their officers, directors, employees, owners, agents and contractors;

(11) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(12) the Kansas securities commissioner, or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(13) the attorney general, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act;

(14) the Kansas sentencing commission;

(15) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 *et seq.*, and amendments thereto; ~~or~~

(16) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto; ~~or~~

(17) the Kansas insurance commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for a license to engage in the business of insurance by such agent and the application was submitted by the person whose record has been expunged.

Sec. 3. K.S.A. 2011 Supp. 21-6614 is hereby amended to read as follows: 21-6614.

(a) (1) Except as provided in subsections (b), (c) ~~and~~, (d) ~~and~~ (e), any person convicted in this state of a traffic infraction, cigarette or tobacco infraction, misdemeanor or a class D or E felony, or for crimes committed on or after July 1, 1993, nondrug crimes ranked in severity levels 6 through 10 or any felony ranked in severity level 4 of the drug grid, may petition the convicting court for the expungement of such conviction or related arrest records if three or more years have elapsed since the person: (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence.

(2) Except as provided in subsections (b), (c) ~~and~~, (d) ~~and~~ (e), any person who has fulfilled the terms of a diversion agreement may petition the district court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Except as provided in subsections (c) ~~and~~, (d) ~~and~~ (e), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed, the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a class A, B or C felony, or for crimes committed on or after July 1, 1993, if convicted of an off-grid felony or any nondrug crime ranked in severity levels 1 through 5 or any felony ranked in severity levels 1 through 3 of the drug grid, or:

(1) Vehicular homicide, as defined in K.S.A. 21-3405, prior to its repeal, or K.S.A. 2011 Supp. 21-5406, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(4) violating the provisions of the fifth clause of K.S.A. 8-142, and amendments thereto, relating to fraudulent applications or violating the provisions of a law of another state which is in substantial conformity with that statute;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603 or 8-1604, and amendments thereto, or required by a law of another state which is in substantial conformity with those statutes;

(7) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(c) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed, the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a violation of K.S.A. 8-1567, and amendments thereto, including any diversion for such violation.

(d) There shall be no expungement of convictions for the following offenses or of convictions for an attempt to commit any of the following offenses:

(1) Rape as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2011 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child or aggravated indecent liberties with a child as defined in K.S.A. 21-3503 or 21-3504, prior to their repeal, or K.S.A. 2011 Supp. 21-5506, and amendments thereto;

(3) criminal sodomy as defined in subsection (a)(2) or (a)(3) of K.S.A. 21-3505, prior to its repeal, or subsection (a)(3) or (a)(4) of K.S.A. 2011 Supp. 21-5504, and amendments thereto;

(4) aggravated criminal sodomy as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2011 Supp. 21-5504, and amendments thereto;

(5) indecent solicitation of a child or aggravated indecent solicitation of a child as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2011 Supp. 21-5508, and amendments thereto;

(6) sexual exploitation of a child as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2011 Supp. 21-5510, and amendments thereto;

(7) aggravated incest as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2011 Supp. 21-5604, and amendments thereto;

(8) endangering a child or aggravated endangering a child as defined in K.S.A. 21-3608 or 21-3608a, prior to their repeal, or K.S.A. 2011 Supp. 21-5601, and amendments thereto;

(9) abuse of a child as defined in K.S.A. 21-3609, prior to its repeal, or K.S.A. 2011 Supp. 21-5602, and amendments thereto;

(10) capital murder as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2011 Supp. 21-5401, and amendments thereto;

(11) murder in the first degree as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2011 Supp. 21-5402, and amendments thereto;

(12) murder in the second degree as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2011 Supp. 21-5403, and amendments thereto;

(13) voluntary manslaughter as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2011 Supp. 21-5404, and amendments thereto;

(14) involuntary manslaughter as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2011 Supp. 21-5405, and amendments thereto;

(15) sexual battery as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2011 Supp. 21-5505, and amendments thereto, when the victim was less than 18 years of age at the time the crime was committed;

(16) aggravated sexual battery as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2011 Supp. 21-5505, and amendments thereto;

(17) a violation of K.S.A. 8-2,144, and amendments thereto, including any diversion for such violation; or

(18) any conviction for any offense in effect at any time prior to July 1, 2011, that is comparable to any offense as provided in this subsection.

(e) Notwithstanding any other law to the contrary, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in the Kansas offender registration act.

(f) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecutor and the arresting law enforcement agency. The petition shall state the:

(A) Defendant's full name;

(B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;

(C) defendant's sex, race and date of birth;

(D) crime for which the defendant was arrested, convicted or diverted;

(E) date of the defendant's arrest, conviction or diversion; and

(F) identity of the convicting court, arresting law enforcement authority or diverting authority.

(2) Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$100. On and after ~~April 15, 2010 through June 30, 2011~~ May 19, 2011 through June 30, 2012, the supreme court may impose a charge, not to exceed ~~\$15~~ \$19 per case, to fund the costs of non-judicial personnel. The charge established in this section shall be the only fee collected or moneys in the nature of a fee collected for the case. Such charge shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

(3) All petitions for expungement shall be docketed in the original criminal action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the Kansas parole board.

~~(f)~~ (g) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement;

(3) the expungement is consistent with the public welfare.

~~(g)~~ (h) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 2011 Supp. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive

director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; ~~or~~

(K) for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2011 Supp. 75-7c01 *et seq.*, and amendments thereto; or

(L) in any application for a license to engage in the business of insurance;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed;

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged; and

(5) upon commitment to the custody of the secretary of corrections, any previously expunged record in the possession of the secretary of corrections may be reinstated and the expungement disregarded, and the record continued for the purpose of the new commitment.

~~(h)~~ (i) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime, is placed on parole, postrelease supervision or probation, is assigned to a community correctional services program, is granted a suspended sentence or is released on conditional release, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

~~(h)~~ (i) Subject to the disclosures required pursuant to subsection ~~(g)~~ (g), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such crime, but the expungement of a felony conviction does not relieve an individual of complying with any state or federal law relating to the use or possession of firearms by persons convicted of a felony.

~~(j)~~ (k) Whenever the record of any arrest, conviction or diversion has been

expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

- (1) The person whose record was expunged;
- (2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;
- (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
- (4) the secretary of social and rehabilitation services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services of any person whose record has been expunged;
- (5) a person entitled to such information pursuant to the terms of the expungement order;
- (6) a prosecutor, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;
- (7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;
- (8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;
- (9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;
- (10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act: (A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and (B) their officers, directors, employees, owners, agents and contractors;
- (11) the Kansas sentencing commission;
- (12) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-gaming compact;
- (13) the Kansas securities commissioner or a designee of the commissioner, and the

request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(14) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 *et seq.*, and amendments thereto;

(15) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto; or

(16) the attorney general and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act;

(17) the Kansas bureau of investigation for the purposes of:

(A) Completing a person's criminal history record information within the central repository, in accordance with K.S.A. 22-4701 *et seq.*, and amendments thereto; or

(B) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm; or

(18) the Kansas insurance commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for a license to engage in the business of insurance by such agent and the application was submitted by the person whose record has been expunged.

(l) The provisions of subsection (k)(17) shall apply to records created prior to, on and after July 1, 2011.

Sec. 4. K.S.A. 2011 Supp. 22-2410 is hereby amended to read as follows: 22-2410.

(a) Any person who has been arrested in this state may petition the district court for the expungement of such arrest record.

(b) When a petition for expungement is filed, the court shall set a date for hearing on such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. When a petition for expungement is filed, the official court file shall be separated from the other records of the court, and shall be disclosed only to a judge of the court and members of the staff of the court designated by a judge of the district court, the prosecuting attorney, the arresting law enforcement agency, or any other person when authorized by a court order, subject to any conditions imposed by the order. Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$100. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. ~~On and after the effective date of this act~~ May 19, 2011 through June 30, 2012, the supreme court may impose an additional charge, not to exceed \$19 per docket fee, to fund the costs of non-judicial personnel. The petition shall state:

(1) The petitioner's full name;

(2) the full name of the petitioner at the time of arrest, if different than the

petitioner's current name;

- (3) the petitioner's sex, race and date of birth;
- (4) the crime for which the petitioner was arrested;
- (5) the date of the petitioner's arrest; and
- (6) the identity of the arresting law enforcement agency.

No surcharge or fee shall be imposed to any person filing a petition pursuant to this section, who was arrested as a result of being a victim of identity theft under K.S.A. 21-4018, prior to its repeal, or subsection (a) of K.S.A. 2011 Supp. 21-6107, and amendments thereto, or who has had criminal charges dismissed because a court has found that there was no probable cause for the arrest, the petitioner was found not guilty in court proceedings or the charges have been dismissed. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.

(c) At the hearing on a petition for expungement, the court shall order the arrest record and subsequent court proceedings, if any, expunged upon finding: (1) The arrest occurred because of mistaken identity;

- (2) a court has found that there was no probable cause for the arrest;
- (3) the petitioner was found not guilty in court proceedings; or
- (4) the expungement would be in the best interests of justice and: (A) Charges have been dismissed; or (B) no charges have been or are likely to be filed.

(d) When the court has ordered expungement of an arrest record and subsequent court proceedings, if any, the order shall state the information required to be stated in the petition and shall state the grounds for expungement under subsection (c). The clerk of the court shall send a certified copy of the order to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest. If an order of expungement is entered, the petitioner shall be treated as not having been arrested.

(e) If the ground for expungement is as provided in subsection (c)(4), the court shall determine whether, in the interests of public welfare, the records should be available for any of the following purposes: (1) In any application for employment as a detective with a private detective agency, as defined in K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services;

(2) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(3) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(4) to aid in determining the petitioner's qualifications for executive director of the Kansas racing commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(5) in any application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(6) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(7) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact; ~~or~~

(8) to aid in determining the petitioner's qualifications for a license to engage in the business of insurance; or

(9) in any other circumstances which the court deems appropriate.

(f) The court shall make all expunged records and related information in such court's possession, created prior to, on and after July 1, 2011, available to the Kansas bureau of investigation for the purposes of:

(1) Completing a person's criminal history record information within the central repository in accordance with K.S.A. 22-4701 *et seq.*, and amendments thereto; or

(2) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(g) Subject to any disclosures required under subsection (e), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records have been expunged as provided in this section may state that such person has never been arrested.

~~(g)~~ (h) Whenever a petitioner's arrest records have been expunged as provided in this section, the custodian of the records of arrest, incarceration due to arrest or court proceedings related to the arrest, shall not disclose the arrest or any information related to the arrest, except as directed by the order of expungement or when requested by the person whose arrest record was expunged.

~~(h)~~ (i) The docket fee collected at the time the petition for expungement is filed shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

Sec. 5. K.S.A. 2011 Supp. 40-4903 is hereby amended to read as follows: 40-4903.

(a) Unless denied licensure pursuant to K.S.A. 2011 Supp. 40-4909, and amendments thereto, any person who meets the requirements of K.S.A. 2011 Supp. 40-4905, and amendments thereto, shall be issued an insurance agent license. An insurance agent may receive qualifications for a license in one or more of the following lines of authority:

(1) Life—insurance coverage on human lives including benefits of endowment and annuities, and may include benefits in the event of death or dismemberment by accident and benefits for disability income.

(2) Accident and health or sickness—insurance coverage for sickness, bodily injury or accidental death and may include benefits for disability income.

(3) Property—insurance coverage for the direct or consequential loss or damage to property of every kind.

(4) Casualty—insurance coverage against legal liability, including that for death, injury or disability or damage to real or personal property.

(5) Variable life and variable annuity products—insurance coverage provided under variable life insurance contracts, variable annuities or any other life insurance or annuity product that reflects the investment experience of a separate account.

(6) Personal lines—property and casualty insurance coverage sold primarily to an individual or family for noncommercial purposes.

(7) Credit—limited line credit insurance.

(8) Crop insurance—limited line insurance for damage to crops from unfavorable weather conditions, fire, lightning, flood, hail, insect infestation, disease or other yield-reducing conditions or any other peril subsidized by the federal crop insurance corporation, including multi-peril crop insurance.

(9) Title insurance—limited line insurance that insures titles to property against loss by reason of defective titles or encumbrances.

(10) Travel insurance—limited line insurance for personal risks incidental to planned travel, including, but not limited to:

- (A) Interruption or cancellation of trip or event;
- (B) loss of baggage or personal effects;
- (C) damages to accommodations or rental vehicles; or
- (D) sickness, accident, disability or death occurring during travel.

Travel insurance does not include major medical plans, which provide comprehensive medical protection for travelers with trips lasting six months or longer, for example, persons working overseas including military personnel deployed overseas.

(11) Pre-need funeral insurance—limited line insurance that allows for the purchase of a life insurance or annuity contract by or on behalf of the insured solely to fund a pre-need contract or arrangement with a funeral home for specific services.

(12) Bail bond insurance—limited line insurance that provides surety for a monetary guarantee that an individual released from jail will be present in court at an appointed time.

~~(8)~~(13) Any other line of insurance permitted under the provisions of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, and any rules and regulations promulgated thereunder.

(b) Unless suspended, revoked or refused renewal pursuant to K.S.A. 2011 Supp. 40-4909, and amendments thereto, an insurance agent license shall remain in effect as long as education requirements for resident individual agents are met by such insurance agent's biennial due date.

(c) On and after the effective date of this act: (1) Each licensed insurance agent who is an individual and holds a property or casualty qualification, or both, or a personal lines qualification shall biennially obtain a minimum of 12 C.E.C.'s in courses certified as property and casualty which shall include at least one hour of instruction in insurance ethics which also may include regulatory compliance. No more than three of the required C.E.C.'s shall be in insurance agency management.

(2) Each licensed insurance agent who is an individual and holds a life, accident and health, or variable contracts qualification, or any combination thereof, shall biennially complete 12 C.E.C.'s in courses certified as life, accident and health, or variable contracts which shall include at least one hour of instruction in insurance ethics which also may include regulatory compliance. No more than three of the required C.E.C.'s shall be in insurance agency management.

(3) Each licensed insurance agent who is an individual and holds only a crop ~~only~~ qualification shall biennially obtain a minimum of two C.E.C.'s in courses certified as crop C.E.C.'s under the property and casualty category.

(4) Each licensed insurance agent who is an individual and is licensed only for title insurance shall biennially obtain a minimum of four C.E.C.'s in courses certified by the board of abstract examiners as title under the property and casualty category.

(5) Each licensed insurance agent who is an individual and holds a life insurance

~~license solely for the purpose of selling life pre-need funeral insurance or annuity products used to fund a prearranged funeral program and whose report of compliance required by subsection (g) is accompanied by a certification from an officer of each insurance company represented by such agent certifying that such agent transacted no other insurance business during the period covered by the report shall biennially obtain a minimum of two C.E.C.'s in courses certified as life or variable contracts under the life, accident and health or variable contracts category shall file a report on or before such agent's biennial due date affirming that such agent transacted no other insurance business during the period covered by the report. Upon request of the commissioner, an agent shall provide certification from an officer of each insurance company which has appointed such agent that the agent transacted no other insurance business during the period covered by the report. Agents who have offered to sell or sold only pre-need funeral insurance are exempt from the requirement to obtain C.E.C.'s.~~

(6) Each licensed insurance agent who is an individual and holds only a bail bond qualification is exempt from the requirement to obtain C.E.C.'s.

(d) On and after the effective date of this act, each individual insurance agent who holds a license with both a property or casualty qualification, or both, and a life, accident and health or variable contracts qualification, or any combination thereof, and who ~~earn~~ earns C.E.C.'s from courses certified by the commissioner as qualifying for credit in any class, may apply, at such insurance agent's option, such C.E.C.'s toward either the property or casualty continuing education requirement or to the life, accident and health or variable contracts continuing education requirement. However, no C.E.C. shall be applied to satisfy both the biennial property or casualty requirement, or both, and the biennial requirement for life, accident and health or variable contracts, or any combination thereof.

(e) An instructor of an approved subject shall be entitled to the same C.E.C. as a student completing the study.

(f) (1) An individual insurance agent who has been licensed for more than one year, on or before such insurance agent's biennial due date, shall file a report with the commissioner certifying that such insurance agent has met the continuing education requirements for the previous biennium ending on such insurance agent's biennial due date. Each individual insurance agent shall maintain a record of all courses attended together with a certificate of attendance for the remainder of the biennium in which the courses were attended and the entire next succeeding biennium.

(2) If the required report showing proof of continuing education completion is not received by the commissioner by the individual insurance agent's biennial due date, such individual insurance agent's qualification and each and every corresponding license shall be suspended automatically for a period of 90 calendar days or until such time as the producer satisfactorily demonstrates completion of the continuing education requirement whichever is sooner. In addition the commissioner shall assess a penalty of \$100 for each license suspended. If such insurance agent fails to furnish to the commissioner the required proof of continuing education completion and the monetary penalty within 90 calendar days of such insurance agent's biennial due date, such individual insurance agent's qualification and each and every corresponding license shall expire on such insurance agent's biennial due date. If after more than three but less than 12 months from the date the license expired, the insurance agent wants to reinstate such insurance agent's license, such individual shall provide the required proof of

continuing education completion and pay a reinstatement fee in the amount of \$100 for each license suspended. If after more than 12 months from the date an insurance agent's license has expired, such insurance agent wants to reinstate such insurance agent's license, such individual shall apply for an insurance agent's license, provide the required proof of continuing education completion and pay a reinstatement fee in the amount of \$100 for each license suspended. Upon receipt of a written application from such insurance agent claiming extreme hardship, the commissioner may waive any penalty imposed under this subsection.

(3) On and after the effective date of this act, any applicant for an individual insurance agent's license who previously held a license which expires on or after June 30, 2001, because of failure to meet continuing education requirements and who seeks to be relicensed shall provide evidence that appropriate C.E.C.'s have been completed for the prior biennium.

(4) Upon receipt of a written application from an individual insurance agent, the commissioner, in cases involving medical hardship or military service, may extend the time within which to fulfill the minimum continuing educational requirements for a period of not to exceed 180 days.

(5) This section shall not apply to any inactive insurance agent during the period of such inactivity. For the purposes of this paragraph, "inactive period" or "period of inactivity" shall mean a continuous period of time of not less than two years and not more than four years starting from the date inactive status is granted by the commissioner. Before returning to active status, such inactive insurance agent shall:

(A) File a report with the commissioner certifying that such agent has met the continuing education requirement; and

(B) pay the renewal fee. If the required proof of continuing education completion and the renewal fee is not furnished at the end of the inactive period, such individual insurance agent's qualification and each and every corresponding license shall expire at the end of the period of inactivity. For issuance of a new license, the individual shall apply for a license and pass the required examination.

(6) Any individual who allows such individual's insurance agent license in this state and all other states in which such individual is licensed as an insurance agent to expire for a period of four or more consecutive years, shall apply for a new insurance agent license and pass the required examination.

(g) (1) Each course, program of study, or subject shall be submitted to and certified by the commissioner in order to qualify for purposes of continuing education.

(2) Each request for certification of any course, program of study or subject shall contain the following information:

- (A) The name of provider or provider organization;
- (B) the title of such course, program of study or subject;
- (C) the date the course, program of study or subject will be offered;
- (D) the location where the course, program of study or subject will be offered;
- (E) an outline of each course, program of study or subject including a schedule of times when such material will be presented;
- (F) the names and qualifications of instructors;
- (G) the number of C.E.C.'s requested; ~~and~~
- (H) a nonrefundable C.E.C. qualification fee in the amount of \$50 per course, program of study or subject or \$250 per year for all courses, programs of study or

subjects submitted by a specific provider or provider organization; and

(1) a nonrefundable annual provider fee of \$100.

(3) Upon receipt of such information, the commissioner shall grant or deny certification of any submitted course, program of study or subject as an approved subject, program of study or course and indicate the number of C.E.C.'s that will be recognized for each approved course, program of study or subject. Each approved course, program of study or subject shall be assigned by the commissioner to one or both of the following classes:

(A) Property and casualty; or

(B) life insurance ~~(including annuity and variable contracts)~~, and accident and health insurance.

(4) Each course, program of study or subject shall have a value of at least one C.E.C.

(5) Each provider seeking approval of a course, program of study or subject for continuing education credit shall issue or cause to be issued to each person who attends a course, program of study or subject offered by such provider a certificate of attendance. The certificate shall be signed by either the instructor who presents the course, program of study or course or such provider's authorized representative. Each provider shall maintain a list of all individuals who attend courses offered by such provider for continuing education credit for the remainder of the biennium in which the courses are offered and the entire next succeeding biennium.

The commissioner shall accept, without substantive review, any course, program of study or subject submitted by a provider which has been approved by the insurance supervisory authority of any other state or territory accredited by the NAIC. The commissioner may disapprove any individual instructor or provider who has been the subject of disciplinary proceedings or who has otherwise failed to comply with any other state's or territory's laws or regulations.

(6) The commissioner may grant or approve any specific course, program of study or course that has appropriate merit, such as any course, programs of study or course with broad national or regional recognition, without receiving any request for certification. The fee prescribed by paragraph (2) of subsection (g) shall not apply to any approval granted pursuant to this provision.

(7) The C.E.C. value assigned to any course, program of study or subject, other than a correspondence course, computer based training, interactive internet study training or other course pursued by independent study, shall in no way be contingent upon passage or satisfactory completion of any examination given in connection with such course, program of study or subject. The commissioner shall establish, by rules and regulations criteria for determining acceptability of any method used for verification of the completion of each stage of any computer based or interactive internet study training. Completion of any computer based training or interactive internet study training shall be verified in accordance with a method approved by the commissioner.

(h) Upon request, the commissioner shall provide a list of all approved continuing education courses currently available to the public.

(i) An individual insurance agent who independently studies an insurance course, program of study or subject which is not ~~a~~ an agent's examination approved by the commissioner and who passes an independently monitored examination, shall receive

credit for the C.E.C.'s assigned by the commissioner as recognition for the approved subject. No other credit shall be given for independent study.

(j) Any licensed individual insurance agent who is unable to comply with license renewal procedures due to military service or some other extenuating circumstances may request a waiver of those procedures from the commissioner. Such agent may also request from the commissioner a waiver of any examination requirement or any other fine or sanction imposed for failure to comply with renewal procedures.

Sec. 6. K.S.A. 2011 Supp. 40-4905 is hereby amended to read as follows: 40-4905.

(a) Subject to the provisions of K.S.A. 2011 Supp. 40-4904, and amendments thereto, it shall be unlawful for any person to sell, solicit or negotiate any insurance within this state unless such person has been issued a license as an insurance agent in accordance with this act.

(b) Any person applying for a resident insurance agent license shall make application on a form prescribed by the commissioner. The applicant shall declare under penalty of perjury that the statements made in the application are true, correct and complete to the best of the applicant's knowledge and belief.

(c) On and after January 1, 2013, as part of an application for a resident insurance agent license, the commissioner shall require the applicant to be fingerprinted and to submit to a state and national criminal history record check. This section shall not apply to a person applying for renewal, continuation or adding additional lines of authority to an existing home state insurance agent or a nonresident insurance agent license. The commissioner is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The commissioner may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and making the official determination of the qualifications and fitness of the person to be issued a license.

(d) The procedure for collecting fingerprints shall be established by the commissioner and shall comply with the requirements of the federal bureau of investigation.

(e) The commissioner, and any contractor or other designee of the commissioner, shall treat and maintain an applicant's fingerprints and any criminal history record information obtained under this act as confidential and shall apply security measures consistent with the criminal justice information services division of the federal bureau of investigation standards for the electronic storage of fingerprints and necessary identifying information and limit the use of records solely to the purposes authorized in this act.

(f) The commissioner may fix a nonrefundable fee in an amount equal to the costs of fingerprinting and the criminal history record check and establish procedures for payment of fees.

(g) Before approving the application, the commissioner shall determine that the applicant:

- (1) Is at least 18 years of age;
- (2) has not committed any act that is grounds for denial pursuant to this section or suspension or revocation pursuant to K.S.A. 2011 Supp. 40-4909, and amendments thereto;
- (3) has paid a nonrefundable fee in the amount of \$30 and has paid any additional

fee required for fingerprinting and a criminal history record check; and

(4) has successfully passed the examination for each line of authority for which the applicant has applied.

~~(e)~~(h) If the applicant is a business entity, then the commissioner shall make the following additional determinations in addition to those required by subsection (a):

(1) The name and address of a licensed agent who shall be responsible for the business entity's compliance with the insurance laws of this state and the rules and regulations promulgated thereunder;

(2) that each officer, director, partner and employee of the business entity who acts as an insurance agent is licensed as an insurance agent;

(3) that the business entity has disclosed to the department all of its officers, directors and partners whether or not such officers, directors, partners and employees are licensed as insurance agents; and

(4) that the business entity has disclosed to the department each officer, director, partner and employee who is licensed as an insurance agent.

~~(f)~~(i) Any business entity which acts as an insurance agent and holds a direct agency appointment from an insurance company shall be required to obtain an insurance agent license.

~~(g)~~(j) The commissioner may require the applicant to furnish any document or other material reasonably necessary to verify the information contained in an application.

~~(h)~~(k) Each insurer that sells, solicits or negotiates any form of limited line credit insurance shall provide a program of instruction that may be approved by the commissioner to each individual employed by or acting on behalf of such insurer to sell, solicit or negotiate limited line credit insurance.

~~(i)~~(l) (1) Each licensed insurance agent shall notify the commissioner of any officer, director, partner or employee of such insurance agent who:

(A) Is licensed as an individual insurance agent; and

(B) was not disclosed in such insurance agent's application for a license or any renewal thereof.

(2) Each licensed insurance agent shall notify the commissioner of any of its officers, directors, partners or employees who:

(A) Have terminated such relationship as an officer, director, partner or employee of such insurance agent; and

(B) ~~has~~ have been previously disclosed in such insurance agent's application for a license or any renewal thereof.

(3) Each licensed insurance agent shall notify the commissioner within 30 working days of occurrence of any event required to be reported under paragraphs (1) or (2) of this subsection. Failure to provide the commissioner with the information required by this subsection shall subject the licensee to a monetary penalty of \$10 per day for each working day the required information is late subject to a maximum of \$50 per person per licensing year.

~~(j)~~(m) Any applicant whose application for a license, is denied shall be given an opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act.

Sec. 7. K.S.A. 2011 Supp. 40-5504 is hereby amended to read as follows: 40-5504.
(a) An individual applying for a public adjuster license shall make application to the commissioner on the appropriate uniform application or other application prescribed by

the commissioner.

(b) The applicant shall declare under penalty of perjury and under penalty of refusal, suspension or revocation of the license, that the statements made in the application are true, correct and complete to the best of the applicant's knowledge and belief.

(c) In order to make a determination of license eligibility, the commissioner shall require a criminal history record check on each applicant who is not exempt from pre-licensing examination pursuant to K.S.A. 2011 Supp. 40-5507, and amendments thereto. On and after January 1, 2013, as part of an application for a resident public adjuster license, the commissioner shall require the applicant to be fingerprinted and to submit to a state and national criminal history record check. This section shall not apply to a person applying for renewal or continuation to an existing resident public adjuster or nonresident public adjuster license. The commissioner is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The commissioner may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and making the official determination of the qualifications and fitness of the person to be issued a license.

(d) The procedure for collecting fingerprints shall be established by the commissioner and shall comply with the requirements of the federal bureau of investigation.

(e) The commissioner, and any contractor or other designee of the commissioner, shall treat and maintain an applicant's fingerprints and any criminal history record information obtained under this act as confidential and shall apply security measures consistent with the criminal justice information services division of the federal bureau of investigation standards for the electronic storage of fingerprints and necessary identifying information and limit the use of records solely to the purposes authorized in this act.

(f) The commissioner may fix a nonrefundable fee in an amount equal to the costs of fingerprinting and the criminal history record check and establish procedures for payment of fees.

Sec. 8. K.S.A. 2011 Supp. 40-5505 is hereby amended to read as follows: 40-5505. (a) Before issuing a public adjuster license to an applicant under this act, the commissioner shall find that the applicant:

(1) Is eligible to designate this state as the applicant's home state or is a nonresident who is not eligible for a license under K.S.A. 2011 Supp. 40-5508, and amendments thereto;

(2) has not committed any act that is a ground for denial, suspension or revocation of a license as set forth in K.S.A. 2011 Supp. 40-5510, and amendments thereto;

(3) is trustworthy, reliable and of good reputation, evidence of which may be determined by the commissioner;

(4) is financially responsible to exercise the rights and privileges under the license and has provided proof of financial responsibility as required in K.S.A. 2011 Supp. 40-5511, and amendments thereto;

(5) has paid ~~an~~ a nonrefundable application fee of \$100 and any additional fee for fingerprinting and a criminal history record check; and

(6) maintains an office in the home state with public access during regular business

hours or by reasonable appointment.

(b) In addition to satisfying the requirements of subsection (a), an applicant shall:

- (1) Be at least 18 years of age; and
- (2) have successfully passed the public adjuster examination.

(c) The commissioner may require any documents reasonably necessary to verify the information contained in the application.";

And by renumbering sections accordingly;

Also on page 3, in line 4, by striking "40-2,118 is" and inserting "12-4516, 21-6614, 21-6614a, 21-6614b, 21-6614c, 22-2410, 22-2410a, 40-2,118, 40-4903, 40-4905, 40-5504 and 40-5505 are";

On page 1, in the title, in line 1, after the second semicolon by inserting "relating to licensing of insurance agents; providing the commissioner of insurance access to expungement records for that purpose; relating to lines of insurance; relating to fingerprint and criminal record history checks for certain insurance agents and public adjusters"; in line 2, by striking "40-2,118" and inserting "12-4516, 21-6614, 22-2410, 40-2,118, 40-4903, 40-4905, 40-5504 and 40-5505"; also in line 2, by striking "section" and inserting "sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c and 22-2410a"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **HB 2454** be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2454," as follows:

"SENATE Substitute for HOUSE BILL No. 2454

By Committee on Ways and Means

"AN ACT concerning the arts; creating the creative arts industries commission within the department of commerce; transferring the powers, functions and duties from the Kansas arts commission and the Kansas film services commission to the Kansas creative arts industries commission; abolishing the Kansas arts commission and the Kansas film services commission; creating the arts industries commission checkoff; amending K.S.A. 46-1801, 74-7901 and 75-2249 and K.S.A. 2011 Supp. 8-1,161, 75-2269 and 75-5072 and repealing the existing sections; also repealing K.S.A. 74-5202, 74-5203, 74-5204, 74-5205 and 74-5206 and K.S.A. 2011 Supp. 74-9201 and 74-9202.";

and the substitute bill be passed.

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Monday, March 19, 2012.

Journal of the Senate

FORTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 19, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Reverend Fred S. Hollomon:

Heavenly Father,

At this stage of the session
Sometimes we may admit
Some of us could tend to be
Less considerate.

So Help us to remember
When we arrive, O God,
To be sure to give the doormen
At least a friendly nod.

And to our secretaries
Help us to kindly speak,
And not postpone a hearty thanks
“Till Secretaries” Week.

And keep us all from treating
The clerks like furniture,
But show appreciation
For the hours they endure.

Don't let us take for granted
Our interns and our aides,
And the reader is a person
Who deserves an accolade.

And don't forget the people
Working in and on this place;
Most of them seem pleased
When I greet them face to face.

I know I could go on and on
Mentioning people we ignore.

But my minute is almost gone
So I will say no more.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2521; Substitute HB 2634**.

Announcing passage of **SB 303**, as amended.

Also, passage of **SB 290**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2521; Substitute HB 2634 were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **HB 2637**, as amended by House Committee of the Whole, be amended on page 1, following line 4, by inserting:

"New Section 1. (a) The provisions of sections 1 through 11, and amendments thereto, shall be known and may be cited as the professional employer organization registration act.

(b) The provisions of sections 1 through 11, and amendments thereto, shall take effect and be in force from and after January 1, 2014.

New Sec. 2. As used in sections 1 through 11, and amendments thereto:

(a) "Client" means any person who enters into a professional employer agreement with a professional employer organization.

(b) "Co-employer" means either a professional employer organization or a client.

(c) "Co-employment relationship" means a relationship which is intended to be an ongoing relationship rather than a temporary or project-specific relationship, and wherein the rights, duties and obligations of an employer which arise out of an employment relationship have been allocated between the employer and a professional employer organization as co-employers pursuant to a professional employer agreement entered into in accordance with the provisions of sections 1 through 11, and amendments thereto. Under a co-employment relationship:

(1) The professional employer organization is entitled to enforce only those employer rights, and is subject to only those employer obligations, that are specifically allocated to the professional employer organization by the professional employer agreement or by the provisions of sections 1 through 11, and amendments thereto;

(2) the client is entitled to enforce those employer rights, and is obligated to provide and perform those employer obligations, that are allocated to such client by the professional employer agreement or by the provisions of sections 1 through 11, and amendments thereto; and

(3) the client also is entitled to enforce any employer right, and is obligated to perform any obligation of an employer, that is not specifically allocated to the professional employer organization by the professional employer agreement or by the provisions of sections 1 through 11, and amendments thereto.

(d) (1) "Covered employee" means an individual having a co-employment

relationship with a professional employer organization and a client, who has received written notice of the co-employment relationship with the professional employer organization and the client, and such co-employment relationship was entered into pursuant to a professional employer agreement entered into in accordance with the provisions of sections 1 through 11, and amendments thereto.

(2) The term "covered employee" shall include individuals who are officers, directors, shareholders, partners or managers of the client, or members of a limited liability company that is a client, if: (A) The professional employer organization and the client have expressly agreed in the professional employer agreement that such individuals are covered employees; (B) such individuals satisfy the provisions of paragraph (1); and (C) such individuals act as operational managers or perform day-to-day operational services for the client.

(e) "Department" means the department of labor.

(f) "Person" means any individual, partnership, corporation, limited liability company, association or any other form of legally recognized entity.

(g) "Professional employer agreement" means a written contract entered into between a client and a professional employer organization that provides:

(1) For the co-employment of covered employees;

(2) for the allocation of employer rights and obligations between the client and the professional employer organization with respect to covered employees; and

(3) for the professional employer organization and the client to assume the responsibilities required by the provisions of sections 1 through 11, and amendments thereto.

(h) (1) "Professional employer organization" means any person engaged in the business of providing professional employer services. A person engaged in the business of providing professional employer services shall be considered a "professional employer organization" regardless of such person's use of the term staff leasing company, administrative employer, employee leasing company or any name other than professional employer organization in describing such person's business.

(2) For purposes of sections 1 through 11, and amendments thereto, the following shall not be considered a "professional employer organization," or as providing "professional employment services":

(A) Arrangements wherein a person, whose principal business activity is not entering into professional employer agreements, and which does not hold itself out as a professional employer organization, shares employees with a commonly owned company within the meaning of section 414(b) and (c) of the internal revenue code;

(B) independent contractor arrangements by which a person assumes responsibility for the product produced or service performed by such person or such person's agents and retains and exercises primary direction and control over the work performed by the individuals whose services are supplied under such arrangements; and

(C) providing temporary help services.

(i) "Professional employer group" means two or more professional employer organizations that are majority owned or commonly controlled by the same entity, parent or controlling person.

(j) "Professional employer services" means the service of entering into co-employment relationships.

(k) "Registrant" means a professional employer organization registered under the

provisions of sections 1 through 11, and amendments thereto.

(l) "Secretary" means the secretary of the department of labor.

(m) "Temporary help services" means services consisting of a person:

(1) Recruiting and hiring such person's own employees;

(2) locating other organizations that need the services of such employees;

(3) assigning such employees: (A) To perform work at or services for such other organizations to support or supplement such other organizations' workforces; (B) to provide assistance in special work situations, including employee absences, skill shortages or seasonal workloads; or (C) to perform special assignments or projects; and
(4) customarily attempting to reassign such employees to other organizations when such employees finish an assignment.

(n) "Working capital" means current assets less current liabilities, as such terms are used by generally accepted accounting principles.

New Sec. 3. (a) Nothing in the provisions of sections 1 through 11, and amendments thereto, or in any professional employer agreement shall:

(1) Affect, modify or amend any collective bargaining agreement, or the rights or obligations of any client, professional employer organization or covered employee under the national labor relations act, 29 U.S.C. § 151 *et seq.*, or the railway labor act, 45 U.S.C. § 151 *et seq.*;

(2) diminish, abolish or remove the rights of covered employees as to a client, or the obligations of such client to a covered employee, whether existing prior to or after the effective date of the professional employer agreement, including, but not limited to, rights and obligations arising from civil rights laws guaranteeing nondiscrimination in employment practices;

(3) affect, modify or amend any contractual relationship or restrictive covenant between a covered employee and any client in effect at the time a professional employer agreement becomes effective, nor prohibit or amend any contractual relationship or restrictive covenant that is entered into subsequently between a client and a covered employee. A professional employer organization shall have no responsibility or liability in connection with, or arising out of, any such existing or new contractual relationship or restrictive covenant unless the professional employer organization has specifically agreed otherwise in writing; or

(4) create any new or additional enforceable right of a covered employee against a professional employer organization that is not specifically provided by the professional employer agreement or by the provisions of sections 1 through 11, and amendments thereto.

(b)(1) Nothing in the provisions of sections 1 through 11, and amendments thereto, or in any professional employer agreement shall affect, modify or amend any local, state or federal licensing, registration or certification requirement applicable to any client or covered employee.

(2) A covered employee who is required to be licensed, registered or certified pursuant to local, state or federal law or rules and regulations shall be deemed to be an employee solely of the client for purposes of any such license, registration or certification requirement.

(3) A professional employer organization shall not be deemed to engage in any occupation, trade, profession or other activity that is subject to licensing, registration or certification requirements, or is otherwise regulated by a governmental entity solely by

entering into and maintaining a co-employment relationship with a client or covered employee who is subject to such requirements or regulations.

(4) A client shall have the sole right to direct and control the professional or licensed activities of covered employees and of the client's business. Such covered employees and clients shall remain subject to regulation by the regulatory or governmental entity responsible for licensing, registration or certification of such covered employees or clients.

(c) With respect to a bid, contract, purchase order or agreement entered into with the state or a political subdivision of the state, a client's status or certification as a small, minority-owned, disadvantaged or woman-owned business enterprise, or as a historically underutilized business, shall not be affected because the client has entered into a professional employer agreement with a professional employer organization, or uses the services of a professional employer organization.

New Sec. 4. (a) A person engaged in the business of providing professional employer services pursuant to co-employment relationships in which all or a majority of the employees of a client are covered employees shall be registered pursuant to this section.

(b) A person who is not registered pursuant to this section shall not offer or provide professional employer services in this state, and shall not use the names PEO, professional employer organization, staff leasing company, employee leasing company, administrative employer or any other name or title representing professional employer services.

(c) Each applicant for registration shall submit an application to the secretary in such form and manner as prescribed by the secretary. The application shall contain the following information:

(1) The name or names under which the professional employer organization conducts business;

(2) the address of the principal place of business of the professional employer organization, and the address of each office the professional employer organization maintains in this state;

(3) the professional employer organization's taxpayer or employer identification number;

(4) a list, by jurisdiction, of each name under which the professional employer organization has operated in the preceding five years, including any alternative names, names of predecessors and, if known, successor business entities;

(5) a statement of ownership, which shall include the name and evidence of the business experience of any person that, individually, or acting in concert with one or more other persons, owns or controls, directly or indirectly, 15% or more of the equity interest of the professional employer organization;

(6) a statement of management, which shall include the name and evidence of the business experience of any individual who serves as president, chief executive officer or otherwise has the authority to act as senior executive officer of the professional employer organization; and

(7) a financial statement setting forth the financial condition of the professional employer organization or professional employer group, which shall comply with the provisions of subsection (h).

(d) (1) Each professional employer organization operating within this state as of the

effective date of this act shall complete its initial registration not later than 180 days after the effective date of this act. Such initial registration shall be valid until 180 days from the end of the professional employer organization's first fiscal year that is more than one year after the effective date of this act.

(2) Each professional employer organization not operating within this state as of the effective date of this act shall complete its initial registration prior to initiating operations within this state. If a professional employer organization not registered in this state becomes aware that an existing client, not based in this state, has employees and operations in this state, the professional employer organization shall either decline to provide professional employer services for those employees, or notify the secretary within five business days of the professional employer organization's knowledge of this fact and file a limited registration application pursuant to subsection (g), or a full registration if there are more than 50 covered employees employed by such client. The secretary may issue an interim operating permit for the period of time the application is pending if the professional employer organization is currently registered or licensed by another state, and the secretary determines it is in the best interests of the potential covered employees.

(e) Within 180 days after the end of a registrant's fiscal year, such registrant shall renew its registration by notifying the secretary of any changes in the information provided in such registrant's most recent registration or renewal. A registrant's existing registration shall remain in effect for the period of time the renewal application is pending.

(f) Professional employer organizations in a professional employer group may satisfy any reporting and financial requirements of this section on a combined or consolidated basis, provided that each member of the professional employer group guarantees the financial capacity obligations required by section 6, and amendments thereto, of each other member of the professional employer group. In the case of a professional employer group that submits a combined or consolidated audited financial statement, including entities that are not professional employer organizations or that are not in the professional employer group, the controlling entity of the professional employer group under the consolidated or combined statement must guarantee the obligations of the professional employer organizations in the professional employer group.

(g) (1) A professional employer organization is eligible for a limited registration if such professional employer organization:

(A) Submits a written request for limited registration in such form and manner as prescribed by the secretary;

(B) is domiciled outside this state, and is licensed or registered as a professional employer organization in another state;

(C) does not maintain an office in this state, or directly solicit clients located or domiciled within this state; and

(D) does not have more than 50 covered employees employed or domiciled in this state on any given day.

(2) A limited registration is valid for one year, and may be renewed.

(3) A professional employer organization requesting limited registration under this subsection shall provide the secretary with such information and documentation as required by the secretary to show that the professional employer organization qualifies

for a limited registration.

(4) The provisions of section 6, and amendments thereto, shall not apply to applicants for limited registration.

(h) At the time of initial registration, the applicant shall submit the most recent audit of the applicant or such applicant's parent holding company, which audit shall not be older than 13 months. Thereafter, a professional employer organization or professional employer group shall file on an annual basis, within 180 days after the end of the professional employer organization's or parent holding company's fiscal year, a succeeding audit. An applicant may apply to the secretary for an extension of time to submit such audit, but any such request shall be accompanied by a letter from the auditor stating the reasons for the delay and the anticipated audit completion date. For the initial application, if the closing date of the audited financial statements required by this section is older than three months from the date of the application, the application also shall include updated, though unaudited, financial statements for the most recent quarter. The financial statement shall be prepared in accordance with generally accepted accounting principles and audited by an independent certified public accountant licensed to practice in the jurisdiction in which such accountant is located, and shall be without qualification as to the going concern status of the professional employer organization. A professional employer group may submit combined or consolidated audited financial statements to meet the requirements of this section. A professional employer organization that has not had sufficient operating history to have audited financials based upon at least 12 months of operating history shall meet the financial capacity requirements of subsection (f) and present financial statements reviewed by a certified public accountant.

(i) The department shall maintain a list of professional employer organizations registered under this section, and such list shall be readily available to the public by electronic or other means.

(j) The secretary, to the extent practical, shall permit the acceptance of electronic filings, including applications, documents, reports and other filings required by the secretary under this section. The secretary may provide for the acceptance of electronic filings and other assurance documents by an independent and qualified entity approved by the secretary that provides satisfactory assurance of compliance acceptable to the secretary consistent with, or in lieu of, the requirements of this section and section 6, and amendments thereto. The secretary shall permit a professional employer organization to authorize such entity approved by the secretary to act on the professional employer organization's behalf in complying with the registration requirements of this section, including electronic filings of information and payment of registration fees. Use of such an approved entity shall be optional and not mandatory for a registrant. Nothing in this subsection shall limit or change the secretary's authority to register or terminate registration of a professional employer organization, or to investigate or enforce any provision of sections 1 through 11, and amendments thereto.

(k) All records, reports and other information obtained from a professional employer organization under this section, except to the extent necessary for the proper administration of the provisions of sections 1 through 11, and amendments thereto, by the secretary, shall be confidential and shall not be published or open to public inspection other than to employees of the department in the performance of such employee's official duties.

New Sec. 5. (a) Upon filing an initial application for registration, a professional employer organization shall pay a fee in an amount not to exceed \$1,000.

(b) Upon filing a renewal application for registration, a professional employer organization shall pay a fee in an amount not to exceed \$500.

(c) Upon filing an initial or a renewal application for limited registration, a professional employer organization shall pay a fee in an amount not to exceed \$500.

(d) Upon filing an initial or a renewal application for registration, a professional employer group shall pay a fee in an amount determined by the secretary and adopted by rules and regulations.

(e) The secretary shall adopt rules and regulations establishing the fees to be charged pursuant to this section in such amounts as deemed reasonably necessary by the secretary for the administration of the provisions of sections 1 through 11, and amendments thereto, subject to the limitations on fee amounts set forth in subsections (a), (b) and (c).

(f) There is hereby created the professional employer organization fee fund. The secretary shall remit all moneys received from fees or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the professional employer organization fee fund. All expenditures from the professional employer organization fee fund shall be for the purposes of the administration of the provisions of sections 1 through 11, and amendments thereto, and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary, or the secretary's designee.

New Sec. 6. Except as provided by subsections (g) and (j) of section 4, and amendments thereto, each professional employer organization, or collectively each professional employer group shall either:

(a) Maintain positive working capital upon registration as reflected in the financial statements submitted to the secretary with the initial registration application and each renewal application; or

(b) for a professional employer organization or professional employer group that does not have sufficient positive working capital as required in subsection (a), submit a bond, irrevocable letter of credit or securities with a minimum market value in an amount equal to the sum of the amount that would be necessary for such professional employer organization or professional employer group to comply with subsection (a) plus \$100,000 to the secretary at such time as the professional employer organization or professional employer group does not have sufficient working capital. Such bond shall be held by a depository designated by the secretary securing payment by the professional employer organization of all taxes, wages, benefits or other entitlement due to or with respect to covered employees, if the professional employer organization does not make such payments when due.

New Sec. 7. (a) No person shall knowingly enter into a co-employment relationship in which less than a majority of the employees of the client in this state are covered employees, or in which less than half of the payroll of the client in this state is attributable to covered employees.

(b) Except as otherwise provided in sections 1 through 11, and amendments thereto, or in the professional employer agreement, in each co-employment relationship:

(1) The client shall be entitled to exercise all rights and shall be obligated to perform all duties and responsibilities otherwise applicable to an employer in an employment relationship;

(2) the professional employer organization shall be entitled to exercise only those rights and obligated to perform only those duties and responsibilities specifically required by the provisions of sections 1 through 11, and amendments thereto, or in the professional employer agreement. The rights, duties and obligations of the professional employer organization as co-employer with respect to any covered employee shall be limited to those arising pursuant to the professional employer agreement or as required by the provisions of sections 1 through 11, and amendments thereto, during the term of co-employment by the professional employer organization of such covered employee; and

(3) the client retains the exclusive right to direct and control the covered employees as is necessary to conduct the client's business, to discharge any of the client's fiduciary responsibilities or to comply with any licensure requirements applicable to the client or to the covered employees.

(c) Except as otherwise provided in sections 1 through 11, and amendments thereto, the co-employment relationship between the client and the professional employer organization, and between each co-employer and each covered employee, shall be governed by the professional employer agreement. Each professional employer agreement shall include the following:

(1) The allocation of rights, duties and obligations as described in this section;

(2) that the professional employer organization shall have the responsibility to pay wages to covered employees, to withhold, collect, report and remit payroll-related and unemployment taxes and, to the extent the professional employer organization has assumed such responsibility in the professional employer agreement, to make payments for employee benefits for covered employees;

(3) that, in addition to the client's right to hire, discipline and terminate a covered employee, the professional employer organization shall have a right to hire, discipline and terminate a covered employee only as may be necessary to fulfill the professional employer organization's responsibilities under the provisions of sections 1 through 11, and amendments thereto, or the professional employer agreement.

(d) For purposes of this section, wages do not include any obligation between a client and a covered employee for payments beyond, or in addition to, the covered employee's salary, draw or regular rate of pay, such as bonuses, commissions, severance pay, deferred compensation, profit sharing or vacation, sick or other paid time off pay, unless the professional employer organization has expressly agreed to assume liability for such payments in the professional employer agreement.

(e) With respect to each professional employer agreement entered into by a professional employer organization, such professional employer organization shall provide written notice to each covered employee affected by such agreement. The professional employer organization shall provide and the client is required to post the following notices in a conspicuous place at the client's worksite:

(1) Notice of the general nature of the co-employment relationship between and among the professional employer organization, the client and such covered employees; and

(2) any notices required by the state relating to unemployment compensation and

minimum wages.

(f) Except as otherwise provided in the professional employer agreement:

(1) A client shall be solely responsible for the quality, adequacy or safety of the goods or services produced or sold in the client's business;

(2) a client shall be solely responsible for directing, supervising, training and controlling the work of the covered employees with respect to the business activities of the client and solely responsible for the acts, errors or omissions of the covered employees with regard to such activities;

(3) a client shall not be liable for the acts, errors or omissions of a professional employer organization, or of any covered employee of the client and a professional employer organization when such covered employee is acting under the express direction and control of the professional employer organization;

(4) nothing in this subsection shall limit any contractual liability or obligation specifically provided in a professional employer agreement;

(5) a covered employee is not, solely as the result of being a covered employee of a professional employer organization, an employee of the professional employer organization for purposes of general liability insurance, fidelity bonds, surety bonds, employer's liability which is not covered by workers' compensation or any other liability insurance carried by the professional employer organization unless the covered employee is included for such purposes by specific reference in the professional employer agreement and in any applicable prearranged employment contract, insurance contract or bond;

(6) a professional employer organization shall not sell, solicit or negotiate insurance on behalf of a client, covered employee or other employee of a client except through a person or entity licensed to do so pursuant state law;

(7) a professional employer organization shall sponsor health and workers' compensation plans for its covered employees only on a fully insured basis from an insurance carrier admitted to do business in this state;

(8) for purposes of this state or any county, municipality or other political subdivision thereof:

(A) Covered employees whose services are subject to sales tax shall be deemed the employees of the client for purposes of collecting and levying sales tax on the services performed by the covered employee, and nothing in the provisions of sections 1 through 11, and amendments thereto, shall be construed to relieve a client of any sales tax liability with respect to such client's goods or services;

(B) any tax or assessment imposed upon professional employer services or any business license or other fee which is based upon gross receipts shall allow a deduction from the gross income or receipts of the business derived from performing professional employer services that is equal to that portion of the fee charged to a client that represents the actual cost of wages and salaries, benefits, workers' compensation, payroll taxes, withholding or other assessments paid to or on behalf of a covered employee by the professional employer organization under a professional employer agreement;

(C) any tax assessed or assessment or mandated expenditure on a per capita or per employee basis shall be assessed against the client for covered employees and against the professional employer organization for its employees who are not covered employees co-employed with a client, and any benefits or monetary consideration that

meets the requirements of mandates imposed on a client and that are received by covered employees through the professional employer organization either through payroll or through benefit plans sponsored by the professional employer organization shall be credited against the client's obligation to fulfill such mandates; and

(D) in the case of a tax or an assessment imposed or calculated upon the basis of total payroll, the professional employer organization shall be eligible to apply any small business allowance or exemption available to the client for the covered employees for the purpose of computing the tax.

New Sec. 8. A client and a professional employer organization shall each be deemed an employer under the laws of this state for purposes of sponsoring retirement and employee welfare benefit plans for its covered employees.

New Sec. 9. (a) It shall be a violation of the provisions of sections 1 through 11, and amendments thereto:

(1) For a person to knowingly offer or provide professional employer services or use the names PEO, professional employer organization, staff leasing, employee leasing, administrative employer or other title representing professional employer services without registering in accordance with section 4, and amendments thereto;

(2) for a person to knowingly provide false or fraudulent information to the secretary in conjunction with any registration application, renewal or in any report required under the provisions of sections 4 or 6, and amendments thereto;

(3) for a person to knowingly make a material misrepresentation to the secretary, or other governmental agency to which such person is required to submit a report or information;

(4) for a professional employer organization or a controlling person of a professional employer organization to be convicted of a crime: (A) That relates to the operation of a professional employer organization; (B) that relates to the ability of the professional employer organization or a controlling person of a professional employer organization to operate a professional employer organization; or (C) pursuant to 18 U.S.C. § 1033; or

(5) for a person to willfully violate any provision of sections 1 through 11, and amendments thereto, or any rule or regulation adopted by the secretary pursuant thereto.

(b) Upon a finding, and after notice and an opportunity for a hearing, that a professional employer organization, or a controlling person of a professional employer organization, or a person offering professional employer services has committed a violation under this section, the secretary may:

(1) Deny the application for registration;

(2) revoke, restrict or refuse to renew a registration;

(3) impose a civil fine in an amount not to exceed \$10,000 for each material violation of the provisions of sections 1 through 11, and amendments thereto;

(4) place the registrant on probation for such period of time and subject to such conditions as the secretary shall specify; or

(5) issue an order to cease and desist those professional employer organization activities and services specified in such order.

(c) The provisions of this section shall be subject to the Kansas judicial review act.

New Sec. 10. The secretary shall adopt such rules and regulations as the secretary deems necessary to implement and enforce the provisions of sections 1 through 11, and amendments thereto.

New Sec. 11. If any provision of sections 1 through 11, and amendments thereto, or any portion thereof, is declared invalid or unconstitutional, such invalidity shall not affect the validity or constitutionality of the remaining provisions of sections 1 through 11, and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, before "amending" by inserting "creating the professional employer organization registration act;"; and the bill be passed as amended.

Also, **HB 2673** be amended on page 1, by striking all in lines 6 and 7 and inserting:

"Section 1. K.S.A. 2011 Supp. 44-324 is hereby amended to read as follows: 44-324. (a) Any proceeding by one or more employees to assert any claim arising under or pursuant to this act may be brought in any court of competent jurisdiction.

(b) ~~Whenever the secretary determines under K.S.A. 44-322a, and amendments thereto, that an employee has a valid claim for unpaid wages and determines that the amount of the claim is less than \$10,000, the secretary, upon the written request of the employee, shall take an assignment of the claim in trust for such employee and shall take action appropriate to enforce or defend such claim. Whenever the secretary determines under K.S.A. 44-322a, and amendments thereto, that an employee has a valid claim for unpaid wages and determines that the amount of the claim is equal to or greater than \$10,000, the secretary, upon the written request of the employee, may take an assignment of the claim in trust for such employee and if the assessment is taken, shall take action appropriate to enforce or defend such claim. With the written consent of the assignor, the secretary may settle or adjust any claim assigned pursuant to this subsection. Whenever the secretary takes an assignment of a claim in trust for an employee under this section, the secretary shall charge and collect a fee therefor which fee shall be fixed by rules and regulations adopted by the secretary. The fee fixed by rules and regulations shall be in an amount of not more than \$25 per claim assigned under this section.~~

(c) If the secretary prevails on behalf of the employee, the court shall award a judgment to the agency in an amount equal to the cost of reasonable attorney fees for such action.

(d) There is hereby created the wage claims assignment fee fund. The secretary shall remit all moneys received for assignment and attorney fees charged and collected under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Ten percent of each such deposit shall be credited to the state general fund and the balance shall be credited to the wage claims assignment fee fund. All expenditures from the wage claims assignment fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary or by a person or persons designated by the secretary.

Sec. 2. K.S.A. 2011 Supp. 44-5,104 is hereby amended to read as follows: 44-5,104. (a) Each insurance company or group-funded self-insurance plan providing workers compensation insurance coverage in Kansas shall maintain and shall provide accident prevention programs upon request of the covered employer as a prerequisite for authority to provide such insurance or coverage. The accident prevention programs shall be adequate to furnish accident prevention services required by the nature of the

operations of the policyholders or other covered entities and the accident prevention services shall include surveys, recommendations, training programs, consultations, analyses of accident causes, industrial hygiene and industrial health services to implement the program of accident prevention services at no cost to the insured. The accident prevention programs shall be staffed with field safety representatives. Each field safety representative shall be a person who is: (1) A college graduate who has a bachelor's degree in science, industrial hygiene, safety or loss control, or engineering, (2) a registered professional engineer, (3) a certified safety professional, who has attained the designation from the board of certified safety professionals, (4) a certified industrial hygienist, who has attained the designation from the American board of industrial hygiene, (5) an individual with five years of experience in occupational safety and health, (6) a person who is working under direct supervision of a person who meets the qualification requirements of this section, (7) a person who has attained the designation of associate in loss control management or associate in risk management from the insurance institute of America, who has attained the designation of occupational safety and health technologist from the board of certified safety professionals, or who has attained any other comparable designation or certification by a recognized organization as determined by the secretary of labor, or (8) an individual who has completed a certified training program in accident prevention services approved by the secretary of labor. The insurance company or group-funded self-insurance plan may employ qualified personnel, retain qualified independent contractors, contract with the policyholder to provide qualified accident prevention personnel and services, or use a combination of such methods to fulfill the obligations imposed by this section. Accident prevention personnel shall have the qualifications required for field safety representatives.

(b) The secretary of labor may conduct such inspections as the secretary deems necessary to determine the adequacy of the accident prevention services required by subsection (a) for each insurance company and group-funded self-insurance plan providing workers compensation insurance coverage in Kansas, including, but not limited to, random inspections and those based upon employer complaints. Documented employer complaints shall be appropriately investigated and the results shall be reported to the commissioner of insurance. The secretary shall not be required by this section to inspect each insurance company or group-funded self-insurance plan.

(c) A notice that accident prevention services are available to the policyholder from the insurance company shall appear in no less than ten-point boldface type on the front page of each workers compensation insurance policy or group-funded workers compensation self-insurance plan certificate of coverage delivered or issued for delivery in this state.

(d) At least once each year, each insurance company or group-funded self-insurance plan providing workers compensation insurance in Kansas shall submit to the director of ~~workers compensation~~ industrial safety and health detailed information on the type of accident prevention programs offered to the policyholders by the insurance company or to the covered entities by the group-funded self-insurance plan, as the case may be. The information shall include:

- (1) The amount of money spent by the insurance company or group-funded self-insured plan on accident prevention services;
- (2) the names, number and qualifications of field safety representatives employed;

- (3) the number of site inspections performed;
- (4) any accident prevention services made available under a contractual arrangement;
- (5) a specification and listing of the premium size of the risks to which accident prevention services were actually provided;
- (6) evidence of the effectiveness of and accomplishments in accident prevention; and
- (7) any additional information required by the director of ~~workers compensation~~ industrial safety and health.

(e) If the insurance company or group-funded self-insurance plan does not maintain or provide the accident prevention services required by this section, the director of ~~workers compensation~~ industrial safety and health shall notify the commissioner of insurance. Upon receiving such notification, the commissioner of insurance shall presume the insurance company or group-funded self-insurance plan knew or reasonably should have known of the violation and shall assess the penalty prescribed therefore pursuant to K.S.A. 40-2,125, and amendments thereto. The secretary shall send the information and results obtained pursuant to subsection (d) to the insurance commissioner who shall widely disseminate information about the program.

(f) The secretary of labor shall employ the personnel necessary to enforce the provisions of this section and shall employ sufficient safety inspectors to perform inspections at job sites or other work places and may audit accident prevention programs of each insurance company or group-funded self-insurance plan which is subject to this section to determine the adequacy of the accident prevention services provided. The safety inspectors shall have the qualifications required for field safety representatives by subsection (a).

(g) The insurance company or group-funded self-insurance plan, and any agent, servant, or employee thereof, shall have no liability with respect to any accident based on the allegation that such accident was caused or could have been prevented by a program, inspection or other activity or by a service undertaken or not undertaken by the insurance company or group-funded self-insurance plan for the prevention of accidents in connection with operations of the employer. This immunity shall not affect the liability of the insurance company or group-funded self-insurance plan for compensation or as otherwise provided in this act.

Sec. 3. K.S.A. 2011 Supp. 44-634 is hereby amended to read as follows: 44-634. It shall be the duty of the secretary of labor to collect, assort, arrange and present in annual reports to the governor, to be transmitted biennially by the governor to the legislature, statistical details relating to all labor and industrial pursuits in the state; to the subjects of cooperation, strikes and other labor difficulties; to trade unions and other labor organizations and their effect upon labor and capital; to other matters relating to the commercial, industrial, social, educational, moral and sanitary conditions prevailing within the state; and the exploitation of such other subjects as will tend to promote the permanent prosperity of the respective industries of the state.

It shall also be the duty of the secretary of labor to cause to be enforced all laws regulating the employment of children and minors; all laws established for the protection of health, lives and limbs of operators in workshops and factories, ~~on~~ on ~~railroads~~, and other places; and all laws enacted for the protection of the working classes now in force or that may hereafter be enacted. In the annual report the secretary

of labor shall also give an account of all proceedings which have been taken in accordance with the provisions of this act, or any of the other laws herein referred to, and in addition thereto such remarks, suggestions and recommendations as the secretary of labor may deem necessary for the information of the legislature.

Sec. 4. K.S.A. 2011 Supp. 44-636 is hereby amended to read as follows: 44-636.

(a) The secretary of labor shall have power to enter ~~any factory or mill, workshop, private works, any~~ public works or state agency or institution, ~~mercantile establishment, laundry or any other place of business where labor is or is intended to be performed for any purpose;~~ when the same are open or in operation, for the purpose of gathering facts and statistics such as are contemplated by this act, and to examine into the methods of protection from danger to employees and the sanitary conditions in and around such buildings and places and to keep a record thereof of such inspection.

If it shall be found upon such investigation that the heating, lighting, ventilation, occupant capacity or sanitary arrangement of any such establishment or place is such as to be injurious to the health of persons employed or residing therein, or that the means of egress in case of fire or other disaster are not sufficient, or that the belting, shafting, gearing, ~~elevators,~~ drums, saws, cogs or machinery, in any such establishment or place are so located or are in a condition so as to be dangerous, or are not sufficiently guarded, or that the vats, pans or any other structures filled with molten metal, hot liquid or hazardous materials or substances are not surrounded with proper safeguards for preventing accidents, injury or illness to those persons in, or near them, or that the construction or condition of any building or buildings, or any boiler, machinery or other appurtenances in or about any place as described in this section is such as to be dangerous or injurious to the persons employed or residing therein, or that the methods of operation are such as to be unnecessarily dangerous or injurious to the persons employed or residing therein, or that any other condition which is within the control of the owner, proprietor, agent, administrator or lessee of any such building, establishment or place to be found to be dangerous or injurious to any persons employed therein or to any other person or persons, the secretary or the authorized agent of the secretary after making such inspection shall notify in writing the owner, proprietor, agent, administrator or lessee of such building, establishment, or place. Such notification may also include an order that requires the provisions of such safeguards or safety devices or the making of such alterations or additions or changes in methods of operation or the taking of any other measures the secretary may deem appropriate and necessary for the safety and protection of the employees or other persons endangered by such conditions and the amount of time granted by the secretary for making any such alterations, additions, changes or taking such other methods as required. Such amount of time shall not exceed 60 days after service of the notice and the order unless an extension thereof is requested for good cause shown by the person named in the order, and such extension is granted by the secretary or the authorized agent of the secretary.

(b) The notification required by subsection (a) shall include notice of the right to a hearing concerning any order included therein. Any such order shall become final unless within 15 days after service of the notice and order, the person or persons named therein shall request in writing a hearing by the secretary. If a request is made for a hearing the date of the hearing shall not be more than 30 days after such request is made. Orders under subsection (a), and hearings thereon, shall be subject to the provisions of the Kansas administrative procedure act.

(c) No person, firm or corporation, nor any officer, agent or employee thereof, shall remove or require to be removed, or made ineffective any practical safeguard around or safety attachment to any machinery, vats, pan, or other apparatus or device mentioned in this section while the same is in use, ~~except for the purpose of immediately making repairs thereto, and all safeguards or safety attachments so removed shall be promptly replaced before the dangerous machine, apparatus or device is returned to normal use or operation. Except as otherwise provided,~~ No person shall require or permit the operation of, or operate, the dangerous machine, apparatus or device without the required safeguards or safety attachments.

(d) If the secretary of labor determines that conditions or products in any place of employment are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately, or before such danger can be eliminated through the enforcement provisions otherwise provided by law, the secretary may, in accordance with the provisions of K.S.A. 77-536, and amendments thereto, order the immediate taking of any steps necessary to avoid, correct or remove such imminent danger and prohibit the employment or presence of any individual in locations or under conditions where such imminent danger exists, except individuals whose presence is necessary to avoid, correct or remove such imminent danger or to prevent any avoidable loss of production facilities or product.

(e) Upon issuance of the order authorized by subsection (d) ~~of this section~~ and upon the request of any party who is adversely affected thereby, the secretary shall fix a place and time for a hearing to be held on such order in accordance with the provisions of the Kansas administrative procedure act.

(f) No person shall discharge or in any manner discriminate against any employee because such employee has filed a complaint with, or furnished information to, the secretary of labor concerning conditions or situations alleged to be unsafe or hazardous or otherwise covered by the provisions of this act.

(g) Any person who willfully violates any provision of this section or any lawful order issued pursuant to this section shall be guilty of a misdemeanor and shall be subject to a fine of not less than \$25 nor more than \$100. Each day that such violation exists shall constitute a separate offense.

(h) An action brought pursuant to this section shall not constitute a bar to enforcement of the provisions of this section by injunction or other appropriate remedy, and upon request of the secretary of labor, the attorney general shall have the power to institute and maintain in the name of the state any and all appropriate enforcement procedures.

(i) The provisions of this section shall not apply to any employer or place of employment that is subject to the provisions of the occupational safety and health act of 1970, 29 U.S.C. § 651 *et seq.*, except as provided in 29 C.F.R. § 1908 *et seq.*

Sec. 5. K.S.A. 44-603, 44-617, 44-625 and 44-628 and K.S.A. 2011 Supp. 44-324, 44-5,104, 44-601b, 44-607, 44-608, 44-609, 44-610, 44-611, 44-612, 44-614, 44-615, 44-616, 44-618, 44-619, 44-620, 44-621, 44-623, 44-624, 44-626, 44-631, 44-634 and 44-636 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1 by striking all following "ACT"; by striking all in lines 2 and 3 and inserting "concerning labor; relating to employment standards; accident prevention; powers and duties of the secretary of labor regarding labor and

wage disputes and workplace inspections; amending K.S.A. 2011 Supp. 44-324, 44-5,104, 44-634 and 44-636 and repealing the existing sections; also repealing K.S.A. 44-603, 44-617, 44-625 and 44-628 and K.S.A. 2011 Supp. 44-601b, 44-607, 44-608, 44-609, 44-610, 44-611, 44-612, 44-614, 44-615, 44-616, 44-618, 44-619, 44-620, 44-621, 44-623, 44-624, 44-626 and 44-631.";

And the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2313**, as amended by House Committee, be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2313," as follows:

"SENATE Substitute for HOUSE BILL No. 2313

By Committee on Judiciary

"AN ACT concerning juvenile offenders; relating to out-of-state juvenile offender registration.";

and the substitute bill be passed.

On motion of Senator Emler the Senate recessed until 11:00 a.m.

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

MESSAGE FROM THE HOUSE

Announcing passage of **SB 294**, as amended by **House Substitute for SB 294**.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2684** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2011 Supp. 45-221 is hereby amended to read as follows: 45-221. (a) Except to the extent disclosure is otherwise required by law, a public agency shall not be required to disclose:

(1) Records the disclosure of which is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2011 Supp. 75-4315d, and amendments thereto, or the disclosure of which is prohibited or restricted pursuant to specific authorization of federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2011 Supp. 75-4315d, and amendments thereto, to restrict or prohibit disclosure.

(2) Records which are privileged under the rules of evidence, unless the holder of the privilege consents to the disclosure.

(3) Medical, psychiatric, psychological or alcoholism or drug dependency treatment records which pertain to identifiable patients.

(4) Personnel records, performance ratings or individually identifiable records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries or actual compensation employment contracts or employment-related contracts or agreements and lengths of service of officers and employees of public agencies once they are employed as such.

(5) Information which would reveal the identity of any undercover agent or any

informant reporting a specific violation of law.

(6) Letters of reference or recommendation pertaining to the character or qualifications of an identifiable individual, except documents relating to the appointment of persons to fill a vacancy in an elected office.

(7) Library, archive and museum materials contributed by private persons, to the extent of any limitations imposed as conditions of the contribution.

(8) Information which would reveal the identity of an individual who lawfully makes a donation to a public agency, if anonymity of the donor is a condition of the donation, except if the donation is intended for or restricted to providing remuneration or personal tangible benefit to a named public officer or employee.

(9) Testing and examination materials, before the test or examination is given or if it is to be given again, or records of individual test or examination scores, other than records which show only passage or failure and not specific scores.

(10) Criminal investigation records, except as provided herein. The district court, in an action brought pursuant to K.S.A. 45-222, and amendments thereto, may order disclosure of such records, subject to such conditions as the court may impose, if the court finds that disclosure:

(A) Is in the public interest;

(B) would not interfere with any prospective law enforcement action, criminal investigation or prosecution;

(C) would not reveal the identity of any confidential source or undercover agent;

(D) would not reveal confidential investigative techniques or procedures not known to the general public;

(E) would not endanger the life or physical safety of any person; and

(F) would not reveal the name, address, phone number or any other information which specifically and individually identifies the victim of any sexual offense in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto.

If a public record is discretionarily closed by a public agency pursuant to this subsection, the record custodian, upon request, shall provide a written citation to the specific provisions of paragraphs (A) through (F) that necessitate closure of that public record.

(11) Records of agencies involved in administrative adjudication or civil litigation, compiled in the process of detecting or investigating violations of civil law or administrative rules and regulations, if disclosure would interfere with a prospective administrative adjudication or civil litigation or reveal the identity of a confidential source or undercover agent.

(12) Records of emergency or security information or procedures of a public agency, or plans, drawings, specifications or related information for any building or facility which is used for purposes requiring security measures in or around the building or facility or which is used for the generation or transmission of power, water, fuels or communications, if disclosure would jeopardize security of the public agency, building or facility.

(13) The contents of appraisals or engineering or feasibility estimates or evaluations made by or for a public agency relative to the acquisition of property, prior to the award of formal contracts therefor.

(14) Correspondence between a public agency and a private individual, other than

correspondence which is intended to give notice of an action, policy or determination relating to any regulatory, supervisory or enforcement responsibility of the public agency or which is widely distributed to the public by a public agency and is not specifically in response to communications from such a private individual.

(15) Records pertaining to employer-employee negotiations, if disclosure would reveal information discussed in a lawful executive session under K.S.A. 75-4319, and amendments thereto.

(16) Software programs for electronic data processing and documentation thereof, but each public agency shall maintain a register, open to the public, that describes:

(A) The information which the agency maintains on computer facilities; and

(B) the form in which the information can be made available using existing computer programs.

(17) Applications, financial statements and other information submitted in connection with applications for student financial assistance where financial need is a consideration for the award.

(18) Plans, designs, drawings or specifications which are prepared by a person other than an employee of a public agency or records which are the property of a private person.

(19) Well samples, logs or surveys which the state corporation commission requires to be filed by persons who have drilled or caused to be drilled, or are drilling or causing to be drilled, holes for the purpose of discovery or production of oil or gas, to the extent that disclosure is limited by rules and regulations of the state corporation commission.

(20) Notes, preliminary drafts, research data in the process of analysis, unfunded grant proposals, memoranda, recommendations or other records in which opinions are expressed or policies or actions are proposed, except that this exemption shall not apply when such records are publicly cited or identified in an open meeting or in an agenda of an open meeting.

(21) Records of a public agency having legislative powers, which records pertain to proposed legislation or amendments to proposed legislation, except that this exemption shall not apply when such records are:

(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or

(B) distributed to a majority of a quorum of any body which has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(22) Records of a public agency having legislative powers, which records pertain to research prepared for one or more members of such agency, except that this exemption shall not apply when such records are:

(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or

(B) distributed to a majority of a quorum of any body which has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(23) Library patron and circulation records which pertain to identifiable individuals.

(24) Records which are compiled for census or research purposes and which pertain to identifiable individuals.

- (25) Records which represent and constitute the work product of an attorney.
- (26) Records of a utility or other public service pertaining to individually identifiable residential customers of the utility or service, except that information concerning billings for specific individual customers named by the requester shall be subject to disclosure as provided by this act.
- (27) Specifications for competitive bidding, until the specifications are officially approved by the public agency.
- (28) Sealed bids and related documents, until a bid is accepted or all bids rejected.
- (29) Correctional records pertaining to an identifiable inmate or release, except that:
- (A) The name; photograph and other identifying information; sentence data; parole eligibility date; custody or supervision level; disciplinary record; supervision violations; conditions of supervision, excluding requirements pertaining to mental health or substance abuse counseling; location of facility where incarcerated or location of parole office maintaining supervision and address of a releasee whose crime was committed after the effective date of this act shall be subject to disclosure to any person other than another inmate or releasee, except that the disclosure of the location of an inmate transferred to another state pursuant to the interstate corrections compact shall be at the discretion of the secretary of corrections;
- (B) ~~the ombudsman of corrections~~; the attorney general, law enforcement agencies, counsel for the inmate to whom the record pertains and any county or district attorney shall have access to correctional records to the extent otherwise permitted by law;
- (C) the information provided to the law enforcement agency pursuant to the sex offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, shall be subject to disclosure to any person, except that the name, address, telephone number or any other information which specifically and individually identifies the victim of any offender required to register as provided by the Kansas offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, shall not be disclosed; and
- (D) records of the department of corrections regarding the financial assets of an offender in the custody of the secretary of corrections shall be subject to disclosure to the victim, or such victim's family, of the crime for which the inmate is in custody as set forth in an order of restitution by the sentencing court.
- (30) Public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.
- (31) Public records pertaining to prospective location of a business or industry where no previous public disclosure has been made of the business' or industry's interest in locating in, relocating within or expanding within the state. This exception shall not include those records pertaining to application of agencies for permits or licenses necessary to do business or to expand business operations within this state, except as otherwise provided by law.
- (32) Engineering and architectural estimates made by or for any public agency relative to public improvements.
- (33) Financial information submitted by contractors in qualification statements to any public agency.
- (34) Records involved in the obtaining and processing of intellectual property rights that are expected to be, wholly or partially vested in or owned by a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, or an

assignee of the institution organized and existing for the benefit of the institution.

(35) Any report or record which is made pursuant to K.S.A. 65-4922, 65-4923 or 65-4924, and amendments thereto, and which is privileged pursuant to K.S.A. 65-4915 or 65-4925, and amendments thereto.

(36) Information which would reveal the precise location of an archeological site.

(37) Any financial data or traffic information from a railroad company, to a public agency, concerning the sale, lease or rehabilitation of the railroad's property in Kansas.

(38) Risk-based capital reports, risk-based capital plans and corrective orders including the working papers and the results of any analysis filed with the commissioner of insurance in accordance with K.S.A. 40-2c20 and 40-2d20, and amendments thereto.

(39) Memoranda and related materials required to be used to support the annual actuarial opinions submitted pursuant to subsection (b) of K.S.A. 40-409, and amendments thereto.

(40) Disclosure reports filed with the commissioner of insurance under subsection (a) of K.S.A. 40-2,156, and amendments thereto.

(41) All financial analysis ratios and examination synopses concerning insurance companies that are submitted to the commissioner by the national association of insurance commissioners' insurance regulatory information system.

(42) Any records the disclosure of which is restricted or prohibited by a tribal-state gaming compact.

(43) Market research, market plans, business plans and the terms and conditions of managed care or other third-party contracts, developed or entered into by the university of Kansas medical center in the operation and management of the university hospital which the chancellor of the university of Kansas or the chancellor's designee determines would give an unfair advantage to competitors of the university of Kansas medical center.

(44) The amount of franchise tax paid to the secretary of revenue or the secretary of state by domestic corporations, foreign corporations, domestic limited liability companies, foreign limited liability companies, domestic limited partnership, foreign limited partnership, domestic limited liability partnerships and foreign limited liability partnerships.

(45) Records, other than criminal investigation records, the disclosure of which would pose a substantial likelihood of revealing security measures that protect: (A) Systems, facilities or equipment used in the production, transmission or distribution of energy, water or communications services; (B) transportation and sewer or wastewater treatment systems, facilities or equipment; or (C) private property or persons, if the records are submitted to the agency. For purposes of this paragraph, security means measures that protect against criminal acts intended to intimidate or coerce the civilian population, influence government policy by intimidation or coercion or to affect the operation of government by disruption of public services, mass destruction, assassination or kidnapping. Security measures include, but are not limited to, intelligence information, tactical plans, resource deployment and vulnerability assessments.

(46) Any information or material received by the register of deeds of a county from military discharge papers (DD Form 214). Such papers shall be disclosed: To the military dischargee; to such dischargee's immediate family members and lineal

descendants; to such dischargee's heirs, agents or assigns; to the licensed funeral director who has custody of the body of the deceased dischargee; when required by a department or agency of the federal or state government or a political subdivision thereof; when the form is required to perfect the claim of military service or honorable discharge or a claim of a dependent of the dischargee; and upon the written approval of the commissioner of veterans affairs, to a person conducting research.

(47) Information that would reveal the location of a shelter or a safehouse or similar place where persons are provided protection from abuse or the name, address, location or other contact information of alleged victims of stalking, domestic violence or sexual assault.

(48) Policy information provided by an insurance carrier in accordance with subsection (h)(1) of K.S.A. 44-532, and amendments thereto. This exemption shall not be construed to preclude access to an individual employer's record for the purpose of verification of insurance coverage or to the department of labor for their business purposes.

(49) An individual's e-mail address, cell phone number and other contact information which has been given to the public agency for the purpose of public agency notifications or communications which are widely distributed to the public.

(50) Information provided by providers to the local collection point administrator or to the 911 coordinating council pursuant to the Kansas 911 act, and amendments thereto, upon request of the party submitting such records.

(b) Except to the extent disclosure is otherwise required by law or as appropriate during the course of an administrative proceeding or on appeal from agency action, a public agency or officer shall not disclose financial information of a taxpayer which may be required or requested by a county appraiser or the director of property valuation to assist in the determination of the value of the taxpayer's property for ad valorem taxation purposes; or any financial information of a personal nature required or requested by a public agency or officer, including a name, job description or title revealing the salary or other compensation of officers, employees or applicants for employment with a firm, corporation or agency, except a public agency. Nothing contained herein shall be construed to prohibit the publication of statistics, so classified as to prevent identification of particular reports or returns and the items thereof.

(c) As used in this section, the term "cited or identified" shall not include a request to an employee of a public agency that a document be prepared.

(d) If a public record contains material which is not subject to disclosure pursuant to this act, the public agency shall separate or delete such material and make available to the requester that material in the public record which is subject to disclosure pursuant to this act. If a public record is not subject to disclosure because it pertains to an identifiable individual, the public agency shall delete the identifying portions of the record and make available to the requester any remaining portions which are subject to disclosure pursuant to this act, unless the request is for a record pertaining to a specific individual or to such a limited group of individuals that the individuals' identities are reasonably ascertainable, the public agency shall not be required to disclose those portions of the record which pertain to such individual or individuals.

(e) The provisions of this section shall not be construed to exempt from public disclosure statistical information not descriptive of any identifiable person.

(f) Notwithstanding the provisions of subsection (a), any public record which has

been in existence more than 70 years shall be open for inspection by any person unless disclosure of the record is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or by a policy adopted pursuant to K.S.A. 72-6214, and amendments thereto.

(g) Any confidential records or information relating to security measures provided or received under the provisions of subsection (a)(45) shall not be subject to subpoena, discovery or other demand in any administrative, criminal or civil action.";

And by renumbering sections accordingly;

Also on page 1, in line 6, after "74-7407" by inserting "and K.S.A. 2011 Supp. 45-221";

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in line 2; in line 3, by striking all before the period and inserting "concerning the ombudsman of corrections; amending K.S.A. 2011 Supp. 45-221 and repealing the existing section; also repealing K.S.A. 74-7402, 74-7403, 74-7404, 74-7406 and 74-7407"; and the bill be passed as amended.

Committee on **Natural Resources** recommends **SB 405** be amended on page 1, in line 5, after the second comma by inserting "as allowed by a local environmental or sanitary code which has been approved by the Kansas department of health and environment, "; in line 11, by striking "and"; in line 12, after "(2)" by inserting "'private wastewater system" means a wastewater system serving a single-family residence designed and constructed to collect, store and dispose of domestic waste, including those systems that function by soil absorption, evaporation, transpiration, holding tanks or any combination thereof. "Private wastewater system" does not include any system that directly discharges domestic waste onto the ground surface or into watercourses without a permit issued pursuant to K.S.A. 65-165, and amendments thereto; and

(3) ";

And the bill be passed as amended.

Committee on **Ways and Means** recommends **HB 2382**, as amended by House Committee, be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2382," as follows:

"SENATE Substitute for HOUSE BILL No. 2382

By Committee on Ways and Means

"AN ACT concerning economic development; concerning the STAR bonds financing act; relating to the provisions regarding STAR bond projects; extending the sunset date; regarding bond interest rates; amending K.S.A. 2011 Supp. 10-1009 and 12-17,179 and repealing the existing sections.";

and the substitute bill be passed.

COMMITTEE OF THE WHOLE

On motion of Senator J. Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Owens in the chair.

The morning session recommended:

HB 2503, HB 2516, HB 2517, HB 2563, HB 2631; Sub HB 2659; HB 2660 be amended by the adoption of the committee amendments, and the bills be passed as amended.

The committee report on **SB 327** recommending a **Sub SB 327** be adopted, and the substitute bill be passed.

The committee report on **SB 412** recommending a **Sub SB 412** be adopted, and the substitute bill be passed.

The committee report on **HB 2596** recommending a **Senate Sub for HB 2596** be adopted, and the substitute bill be passed.

The committee report on **HB 2730** recommending a **Senate Sub for HB 2730** be adopted, and the substitute bill be passed.

HB 2604 be amended by motion of Senator Taddiken on page 1, in line 5, after "K.S.A." by inserting "2-1426 and K.S.A."; also in line 5, by striking "is" and inserting ", 2-1424a and 2-1425 are";

On page 1, in the title, in line 1, after "K.S.A." by inserting "2-1426 and K.S.A."; also in line 1, after "2-1233" by inserting ", 2-1424a and 2-1425"; also in line 1, by striking "fertilizer and"; in line 2, by striking "pesticide compliance and administration fund" and inserting "agriculture" and **HB 2604** be passed as amended.

HB 2416 be amended by adoption of the committee amendments, be further amended by motion of Senator V. Schmidt, on page 1, in the title, in line 1, by striking "the division of"; also in line 1, by striking "of the department" in line 2, by striking "of health and environment" and **HB 2416** be passed as further amended.

HB 2502, HB 2649, HB 2471 be passed over and retain a place on the calendar.

The committee rose and reported progress (see Committee of the whole, afternoon session.)

REPORTS OF STANDING COMMITTEES

Committee on **Natural Resources** recommends **SB 271** be amended on page 1, in line 4, after "(a)" by inserting "As used in this section, "pore space" means openings between or within geologic material under surface lands, which may be referred to as voids or interstices.

(b)";

Also on page 1, in line 12, by striking "mineral"; by striking all in lines 16 through 20; in line 21, by striking "Nothing in this section shall be construed to change or alter the"; by striking all in lines 22 and 23; in line 24, by striking "determining" and inserting "To determine"; in line 27, after the second "surface", by inserting "and regardless of whether a severed pore space interest is created prior to a severed mineral estate, except the use and acquisition of pore space owned, used or contracted for underground storage. For purposes of this subsection, a severed mineral estate includes the granting of an oil and gas lease or any other right to explore for, develop or produce oil and gas or any other mineral"; in line 28, by striking "All instruments which transfer the rights to pore space under this"; in line 29, by striking "section shall describe the scope of any right to use the surface estate."; in line 31, after "instrument" by inserting "conveying the pore space"; by striking all in lines 32 through 36;

On page 2, by striking all in lines 1 through 7; following line 10, by inserting:

"(g) The state corporation commission shall promulgate rules and regulations to administer the provisions of this section, including, but not limited to, defining "usage

of pore space."";

And by redesignating subsections accordingly; and the bill be passed as amended.

On motion of Senator Emler the Senate recessed until 2:30 p.m.

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

POINT OF PERSONAL PRIVILEGE

Senator Taddiken rose on a Point of Personal Privilege to introduce his son, Shawn Taddiken, daughter-in-law, Nicolette and his first grandchild, Marcella Elizabeth.

Senator King rose on a Point of Personal Privilege to introduce his wife, Kim, daughter, Amelie and son, Alec.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTION

Senators V. Schmidt, Hensley and Kelly introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1838—

A RESOLUTION congratulating Molly Rockefeller for receiving the prestigious 2012 Prudential Spirit of Community Award.

WHEREAS, Molly Rockefeller, an esteemed resident of Topeka, Kansas, and a student at Washburn Rural High School, has achieved national recognition for exemplary volunteer service by receiving the 2012 Prudential Spirit of Community Award; and

WHEREAS, The 2012 Prudential Spirit of Community Award is a prestigious award presented by Prudential Financial in partnership with the National Association of Secondary School Principals. The award honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, Molly Rockefeller earned this award by giving generously of her time and energy to raise \$6,500 to help purchase 1,000 LifeStraws for Haitian children who do not have access to clean drinking water. Molly Rockefeller enlisted the help of many Interact Clubs and other school groups to help raise the money to fund the purchase of the LifeStraws, a straw-like device with a built-in filter that eliminates bacteria and waterborne disease; and

WHEREAS, The success of the state of Kansas, the strength of Kansas communities and the overall vitality of American society depend, in great measure, upon the dedication of young people like Molly Rockefeller, who use their considerable talents and resources to serve others: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate Molly Rockefeller for receiving the prestigious 2012 Prudential Spirit of Community Award; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator V. Schmidt.

On emergency motion of Senator V. Schmidt **SR 1838** was adopted unanimously.

Senator V. Schmidt congratulated Molly Rockefeller for receiving the 2012

Prudential Spirit of Community Award. Senator V. Schmidt introduced Molly's family: John D. Rockefeller, father, Mare Czyzeski-Rockefeller, mother, Nick Rockefeller, brother and Cassie Shaw, a family friend. The Senate acknowledged them with a standing ovation.

Senator King introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1839—

A RESOLUTION congratulating and commending the Independence Public Library for winning the Library Journal's Best Small Library in America Award.

WHEREAS, The Independence Public Library has won the prestigious Library Journal's 2012 Best Small Library in America Award. The award is sponsored by the Bill and Melinda Gates Foundation and was created in 2005 to encourage and showcase the exemplary work of libraries that serve populations under 25,000. The Independence Public Library will receive a cash prize of \$15,000 and will be honored at the 2012 Public Library Association conference in Philadelphia; and

WHEREAS, The Independence Public Library has been recognized for having undergone a dramatic yet positive transformation, despite threats of closure due to severe budget shortfalls. The library's small staff of eight pulled off a miraculous resurrection of the library by creating connections with the Independence business community, which has resulted in increased library advocacy and the ability to attract other grants and donations to help fund library programs. Due to community support and the staff's hard work, the library has thrived and will soon be open six days a week to serve a district of 13,420 people.

WHEREAS, Library staff has implemented the use of various creative marketing tools such as an email newsletter, an iPhone application and social networking to bring awareness to the Independence community of the library's resources, services and programs; and

WHEREAS, The Independence Public Library has previously received other prestigious awards including: The EBSCO Excellence in Small and/or Rural Public Library Service Award, the American Dream States @ Your Library grant, the We the People Bookshelf, a Public Library Association advocacy grant and SEKLS (Southeast Kansas Library System) grants for Collection Development and Materials Delivery; and

WHEREAS, The technology services provided at the Independence Public Library include free access to the internet through 50 public access computers, purchased as part of a grant from the Bill and Melinda Gates Foundation approximately five years ago. This internet access is crucial to the increased use and support of the library. The computer lab is available to businesses for training, and every day there are students taking online classes at the Independence Public Library: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate the Independence Public Library for winning the Library Journal's eighth annual Best Small Library in America Award; and

Be it further resolved: That we commend the Independence Public Library's efforts in resurrecting the library as a valuable public resource for the Independence community. The Independence Public Library has engaged the local community, built established relationships with local businesses and community leaders and kept current with recent

technological advances, all of which are accomplishments to be recognized and applauded; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copy of this resolution to Senator King.

On emergency motion of Senator King **SR 1839** was adopted unanimously.

Senator King congratulated and commended the Independence Public Library for winning the Library Journal's Best Small Library in America Award. Senator King introduced head librarian, Julie Hildebrand and her staff: Kriztina Smith, Nancy Kishpaugh, Blinn Sheffield, Allison Merritt and Becky Passauer. The Senate acknowledged them with a standing ovation.

On motion of Senator Emler the Senate recessed until 3:30 p.m.

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

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **SB 423** be amended on page 1, in line 9, before the first "The" by inserting "(a)"; in line 11, after "appropriate." by inserting "Except as provided by subsection (b)."; following line 13, by inserting:

"(b) If a judicial district has been assigned a total number of district judges plus district magistrate judges that is equal to or greater than the number of counties in such judicial district, then at least one district judge or district magistrate judge shall be a resident of each county in such judicial district."; in line 15, by striking "first" and inserting "1st"; in line 20, by striking "second" and inserting "2nd"; in line 23, by striking "third" and inserting "3rd"; in line 27, by striking "fourth" and inserting "4th"; in line 29, by striking "fifth" and inserting "5th"; in line 32, by striking "sixth" and inserting "6th"; in line 36, by striking "seventh" and inserting "7th";

On page 2, in line 4, by striking "eighth" and inserting "8th"; in line 11, by striking "ninth" and inserting "9th";

Also on page 2, following line 23, by inserting:

"The district judges of the 11th judicial district shall hold court in the cities of Pittsburg and Girard in Crawford county, the city of Columbus in Cherokee county and the cities of Parsons and Oswego in Labette county."; in line 26, by striking "twelfth" and inserting "12th";

Also on page 2, following line 41, by inserting:

"The district judges of the 14th judicial district shall hold court in the cities of Coffeyville and Independence in Montgomery county and the city of Sedan in Chautauqua county.";

On page 3, in line 41, by striking "twenty-fourth" and inserting "24th";

On page 5, following line 4, by inserting:

"The district court of the 31st judicial district shall hold court in the city of Iola in Allen county, the cities of Chanute and Erie in Neosho county, the city of Fredonia in Wilson county and the city of Yates Center in Woodson county."; and the bill be passed as amended.

Also, **HB 2629**, as amended by House Committee, be amended on page 1, in line 36, by striking "an alleged breach of";

On page 2, by striking all in lines 1 and 2; in line 3, by striking "84-2-314, and amendments thereto,"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 433** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 433," as follows:

"Substitute for SENATE BILL No. 433

By Committee on Ways and Means

"AN ACT making and concerning appropriations for fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, and June 30, 2015, for state agencies; authorizing certain transfers, capital improvement projects and fees imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2011 Supp. 12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i, 79-34,156, 79-34,171 and 82a-953a and repealing the existing sections.";

and the substitute bill be passed.

COMMITTEE OF THE WHOLE

The Senate returned to the Committee of the Whole for consideration of bills on the calendar under the heading of General Orders with Senator Owens in the chair.

On motion of Senator Owens the report for the morning and the following afternoon session were adopted.

Recommended: **HB 2486, HB 2489, HB 2614, HB 2621, HB 2697** be passed.

HB 2464, HB 2485, HB 2494, HB 2505, HB 2613, HB 2655, HB 2674, HB 2685, HB 2706 be amended by adoption of the committee amendments, and the bills be passed as amended.

The committee report on **HB 2526** recommending a **Senate Sub for HB 2526** be adopted, and the substitute bill be passed.

Having voted on the prevailing side, Senator McGinn moved the Senate reconsider its action on **Sub SB 412**, (passed in morning session). The motion carried. Senator McGinn moved to amend the bill on page 2, by striking all in lines 1 through 5;

And by renumbering subsections accordingly and **Sub SB 412** be passed as amended.

The Committee returned to **HB 2502**. The bill was amended by the adoption of the committee amendments. Senator Bruce moved to further amend **HB 2502** on page 1, in line 8, by striking ", as defined in K.S.A. 17-5903,"; in line 9, by striking "and amendments thereto,"; in line 25, by striking ", as defined in"; in line 26, by striking "K.S.A. 17-5903, and amendments thereto,";

On page 2, in line 5, by striking "business entity authorized and"; in line 6, by striking "regulated under Kansas law to form a dairy production facility" and inserting "business entity not already authorized by Kansas law to form a dairy production facility"; by striking all in line 22; in line 23, by striking "dairy production facility" and inserting "business entity not already authorized by Kansas law to form a dairy production facility";

Also on page 2, following line 42, by inserting:

"(g) For the purposes of this section, "dairy production facility" means the land, structures and related equipment owned or leased by a corporation, trust, limited liability company, limited partnership or corporate partnership and used for housing,

breeding, raising, feeding or milking dairy cows.";

On page 4, in line 5, by striking ", as defined in K.S.A. 17-5903,"; in line 6, by striking "and amendments thereto,"; in line 21, by striking ", as defined"; in line 22, by striking "in K.S.A. 17-5903, and amendments thereto,"; in line 35, by striking "business entity"; by striking all in line 36; in line 37, by striking "facility" and inserting "business entity not already authorized by Kansas law to form a swine production facility";

On page 5, in line 9, by striking "business entity authorized and regulated under"; in line 10, by striking "Kansas law to form a swine production facility" and inserting "business entity not already authorized by Kansas law to form a swine production facility";

Also on page 5, following line 30, by inserting:

"(g) For the purposes of this section, "swine production facility" means the land, structures and related equipment owned or leased by a corporation, trust, limited liability company, limited partnership or corporate partnership and used for housing, breeding, farrowing or feeding of swine.";

On page 1, in the title, in line 1, after "to" by inserting "dairy production facilities and establishment procedures;" and **HB 2502** be passed as further amended.

A motion by Senator Francisco to amend **HB 2502** failed and the following amendment was rejected: on page 1, in line 7, after "(a)" by inserting "The board of county commissioners, by resolution, may submit to the qualified voters of the county a proposition to allow dairy production facilities, as defined in K.S.A. 17-5903, and amendments thereto, to be established within the county. Upon adoption of such resolution, the county election officer shall submit the question of whether dairy production facilities shall be allowed to be established in such county at the next state, county or special election.

(b)";

And by redesignating subsections accordingly;

Also on page 1, in line 20, by striking "(c)" and inserting "(d)"; in line 24, by striking "(b)" and inserting "(c)";

On page 2, in line 12, by striking "(c)" and inserting "(d)";

On page 4, in line 4, after "(a)" by inserting "The board of county commissioners, by resolution, may submit to the qualified voters of the county a proposition to allow swine production facilities, as defined in K.S.A. 17-5903, and amendments thereto, to be established within the county. Upon adoption of such resolution, the county election officer shall submit the question of whether swine production facilities shall be allowed to be established in such county at the next state, county or special election.

(b)";

And by redesignating subsections accordingly;

Also on page 4, in line 16, by striking "(c)" and inserting "(d)"; in line 20, by striking "(b)" and inserting "(c)"; in line 42, by striking "(c)" and inserting "(d)"

The committee returned to **HB 2649**. The bill was amended by adoption of the committee amendments. Senator McGinn, moved to further amend **HB 2649**, on page 1, following line 4 by inserting:

"Section 1. (a) Upon execution of an agreement between the state of Kansas and the United States department of agriculture farm service agency for implementation of a conservation reserve enhancement program (CREP), the Kansas department of

agriculture is hereby authorized to establish such program. The program shall be a joint state-federal program, to be administered for the state by the Kansas department of agriculture.

(b) The CREP shall have the purpose of reducing withdrawal demands on the high plains aquifer, improving water quality, protecting public water supplies and enhancing wildlife habitat. The program shall provide for voluntary retirement of water rights in the CREP, in accordance with: (1) A program prepared and submitted by the Kansas department of agriculture and presented to the senate committee on natural resources and the house committee on agriculture and natural resources; and (2) rules and regulations adopted by the Kansas department of agriculture.

(c) The Kansas department of agriculture shall adopt rules and regulations for the implementation and administration of the CREP. Such rules and regulations shall include, but not be limited to, eligibility requirements for and conditions of participation in the program and incentives to participate in the program.

(d) The CREP program shall be subject to the following criteria:

(1) The total number of acres for enrollment in Kansas in the CREP shall not exceed 40,000;

(2) the number of acres eligible for enrollment in CREP in Kansas shall be limited to one-half of the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the CREP area, except that if federal law permits the land enrolled in the CREP program to be used for agricultural purposes such as planting of agricultural commodities, including, but not limited to, grains, cellulosic or biomass materials, alfalfa, grasses, legumes or other cover crops, then the number of acres eligible for enrollment shall be limited to the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the CREP area;

(3) lands enrolled in the federal conservation reserve program as of January 1, 2008, shall not be eligible for enrollment in CREP;

(4) no more than 25% of the acreage in CREP may be in any one county;

(5) no water right that is owned by a governmental entity, except a groundwater management district, shall be purchased or retired by the state or federal government pursuant to CREP; and

(6) only water rights in good standing are eligible for inclusion under CREP. To be a water right in good standing the following criteria must be met:

(A) At least 50% of the maximum annual quantity authorized to be diverted under the water right has been used in any three years from 2001 through 2005;

(B) in the years 2001 through 2005, the water rights used for the acreage in CREP shall not have exceeded the maximum annual quantity authorized to be diverted and shall not have been the subject of enforcement sanctions by the division of water resources in the last four years; and

(C) the water right holder has submitted the required annual water use report required by K.S.A. 82a-732, and amendments thereto, for each of the most recent 10 years.

Sec. 2. The Kansas department of agriculture shall submit a CREP report annually to the senate committee on natural resources and the house committee on agriculture and natural resources. Such report shall contain a description of program activities and shall include:

- (a) The total water rights, measured in acre feet, retired each year in the CREP;
 - (b) the acreage in the CREP;
 - (c) the dollar amount received and expended for the CREP;
 - (d) the economic impact of the CREP;
 - (e) the change in groundwater levels in the CREP area;
 - (f) the annual amount of water usage in the CREP area;
 - (g) an assessment of meeting each of the program objectives identified in the agreement with the United States department of agriculture farm service agency; and
 - (h) such other information as the Kansas department of agriculture shall specify;"
- And by renumbering remaining sections accordingly;

Also on page 1, in the title, in line 1, after "ACT" by inserting "concerning water; providing for establishment of a conservation reserve enhancement program;"; in line 2, by striking "; concerning water" and **HB 2649** be passed as further amended.

The Committee returned to **HB 2471**. The bill was amended by adoption of the committee amendments. Senator Pilcher-Cook moved to further amend **HB 2471**, on page 2, in line 4, after "(b)(3)" by inserting ". No such member shall be required to be a member of the LeadingAge Kansas, or the successor of such entity, to be considered"; in line 11, after "(b)(3)" by inserting ". No such member shall be required to be a member of the Kansas health care association, or the successor of such entity, to be considered"; in line 19, after "(b)(3)" by inserting ". No such member shall be required to be a member of the Kansas adult care executives association, or the successor of such entity, to be considered" and **HB 2471** be passed as further amended.

Senate Substitute for HB 2390 be passed over and retain a place on the calendar.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator McGinn the Senate nonconcurrred in the House amendments to **House Substitute for SB 294** and requested a conference committee be appointed.

The President appointed Senators McGinn, Vratil and Kelly as a conference committee on the part of the Senate.

On motion of Senator V. Schmidt the Senate nonconcurrred in the House amendments to **SB 303** and requested a conference committee be appointed.

The President appointed Senators V. Schmidt, Brungardt and Kelly as a conference committee on the part of the Senate.

On motion of Senator Umbarger the Senate nonconcurrred in the House amendments to **SB 334** and requested a conference committee be appointed.

The President appointed Senators Umbarger, Marshall and Kultala as a conference committee on the part of the Senate.

REPORT ON ENGROSSED BILLS

SB 298, SB 310, SB 311, SB 314; Sub SB 327; SB 334, SB 379, SB 390; Sub SB 397; SB 436 reported correctly engrossed March 16, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **SB 359** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 359," as follows:

"Substitute for SENATE BILL No. 359

By Committee on Judiciary

"AN ACT concerning interest on judgments; amending K.S.A. 16-201 and repealing the existing section.";

and the substitute bill be passed.

Also, **Substitute for HB 2318** be amended by substituting a new bill to be designated as "SENATE Substitute for Substitute for HOUSE BILL No. 2318," as follows:

"SENATE Substitute for Substitute for HOUSE BILL No. 2318

By Committee on Judiciary

"AN ACT concerning crimes, punishment and criminal procedure; relating to controlled substances; sentencing guidelines grid for drug crimes; drug treatment programs; disposition and supervision of offenders; amending K.S.A. 2011 Supp. 21-5701, 21-5703, 21-5705, 21-5706, 21-5708, 21-5709, 21-5710, 21-5713, 21-5714, 21-5716, 21-6604, 21-6608, 21-6611, 21-6614, 21-6805, 21-6808, 21-6810, 21-6821, 21-6824, 22-2802, 22-2908, 22-3412, 22-3604, 22-3717, 38-2346, 38-2347, 38-2369, 38-2374, 38-2376, 75-5291 and 75-52,144 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c and 75-5291b.";

and the substitute bill be passed.

Also, **HB 2568**, as amended by House Committee, be amended on page 2, by striking all in lines 9 through 11;

And by redesignating subsections accordingly;

Also on page 2, in line 18, before "any" by inserting "or";

On page 3, following line 14, by inserting:

"(13) sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or subsection (a) of K.S.A. 2011 Supp. 21-5505, and amendments thereto;"

And by redesignating subsections accordingly;

On page 7, in line 21, after "(a)" by inserting "(1)"; in line 24, by striking "(1)" and inserting "(A)"; in line 25, after "thereto;" by inserting "and";

On page 8, by striking all in lines 6 and 7; in line 8, by striking "(3)" and inserting "(B)"; also in line 8, by striking ", the court shall"; in line 9, by striking "(A)" and inserting "(i)"; in line 14, by striking "(B)" and inserting "(ii)"; in line 17, by striking "(C)" and inserting "(iii)"; in line 24, by striking "(D)" and inserting "(iv)"; following line 27, by inserting:

"(2) At the time of sentencing or disposition for an offense requiring registration as provided in K.S.A. 22-4902, and amendments thereto, the court shall ensure the age of the victim is documented in the journal entry of conviction or adjudication.";

On page 23, in line 8, by striking "and (e)" and inserting ", (e) and (f)";

On page 24, in line 7, after "agency" by inserting "or by signing up for community notification through the official website of the Kansas bureau of investigation"; following line 14, by inserting:

"(e) Notwithstanding subsection (a), when a court orders expungement of a conviction that requires an offender to register pursuant to the Kansas offender

registration act, the registration requirement for such conviction does not terminate. Such offender shall be required to continue registering pursuant to the Kansas offender registration act, but shall not be subject to public registration. If a court orders expungement of a conviction that requires an offender to register pursuant to the Kansas offender registration act, and the offender has any other conviction that requires registration, such offender shall be required to register pursuant to the Kansas offender registration act, and the registration for such other conviction shall be open to inspection by the public and shall be subject to the provisions of subsection (a), unless such registration has been ordered restricted pursuant to subsection (f) or (g) of K.S.A. 22-4906, and amendments thereto."; in line 15, by striking "(e)" and inserting "(f)"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **HB 2241**, be amended as recommended by Senate Committee on Public Health and Welfare as reported in the Journal of the Senate on March 18, 2011, be further amended as recommended by the Senate Committee on Public Health and Welfare on May 4, 2011, the bill as printed as further amended by Senate Committee, be further amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2241," as follows:

"SENATE Substitute for HOUSE BILL No. 2241

By Committee on Ways and Means

"AN ACT concerning taxation; relating to the local ad valorem tax reduction fund; distribution to political subdivisions; amending K.S.A. 79-2961 and K.S.A. 2011 Supp. 79-2959 and repealing the existing sections."; and the substitute bill be passed.

On motion of Senator Emler, the Senate adjourned until 9:00 a.m., Tuesday, March 20, 2012.

Journal of the Senate

FORTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 20, 2012, 9:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
The Invocation was delivered by Senator Dick Kelsey.

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator Love rose on a Point of Personal Privilege to congratulate and introduce Emily Evans for being selected 2012 Miss Wheelchair Kansas from Bucklin, Kansas. The Senate acknowledged her achievement with a standing ovation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **Sub HB 2634**.

Judiciary: **HB 2521**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Ostmeyer moved the Senate concur in House amendments to **SB 310**.

SB 310, AN ACT concerning water; relating to local enhanced management areas; groundwater management districts.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 56, the following appointment, submitted by the Governor to the senate for confirmation, was considered.

By the Governor:

On the appointment to the:

Department of Social and Rehabilitation Services:

Phyllis Gilmore, serves at the pleasure of the Governor.

On roll call, the vote was: Yeas 35; Nays 0; Present and Passing 5; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelsey, King, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Pilcher-Cook, Pyle, A. Schmidt, V. Schmidt, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Present and Passing: Kelly, Kultala, Petersen, Reitz, Schodorf.

The appointment was confirmed.

MESSAGE FROM THE HOUSE

The House nonconcur in Senate amendments to **Substitute HB 2427**, requests a conference and has appointed Representatives Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

FINAL ACTION ON CONSENT CALENDAR

HB 2414, HB 2593, HB 2605, HB 2626, HB 2668, HB 2687, HB 2703 having appeared on the Consent calendar for the required two full legislative days without objection from any member, were considered on final action.

HB 2414, AN ACT concerning the division of post audit; amending K.S.A. 2011 Supp. 46-1118 and 46-1121 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2593, AN ACT concerning interstate banking; relating to commission approval; amending K.S.A. 9-532, 9-533 and 9-534 and K.S.A. 2011 Supp. 9-535 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2605, AN ACT repealing K.S.A. 2-2465; concerning the pest control operators' fee fund.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love,

Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2626, AN ACT repealing K.S.A. 83-139 and 83-140; concerning fraudulent practices selling grain, seed, hay or coal; relating to penalties, civil liability and attorney fees.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2668, AN ACT repealing K.S.A. 19-322; concerning the recording of farm names.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2687, AN ACT concerning the state building advisory commission; relating to reports and recommendations on state capital improvement budget estimates; amending K.S.A. 46-1702 and K.S.A. 2011 Supp. 75-3717b and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2703, AN ACT repealing K.S.A. 75-4602, 75-4607, 75-4615 and 75-4616 and K.S.A. 2011 Supp. 75-4603; relating to establishment and operation of a motor pool for state agencies.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub SB 327, AN ACT concerning prescription of drugs; relating to electronic prescription and the prescription monitoring program; amending K.S.A. 65-4123 and K.S.A. 2011 Supp. 65-1626, 65-1637, 65-1683, 65-1685, 65-1693 and 65-4101 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed.

Sub SB 412, AN ACT concerning water; relating to appropriation of water for sand and gravel projects; amending K.S.A. 2011 Supp. 82a-734 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Pilcher-Cook.

The substitute bill passed, as amended.

HB 2416, AN ACT concerning health care finance ; relating to updating references and corresponding changes due to transfer of powers and duties from the Kansas health policy authority and hospital provider assessment; amending K.S.A. 22-4612 and K.S.A. 2011 Supp. 2-224a, 38-2001, 38-2006, 39-760, 39-7,116, 39-7,118, 39-7,119, 39-7,120, 39-7,121, 39-7,121a, 39-7,121d, 39-7,121e, 39-7,159, 39-968, 40-2134, 40-2136, 40-2251, 40-2252, 40-4702, 40-4706, 46-3501, 65-435a, 65-1685, 65-6208, 65-6801, 65-6803, 65-6804, 65-6805, 65-6806, 65-6807, 65-6809, 65-7405, 75-37,121, 75-5601, 75-6102, 75-7403, 75-7404, 75-7405, 75-7408, 75-7409, 75-7410, 75-7411, 75-7412, 75-7413, 75-7423, 75-7424, 75-7425, 75-7426, 75-7427, 75-7429, 75-7430, 75-7433, 75-7435, 75-7436 and 77-421 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 75-7401, 75-7402, 75-7414, 75-7415, 75-7416, 75-7417, 75-7418, 75-7419, 75-7420, 75-7421, 75-7422 and 75-7428, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2464, AN ACT concerning criminal procedure; relating to discovery; certain visual depictions; amending K.S.A. 2011 Supp. 22-3212 and repealing the existing

section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Haley.

The bill passed, as amended.

HB 2471, AN ACT concerning adult care homes; relating to the board of adult care home administrators; amending K.S.A. 2011 Supp. 65-3506 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2485, AN ACT concerning insurance; relating to antifraud plans; relating to licensing of insurance agents; providing the commissioner of insurance access to expungement records for the purpose; relating to lines of insurance; relating to fingerprint and criminal record history checks for certain insurance agents and public adjusters; amending K.S.A. 2011 Supp. 12-4516, 21-6614, 22-2410, 40-2,118, 40-4903, 40-4905, 40-5504 and 40-5505 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c and 22-1410a, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2486, AN ACT concerning insurance; relating to examination of organizations and providers; amending K.S.A. 40-3211 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2489, AN ACT concerning certain natural gas public utilities cooperatives; deregulation, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2494, AN ACT concerning crimes, criminal procedure and punishment; relating to the statute of limitations for sexually violent offenders when the victim is a child; amending K.S.A. 2011 Supp. 21-5107 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2502, AN ACT concerning agriculture; relating to dairy production facilities and establishment procedures; swine production facilities and establishment procedures; amending K.S.A. 17-5907 and 17-5908 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 33; Nays 7; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Huntington, Kelsey, King, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Francisco, Haley, Hensley, Holland, Kelly, Kultala, A. Schmidt.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: This bill eliminates the requirement for a referendum to allow corporate swine facilities and instead puts the decision to permit or deny in the hands of County Commissioners. An amendment to provide for another choice for commissioners to request a referendum instead of the “up” or “down” vote failed in committee and again failed on the Senate floor. I vote against **HB 2502** because it takes away that provision for citizens to register their vote. — ALLEN C. SCHMIDT

Senators Francisco, Kelly and Kultala request the record to show they concur with the “Explanation of Vote” offered by Senator A. Schmidt.

HB 2503, AN ACT concerning agriculture; relating to agricultural boards and advisory bodies; amending K.S.A. 2011 Supp. 2-3709, 74-552, 74-553 and 74-50,163 and repealing the existing sections; also repealing K.S.A. 74-551 and K.S.A. 2011 Supp. 74-555, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2505, AN ACT concerning limitations on loans and borrowing; relating to derivative transactions; amending K.S.A. 9-1104 and 9-2111 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2516, AN ACT concerning water; relating to the Kansas water banking act; amending K.S.A. 2011 Supp. 82a-765, 82a-766 and 82a-767 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2517, AN ACT concerning water; relating to the water right transition assistance program; amending K.S.A. 2011 Supp. 2-1930 and 2-1931 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

S Sub for HB 2526, AN ACT concerning energy; relating to the state corporation commission, powers and duties; amending K.S.A. 55-152 and 66-131 and K.S.A. 2011

Supp. 66-1257 and 66-1260 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed.

HB 2563, AN ACT concerning official state festivals; designating the official state wheat festival; official state watermelon festival, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

S Sub for HB 2596, AN ACT concerning agriculture; relating to animal health; amending K.S.A. 47-120, 47-121, 47-122, 47-237, 47-238, 47-419, 47-422, 47-424, 47-1001, 47-1002, 47-1005, 47-1010, 47-1102, 47-1213, 47-1217, 47-1219, 47-1301, 47-1305, 47-1306, 47-1509, 47-1701, 47-1710, 47-1711, 47-1723, 47-1725, 47-1726, 47-1727, 47-1801, 47-1804, 47-1807 and 47-2306 and K.S.A. 2011 Supp. 47-1008, 47-1302, 47-1706, 47-1707, 47-1708, 47-1709, 47-1809, 47-1825 and 47-1826 and repealing the existing sections; also repealing K.S.A. 47-619, 47-621, 47-636, 47-637, 47-638, 47-639, 47-641, 47-642, 47-643, 47-644, 47-647, 47-648, 47-649, 47-650, 47-651, 47-652, 47-653, 47-653d, 47-653e, 47-653f, 47-653g, 47-653h, 47-654, 47-655, 47-656, 47-666, 47-667, 47-668, 47-669, 47-670, 47-671, 47-921, 47-922, 47-923 and 47-1005b and K.S.A. 2011 Supp. 47-672 and 47-1307, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Pilcher-Cook.

The substitute bill passed.

HB 2604, AN ACT repealing K.S.A. 2-1426 and K.S.A. 2011 Supp. 2-1233, 2-1424a and 2-1425; concerning agriculture, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens,

Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2613, AN ACT concerning crimes, criminal procedure and punishment; relating to protective orders; relating to permanent orders; amending K.S.A. 2011 Supp. 21-5924, 60-3104, 60-3106, 60-3107, 60-31a04 and 60-31a06 and repealing the existing sections; also repealing K.S.A. 60-3111, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2614, AN ACT designating the junction of interstate 70 and United States highway 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2621, AN ACT concerning the uniform commercial code; relating to secured transactions; amending K.S.A. 2011 Supp. 84-9-102, 84-9-105, 84-9-307, 84-9-311, 84-9-316, 84-9-317, 84-9-326, 84-9-406, 84-9-408, 84-9-502, 84-9-503, 84-9-507, 84-9-515, 84-9-516, 84-9-518, 84-9-607 and 84-9-625 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2631, AN ACT concerning dental care; amending K.S.A. 2011 Supp. 65-1424, 65-1456 and 75-6102 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen,

Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Present and Passing: Kelly.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: I am voting for **HB 2631** because it does provide some additional dental capabilities that are critically needed to service Medicaid patients and citizens in underserved rural communities. However, this bill does not go nearly far enough. We need to move forward with a comprehensive plan to get needed dental care to our rural communities. In lieu of actually gaining more dentists in rural communities that are in critical shortage, we should be developing the mid-level dental practitioner – not opposing it. We should be increasing the number of dentists accepting Medicaid, not sitting silent.

Mr. President, we can't continue to look the other way when dental needs (particularly for children and elderly) in rural communities are without critical dental care. This is an issue that degrades overall health and well-being on a significant scale throughout the state but particularly in rural underserved areas. – ALLEN C. SCHMIDT

HB 2649, AN ACT concerning water; providing for establishment of a conservation reserve enhancement program; repealing K.S.A. 24-105, 82a-312, 82a-313 and 82a-314 and K.S.A. 2011 Supp. 74-509 and 82a-735, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2655, AN ACT concerning crimes and punishments; relating to interference with judicial process; amending K.S.A. 2011 Supp. 21-5905 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Present and Passing: Haley.

The bill passed, as amended.

Sub HB 2659, AN ACT relating to speech-language pathologists and audiologists; amending K.S.A. 65-6501, 65-6502 and 65-6503 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed, as amended.

HB 2660, AN ACT concerning the department of health and environment; relating to the licensure of maternity centers and child care facilities; amending K.S.A. 2011 Supp. 65-503, 65-504, 65-506, 65-508, 65-516, 65-523 and 65-524 and repealing the existing sections; also repealing K.S.A. 65-502, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Merrick.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: It's imperative to promote jobs in our state. When the state mandates unnecessary regulations on child care organizations, causing fears of harassment to providers, it drives child care providers out of business. Fewer child care providers are driving up costs, and when the costs of child care are too high, it prevents parents from working. This legislation corrects some of the overreaching problems from a past bill so I am voting for it. However, while it is vital for Kansas to protect the health and safety of children, it is also vital to ensure economic and financial stability for families. Let's promote common-sense reforms that won't put child care organizations at risk of going out of business. – MARY PILCHER-COOK

HB 2674, AN ACT concerning the Kansas highway patrol; relating to the administration of the highway patrol; amending K.S.A. 2011 Supp. 74-2105 and repealing the existing section; also repealing K.S.A. 74-2112, 74-2116, 74-2119, 74-2125 and 74-2133, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2685, AN ACT concerning water; relating to reservoir improvement districts, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 3; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Haley, Hensley, Holland, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Apple, Huntington, McGinn.

Present and Passing: Francisco.

The bill passed, as amended.

HB 2697, AN ACT concerning eligibility requirements for medicaid; allowing a collateral assignment of the proceeds of life insurance policies, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

HB 2706, AN ACT concerning appraisal of real property prior to state purchase or disposition; relating to open records; amending K.S.A. 75-3043a and K.S.A. 2011 Supp. 45-221 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

S Sub for HB 2730, AN ACT concerning the department of agriculture; relating to the duties of the secretary of agriculture; inspections; licensing; amending K.S.A. 36-505, 36-515a, 36-517, 65-660, 65-674, 65-682, 65-6a34 and 65-6a41 and K.S.A. 2011 Supp. 36-501, 36-502, 36-506, 36-510, 36-515, 36-515b, 36-518, 36-519, 36-520, 65-655, 65-656, 65-657, 65-658, 65-685, 65-688, 65-689, 65-690, 65-6a18, 65-6a20 and 65-6a31 and repealing the existing sections; also repealing K.S.A. 36-508, 36-511, 36-513, 36-515c, 65-619, 65-620, 65-621, 65-622, 65-623, 65-624, 65-625, 65-631, 65-632, 65-633, 65-634, 65-637, 65-638, 65-639, 65-640, 65-642, 65-651, 65-652, 65-654, 65-659, 65-661, 65-666, 65-667, 65-677 and 65-681 and K.S.A. 2011 Supp. 36-503, 36-504, 36-507, 36-509, 65-626, 65-635, 65-641, 65-653, 65-673, 65-676, 65-683, 65-684, 65-686, 74-591, 74-592, 74-593, 74-594, 74-595, 74-596, 74-596a, 74-597, 74-598, 74-5,101 and 74-5,102, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens,

Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Pilcher-Cook.

The substitute bill passed.

REPORT OF ENGROSSED BILLS

Sub SB 412 reported correctly engrossed March 20, 2012.

REPORT ON ENROLLED BILLS

SB 263, SB 265, SB 298, reported correctly enrolled, properly signed and presented to the Governor on March 20, 2012.

SR 1837, SR 1838, SR 1839 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 20, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2562**, as amended by House Committee, be passed.

Also, **HB 2647**, as amended by House Committee, be amended on page 2, in line 5, by striking "if there is no newspaper of general circulation in the"; in line 6, by striking "jurisdiction where the sale is to be held,"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 151** be passed.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator V. Schmidt in the chair.

The morning session recommended:

Sub HB 2455, Sub HB 2477; HB 2769 be passed.

SB 371, SB 415; HB 2430, HB 2435 be amended by the adoption of the committee amendments, and the bills be passed as amended.

S Sub for HB 2200 be amended by adoption of the committee report recommending a substitute bill, be amended by motion of Senator Hensley, on page 1, in line 19, by striking "2012-2013" and inserting "2011-2012"; in line 21, after "receive" by inserting "for such school year"; in line 24, by striking "2013-2014" and inserting "2012-2013"; in line 25, after "receive" by inserting "for such school year";

On page 2, in line 43, after "(1)" by inserting "(A)";

On page 3, in line 2, by striking "(A)" and inserting "(i)"; in line 4, by striking "(B)" and inserting "(ii)"; following line 5, by inserting:

"(B) The provisions of subparagraph (1)(A)(i) shall have no force and effect unless the aggregate amount of appropriations for supplemental general state aid for school year 2011-2012, is equal to 92.5% of the amount of supplemental general state aid school districts are entitled to receive for such school year as determined by K.S.A. 72-6434, and amendments thereto. The provisions of subparagraph (1)(A)(ii) shall have no force and effect unless the aggregate amount of appropriations for supplemental general state aid for school year 2012-2013, is equal to 100% of the amount of supplemental general state aid school districts are entitled to receive for such school year as

determined by K.S.A. 72-6434, and amendments thereto."

S Sub for HB 2200 be further amended by motion of Senator King, on page 4, in line 27, by striking "(1)"; in line 29, by striking "and in excess of the percentage of state financial aid of"; by striking all in lines 30 and 31; in line 32, by striking "year"; by striking all in lines 37 and 38, and **S Sub for HB 2200** passed as amended.

A motion by Senator Wagle to amend **S Sub for HB 2200** failed and the following amendment was rejected: on page 2, by striking all in lines 41 through 43;

By striking all on pages 3 through 5;

On page 6, by striking all in lines 1 through 18;

And by renumbering sections accordingly;

Also on page 6, in line 19, by striking "and 72-6433 are" and inserting "is";

On page 1, in the title, in line 2, by striking "relating to the local option budget;"; in line 3, by striking "and 72-6433"; also in line 3, by striking "sections" and inserting "section"

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

On roll call, the vote was: Yeas 19; Nays 20; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Donovan, Kelsey, King, Love, Lynn, Masterson, Merrick, Olson, Ostmeier, Petersen, Pilcher-Cook, Pyle, V. Schmidt, Steineger, Taddiken, Wagle.

Nays: Brungardt, Emler, Faust-Goudeau, Francisco, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Present and Passing: Haley.

The motion failed and the amendment was rejected.

Senator Abrams moved to amend **S Sub HB 2200**. Senator Vratil questioned the germaneness of the amendment and the chair ruled the amendment was germane. The following amendment offered by Senator Abrams was rejected: on page 6, following line 18, by inserting:

"New Sec. 3. (a) Except as provided in subsection (d), no school district, nor the department of education nor the state board of education shall expend any additional moneys to implement the common core standards, or any portion thereof.

(b) The division of post audit shall conduct a feasibility study of a cost analysis of the implementation of the common core standards in Kansas. A report on the results of the feasibility study shall be prepared and submitted to the legislative post audit committee on or before September 30, 2012.

(c) Upon the request of the legislative post audit committee, the division of post audit shall conduct a cost analysis of the implementation of the common core standards in Kansas. The cost analysis shall determine what additional expenditures schools, the department of education and the state board of education will incur in implementing the common core standards over one, three, five and 10 year periods from the date of implementation. The cost analysis shall be conducted in accordance with article 11 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto.

(d) Provided a cost analysis is requested by the legislative post audit committee pursuant to subsection (c), the final cost analysis report shall be submitted to the governor, the legislature and the state board of education on or before January 31, 2013. Upon receipt of the final cost analysis, the state board of education shall post the cost

analysis on the main website of the department of education. When all of the requirements of this subsection are satisfied, the state board of education may proceed with the implementation of the common core standards, and the provisions of subsection (a) shall have no force and effect.

(e) As used in this section, "common core standards" means the set of educational curriculum standards for grades kindergarten through 12 established by the common core state standards initiative.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "budget;" by inserting "requiring a cost study of implementation of the common core standards;"

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

On roll call, the vote was: Yeas 20; Nays 20; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Donovan, Huntington, Kelsey, King, Love, Lynn, Marshall, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Steineger, Taddiken, Wagle.

Nays: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Kelly, Kultala, Longbine, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil

The motion failed and the amendment was rejected.

SB 267 and **S Sub for Sub HB 2004** be passed over and retain a place on the calendar.

The committee rose and reported progress (see Committee of the Whole, afternoon session.)

On motion of Senator Emler, the Senate recessed until 2:00 p.m.

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

POINT OF PERSONAL PRIVILEGE

Senator Teichman rose on a Point of Personal Privilege to introduce her son, Craig Fincham, granddaughter, Caroline, grandson, Jack and also in attendance were the following friends: Julina Conkright, Sabrina Conkright, Samuel Conkright and Charlotte Conkright.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2018**, **HB 2425**, **HB 2777**.

Announcing passage of **SB 252**, **SB 280**; **Substitute SB 282**; **SB 353**.

Also, passage of **SB 258**, as amended; **SB 300**, as amended

Also, passage of **SB 259**, as amended by **House Substitute for SB 259**.

The House nonconcur in Senate amendments to **HB 2413**, requests a conference and has appointed Representatives Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2432**, requests a conference and has appointed Representatives Hayzlett, Prescott and Wetta as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2534**, requests a conference and has appointed Representatives Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for SB 294** and has appointed Representatives Rhoades, Kelley and Feuerborn as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 303** and has appointed Representatives Landwehr, Donohoe and Flaharty as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 334** and has appointed Representatives Hayzlett, Prescott and Wetta as conferees on the part of the House.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2018, HB 2425, HB 2777 were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Vratil introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1840—

A RESOLUTION congratulating and commending Grace Schram for being named one of the top two youth volunteers in Kansas for 2012 by the Prudential Spirit of Community Awards.

WHEREAS, Grace Schram, 13, a resident of Leawood and an eighth-grade student at Leawood Middle School, has achieved national recognition for her exemplary volunteer service by receiving a 2012 Prudential Spirit of Community Award; and

WHEREAS, Grace has raised more than \$20,000 to build two fish ponds in Africa and a home for 12 orphaned boys in Haiti through sales of her music. Thanks to Grace's efforts, two villages in South Africa and Malawi now have sustainable food and revenue sources and orphans in a small Haitian town near Port au Prince have a roof over their heads; and

WHEREAS, Grace has been singing and writing music since early childhood. Applying these talents to help children who were less fortunate, Grace decided to make a CD of original songs and sell them to family members and friends with the goal of raising \$1,000 to build one fish pond in Africa. Grace researched how to make a CD, and with the help of friends and family, she found a recording studio that would give her a discount on studio time. Six months later, Grace released her finished product, "Showers from God"; and

WHEREAS, Because of her efforts, Grace was nominated by Leawood Middle School for the Prudential Spirit of Community Award. This prestigious award, presented by Prudential Financial, Inc., in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities. As a state honoree, Grace received \$1,000, an engraved silver medallion and an all-expense paid trip in early May 2012 to Washington, D.C., where she will join other honorees from each of the other

states and the District of Columbia for several days of national recognition events; and

WHEREAS, The success of the state of Kansas, the strength of our communities and the overall vitality of American society depend, in great measure, upon the dedication of young people like Grace who use their considerable talents and resources to serve others: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Grace Schram for being named one of two state recipients of the Prudential Spirit of Community Award, we honor her outstanding record of volunteer service, peer leadership and community spirit, and we extend our best wishes for her continued success and happiness; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Vratil.

On emergency motion of Senator Vratil **SR 1840** was adopted unanimously.

Senator Vratil introduced and congratulated Grace Schram for being named one of the top two youth volunteers in Kansas for the 2012 Prudential Spirit of Community Awards. Also in attendance were the following family members: Jon and Jill Schram, parents, Cooper, brother, Lucy, sister, and grandparents, Jim and Carol Washington.

The Senate acknowledged Grace Schram's achievement with a standing ovation.

Senator Merrick introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1841—

A RESOLUTION commemorating the 75th anniversary of the Wildlife and Sport Fish Recreation Program.

WHEREAS, More than a century ago, hunters, anglers and trappers were among the first conservationists who realized America's natural resources were in peril and could not sustain unregulated harvest and habitat destruction; and

WHEREAS, Hunters, anglers and trappers, with other conservationists and ammunition companies, took it upon themselves to support laws to end the excessive harvest of fish and wildlife; and

WHEREAS, The first law supporting the Wildlife and Sport Fish Recreation Program was created on September 2, 1937, when President Franklin D. Roosevelt signed the Federal Aid in Wildlife Restoration Act, which raises funds through a dedicated excise tax on sporting guns and ammunition. In 1950, the Federal Aid in Sport Fish Restoration Act was enacted and added to the Wildlife and Sport Fish Restoration Program. Through this law, funds are provided for fish conservation and boating and fishing recreational programs in each state through an excise tax placed on certain fishing and boating equipment and fuels; and

WHEREAS, Since its 1937 inception, the Wildlife and Sport Fish Restoration Program has provided more than \$14 billion to support fish and wildlife restoration and management; and

WHEREAS, For 75 years, the Wildlife and Sport Fish Restoration Program has been driving the restoration and management of our fish and wildlife resources. It has been justly called the most successful conservation management program in the world. America's hunters, shooters and anglers should be proud that they have held the program on their shoulders for 75 years; and

WHEREAS, The Senate of the state of Kansas recognize that the primary authority to protect and manage fish and resident wildlife within their borders rests in the state fish and wildlife agencies: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the Senate of the state of Kansas recognize America's sportsmen and sportswomen; hunting, shooting, angling and boating industries; state fish and wildlife agencies; and the U.S. Fish and Wildlife Service for their leading role in restoring healthy populations of fish, wildlife and other natural resources, both game and non-game, to the abundance we see today through the Wildlife and Sport Fish Restoration Program in this 75th anniversary year of America's greatest conservation story; and

Be it further resolved: That an enrolled copy of this resolution be provided to the Kansas Department of Wildlife, Parks and Tourism Operations Office, the U.S. Fish and Wildlife Service, all Kansas Congressional offices and local, regional and national media sources.

On emergency motion of Senator Merrick **SR 1841** was adopted unanimously.

Senator Haley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1842—

A RESOLUTION recognizing the misuse and abuse of prescription drug medications as a major threat to public health and safety in Kansas and nationwide.

WHEREAS, Drug abuse in the United States increasingly means the misuse and abuse of prescription drug medications. Drug overdose is now the second most common cause of accidental death in the nation, killing more than gunshot wounds and behind only traffic accidents; and

WHEREAS, Prescription drugs are a substantial factor in a growing number of American deaths considered to be drug induced. Emergency room visits and unintentional overdose deaths involving prescription drugs have increased sharply; and

WHEREAS, Barry R. Grissom, United States Attorney, District of Kansas, has declared that "prescription drugs are being used, misused, and abused at an alarming rate" and that he is "seeing more cases of accidental poisoning, addiction and overdose deaths. It is not an overstatement to call this an epidemic in the truest sense of the word. It has become a major threat to public health and public safety."; and

WHEREAS, Unused prescription narcotics at home contribute to drug abuse and risks of accidental deaths of children and the elderly. The 2010 Monitoring the Future survey found that six of the top 10 substances abused by high school seniors are prescription drugs. Federal studies show that many teens use the prescription drugs because they think they are safer than illegal drugs; and

WHEREAS, The second leading source of abused prescription drugs is the home medicine cabinet. The number one source is friends and relatives, who often get the prescription drugs from other people's medicine cabinets. This demonstrates the importance of disposing unused prescription medications rather than leaving them in a medicine cabinet at home; and

WHEREAS, Americans that participated in the U.S. Department of Justice Drug Enforcement Administration's third National Prescription Drug Take-Back Day on

October 29, 2011, turned in more than 377,086 pounds of unwanted or expired medications for safe and proper disposal at the 5,327 take-back sites that were available in all 50 states and U.S. territories. When the results of the three prior Take-Back Days are combined, the Drug Enforcement Administration and its state, local, and tribal law-enforcement and community partners have removed 995,185 pounds of medication from circulation in the past 13 months; and

WHEREAS, Kansas Attorney General Derek Schmidt announced on November 15, 2011 that Kansans had turned in 3,809 pounds of unused prescription drugs during the National Prescription Drug Take-Back Day on October 29, 2011, which was the highest total amount of medications collected in Kansas since the program began in 2010. Local law enforcement officials collected the unused medications at 60 locations throughout Kansas; and

WHEREAS, The Drug Enforcement Administration has scheduled another National Prescription Drug Take-Back Day which will take place on Saturday, April 28, 2012, from 10:00 a.m. to 2:00 p.m. This is a great opportunity for those who missed the previous events, or who have subsequently accumulated unwanted, unused prescription drugs and need to safely dispose of those medications; and

WHEREAS, It must be recognized that a drug cabinet full of old or unused prescription medicine is a health hazard, increasing the risk of poison and abuse among adults, teenagers and children across the state and across the nation: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the misuse and abuse of prescription drug medications as a major threat to public health and safety in Kansas and nationwide; and

Be it further resolved: That we encourage Kansans all across the state to participate in the National Prescription Drug Take-Back Day on Saturday, April 28, 2012 to safely dispose of unused prescription medications; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Haley, Barry R. Grissom, United States Attorney, District of Kansas and the Kansas State Board of Pharmacy.

On emergency motion of Senator Haley **SR 1842** was adopted unanimously.

COMMITTEE OF THE WHOLE

The Senate returned to the Committee of the Whole for further consideration of bills on the calendar under the heading of General Orders with Senator V. Schmidt in the chair.

On motion of Senator V. Schmidt the morning report and the following afternoon report were adopted.

Recommended:

SB 267 be amended by adoption of the committee amendments, be further amended by motion of Senator Taddiken, on page 4, following line 38, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 79-32,246 is hereby amended to read as follows: 79-32,246. (a) For taxable years commencing after December 31, ~~2006~~ 2011, and before January 1, ~~2012~~ 2017, any taxpayer who is awarded a tax credit under this act on or after the effective date of this act by the secretary of commerce and complies with the conditions set forth in this act and the agreement entered into by the secretary and the taxpayer under this act shall be allowed a credit against the taxpayer's tax liability under the Kansas income tax act as provided in subsection (b). Expenditures used to qualify

for this credit shall not be used to qualify for any other type of Kansas income tax credit.

(b) The amount of the credit to which a taxpayer is entitled shall be equal to the sum of: (1) An amount equal to 10% of the taxpayer's qualified investment for the first \$50,000,000 invested and (2) an amount equal to 5% of the amount of the taxpayer's qualified investment that exceeds \$50,000,000. Such credit shall be taken in 10 equal, annual installments, beginning with the year in which the taxpayer places into service the new renewable electric cogeneration facility.

(c) If the amount of an annual installment of a tax credit allowed under this section exceeds the taxpayer's income tax liability for the taxable year in which the annual installment is allowed, the amount thereof which exceeds such tax liability may be carried over for deduction from the taxpayer's income tax liability in the next succeeding taxable year or years until the total amount of the annual installment of the tax credit has been deducted from tax liability, except that no such tax credit shall be carried over for deduction after the 14th taxable year succeeding the taxable year in which the first annual installment is allowed.

(d) (1) Before making a qualified investment, a taxpayer shall apply to the secretary of commerce to enter into an agreement for a tax credit under this act. The secretary shall prescribe the form of the application. After receipt of such application, the secretary may enter into an agreement with the applicant for a credit under this act if the secretary determines that the taxpayer's proposed investment satisfies the requirements of this act. The secretary shall enter into an agreement with an applicant which is awarded a credit under this act. The agreement shall include: (A) A detailed description of the renewable electric cogeneration facility project that is the subject of the agreement, (B) the first taxable year for which the credit may be claimed, (C) the maximum amount of tax credit that will be allowed for each taxable year and (D) a requirement that the taxpayer shall maintain operation of the new renewable electric cogeneration facility for at least 10 years during the term that the tax credit is available.

(2) A taxpayer must comply with the terms of the agreement described in subsection (d)(1) to receive an annual installment of the tax credit awarded under this act. The secretary of commerce, in accordance with rules and regulations of the secretary, shall annually determine whether the taxpayer is in compliance with the agreement. Such agreement shall include, but not be limited to, operation of the new renewable electric cogeneration facility during the tax years when any installments of tax credits are claimed by the taxpayer. If the secretary determines that the taxpayer is in compliance, the secretary shall issue a certificate of compliance to the taxpayer. If the secretary determines that the taxpayer is not in compliance with the agreement, the secretary shall notify the taxpayer and the secretary of revenue of such determination of noncompliance, and any tax credits claimed pursuant to this section for any tax year shall be forfeited.

(3) The secretary of commerce may adopt rules and regulations to administer the provisions of this subsection."

And by renumbering sections accordingly;

Also on page 4, in line 39, after "Supp." by inserting "79-32,246 and"; also in in line 39, by striking "is" and inserting "are"; in line 41, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, after "to" by inserting "income"; also on line 1, by

striking "for" and inserting a comma; in line 3, after the semicolon, by inserting "renewable electric cogeneration facilities;"; also in line 3, after "Supp." by inserting "79-32,246 and"; in line 4, by striking "section" and inserting "sections"

SB 267 be further amended by motion of Senator Kelly, on page 4, following line 38, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 79-32,211a is hereby amended to read as follows: 79-32,211a. (a) For taxable years commencing after December 31, 2006, subject to the provisions of subsection (d), any taxpayer which contributes, gifts or donates to a state-owned historic site or an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, which such organization owns and operates an historic site, to be used for the purpose of restoration, preservation or operation of such state-owned historic site or historic site or the establishment or maintenance of an endowment to provide for the future stability of such state-owned historic site or historic site shall be allowed a credit against the tax imposed by the Kansas income tax act, the premiums tax upon insurance companies imposed pursuant to K.S.A. 40-252, and amendments thereto, and the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated in an amount equal to 50% of such contribution, gift or donation, if the total amount of such contribution, gift or donation is at least \$1,000. The amount of the credit shall not exceed \$2,500 for any one taxpayer in any one taxable year. In no event shall the total amount of credits allowed under this section exceed \$200,000 in any one fiscal year.

(b) The credit allowed by this section shall be deducted from the taxpayer's income, premiums or privilege tax liability imposed for the taxable year in which the contribution, gift or donation is made.

(c) If the amount of the credit allowed by this section exceeds the taxpayer's income tax liability imposed under the Kansas income tax act, such excess amount shall be refunded to the taxpayer.

(d) The partnership historic site committee created pursuant to K.S.A. 2011 Supp. 75-2732, and amendments thereto, shall develop a prioritized list of historic sites other than state-owned historic sites to which contributions, gifts or donations to organizations which own and operate an historic site qualify for the tax credit provided in this section. As used in this section: (1) "Contributions, gifts or donations" includes monetary contributions, gifts or donations and in kind contributions, gifts or donations that have an established market value;

(2) "historic site" means any building or structure that is significant in the history, architecture, archeology or culture of the state of Kansas or Kansas communities or the nation. Such historic site must be listed on the national register of historic places or the register of historic Kansas places, be open to the public or have the potential to be open to the public for at least 500 hours a year and be owned and operated for the purpose of educating the public about a specific aspect of Kansas and United States history; and

(3) "state-owned historic site" means an historic site under the jurisdiction and control of the state historical society.

(e) Any contribution, gift or donation that is the basis of the credit provided in this section shall not qualify as a qualified expenditure for the purpose of qualifying for the credit provided in K.S.A. 79-32,211, and amendments thereto.

~~(f) The provisions of this section shall expire on June 30, 2012.";~~

And by renumbering sections accordingly;

Also on page 4, in line 39, after "Supp." by inserting "79-32,211a and"; also in line 39, by striking "is" and inserting "are";

On page 1, in the title, in line 1, after "to" by inserting "income"; also in line 1, by striking "for" and inserting a semicolon; in line 3, after the semicolon by inserting "restoration, preservation or operation of certain historic sites"; also in line 3, after "Supp." by inserting "79-32,211a and"; in line 4, by striking "section"; and inserting "sections" and **SB 267** be passed as further amended.

SB 421 be amended by adoption of the committee amendments, be further amended by motion of Senator Donovan, , on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2011 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local *ad valorem* tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts which in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of Kansas Statutes Annotated, ~~and acts amendatory thereof and supplemental amendments thereto,~~ during the preceding calendar year from the state general fund to the local *ad valorem* tax reduction fund, except that: (1) No moneys shall be transferred from the state general fund to the local *ad valorem* tax reduction fund during state fiscal years 2009, 2010, 2011, 2012, and 2013, and (2) the amount of the transfer on each such date shall be ~~\$13,500,000~~ \$5,000,000 during fiscal year ~~2014,~~ 2014, 2015, 2016 and 2017, and \$27,000,000 during fiscal year ~~2016~~ 2018 and all fiscal years thereafter. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund, except that all such transfers during fiscal year 2014 shall be considered to be revenue transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) Sixty-five percent of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) thirty-five percent of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.";

And by renumbering sections accordingly;

On page 3, in line 18, by striking "is" and inserting "and K.S.A. 2011 Supp. 79-2959 are";

On page 1, in the title, in line 1, by striking "personal"; in line 2, by striking the first semicolon and inserting a comma; in line 2, before "amending" by inserting "local *ad valorem* tax reduction fund, distribution"; in line 3, before "repealing" by inserting "K.S.A. 2011 Supp. 79-2959 and"; also in line 3, by striking "section"; and inserting "sections" and **SB 421** be passed as further amended.

S Sub for Sub HB 2004 be amended by adoption of the committee amendments, be

amended by motion of Senator Kelly, on page 1, in line 14, after "is" by inserting "positive and" and **S Sub for Sub HB 2004** be passed as amended.

S Sub for HB 2117 be amended by adoption of the committee report recommending a substitute bill and be amended by motion of Senator McGinn, on page 36, by striking all in lines 40 through 43;

By striking all in pages 37 through 46;

On page 47, by striking all in lines 1 through 17;

And by renumbering sections accordingly;

On page 60, in line 30, by striking striking all after "Supp."; in line 31, by striking "are" and inserting "is";

On page 1, in the title, in line 2, by striking all after the semicolon; in line 3, by striking all before "severance"; in line 9, by striking "79-3603, 79-"; in line 10 by striking "3620, 79-3703, 79-3710,"

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

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Marshall, McGinn, Merrick, Morris, Olson, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil.

Nays: Apple, Bruce, Donovan, Emler, King, Love, Lynn, Masterson, Ostmeier, Pilcher-Cook, Wagle.

The motion carried and the amendment was adopted.

S Sub for HB 2117 be further amended by motion of Senator V. Schmidt, on page 60, in line 36, by striking "79-32,120,";

On page 1, in the title, in line 13, by striking "79-32,120,"

Senator Pyle moved to divide the question. It was ruled not divisible.

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

On roll call, the vote was: Yeas 21; Nays 19; Present and Passing 0; Absent or Not Voting 0.

Yeas: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Bruce, Donovan, King, Longbine, Love, Lynn, Marshall, Masterson, Merrick, Olson, Ostmeier, Petersen, Pilcher-Cook, Pyle, Steineger, Taddiken, Wagle.

The motion carried and the amendment was adopted.

S Sub for HB 2117 be further amended by motion of Senator Pyle, on page 20, in line 30, by striking "\$6,000" and inserting "\$9,000"

S Sub for HB 2117 be passed as amended.

A motion by Senator Pilcher-Cook to amend **S Sub for HB 2117** failed and the following amendment was rejected: on page 37, in line 3, before the period, by inserting ", and commencing July 1, 2013, at the rate of 5.3%";

On page 43, in line 14, before the period, by inserting ", as well as such revenue collected and received at the rate of 6.3%, after June 30, 2013"; in line 16, by striking "17.05%" and inserting "12.265%"; in line 18, by striking "6.3%" and inserting "5.3%";

On page 44, in line 32, before the period, by inserting ", and commencing July 1,

2013, at the rate of 5.3%";

On page 46, in line 7, before the period, by inserting ", as well as such revenue collected and received at the rate of 6.3%, after June 30, 2013"; in line 9, by striking "17.05%" and inserting "12.265%"; in line 11, by striking "6.3%" and inserting "5.3%".

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

On roll call, the vote was: Yeas 10; Nays 30; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Haley, Kelsey, Lynn, Merrick, Olson, Petersen, Pilcher-Cook, Pyle, Steineger.

Nays: Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The motion failed and the amendment was rejected.

A motion by Senator Masterson to amend **S Sub for HB 2117** failed and the following amendment was rejected: on page 60, following line 29, by inserting:

"New Sec. 43. (a) (1) Except as provided in subsection (a)(2), commencing with fiscal year 2015, in any fiscal year in which the amount of actual state general fund receipts from such fiscal year exceeds the actual state general fund receipts for the immediately preceding fiscal year by more than 2% and the actual ending state general fund balance exceeds the amount of 7.5% of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year, as determined under subsection (b) of K.S.A. 75-6702, and amendments thereto, the director of budget and the director of legislative research shall jointly certify such excess amount to the secretary of revenue. Upon receipt of such certified amount, the secretary shall estimate the individual and corporate income tax and privilege tax rate reductions to go into effect for the next tax year that would decrease by such certified amount the estimated individual and corporate income tax and privilege tax receipts during the fiscal year after the next fiscal year. Such rate reductions shall be estimated so that the revenue reductions for individual and corporate income tax receipts and privilege tax receipts will be in the same proportion as individual and corporate income tax receipts and privilege tax receipts are to the total of individual and corporate income tax receipts and privilege tax receipts. Rate reductions for individual and corporate income tax and privilege tax shall be applied to reduce the highest marginal rate applicable. Based on such determination, the secretary shall reduce individual and corporate income tax rates prescribed by K.S.A. 79-32,110, and amendments thereto, and privilege tax rates prescribed by K.S.A. 79-1107 and 79-1108, and amendments thereto.

(2) In any fiscal year in which the amount of actual state general fund receipts for such fiscal year are less than 102% of the actual state general fund receipts from any prior fiscal year or the actual ending state general fund balance is equal to or less than the amount equal to 7.5% of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year, as determined under subsection (b) of K.S.A. 75-6702, and amendments thereto, the director of budget and the director of legislative research shall jointly certify such amount and fact to the secretary of revenue. Upon receipt of such amount and fact, the secretary shall not make any adjustment to the individual and corporate income tax and privilege tax rates.

(b) Any reduction in individual and corporate income tax and privilege tax rates prescribed by this section shall be published in the Kansas register prior to October 15 of the calendar year immediately preceding the tax year in which such reduction takes effect.

(c) The provisions of this section shall be effective on and after January 1, 2013.";

And by renumbering sections accordingly

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

On roll call, the vote was: Yeas 16; Nays 24; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Bruce, Donovan, Kelsey, Love, Lynn, Marshall, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Steineger, Wagle.

Nays: Apple, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil.

The motion failed and the amendment was rejected.

The committee report on **S Sub for HB 2157** be amended by adoption of the committee report recommending a substitute bill be adopted.

Senator Wagle moved **S Sub for HB 2157** be rereferred to the Committee on Assessment and Taxation.

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

On roll call, the vote was: Yeas 17; Nays 23; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Francisco, Haley, Love, Lynn, Marshall, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, A. Schmidt, Steineger, Taddiken, Wagle.

Nays: Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, McGinn, Morris, Owens, Reitz, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

The motion failed.

S Sub for HB 2157 was amended by motion of Senator Longbine, on page 7, following line 10, by inserting:

"Sec. 2. K.S.A. 79-32,141 is hereby amended to read as follows: 79-32,141. (a) The director may allocate gross income, deductions, credits, or allowances between two or more organizations, trades or businesses (whether or not incorporated, or organized in the United States or affiliated) owned or controlled directly or indirectly by the same interests, if the director determines such allocation is necessary to prevent evasion of taxes or to clearly reflect income of the organizations, trades or businesses.

(b) Commencing with the tax year which commences after December 31, 2011, and all taxable years thereafter, credits claimed by a corporation that is a member of a unitary group filing a combined report that has earned credits pursuant to subsection (e) of K.S.A. 79-32,160a, and amendments thereto, that has filed a certificate of intent on or after October 1, 2011, and prior to June 30, 2013, to place in service a qualified business facility investment of at least \$10,000,000 and create a minimum of 50 new jobs that satisfy the average wage requirements set forth in K.S.A. 74-50,131, and amendments thereto, at a qualified business facility after October 1, 2011, and that has entered into an agreement with the secretary of commerce, may apply such tax credits, including any carryforward credits, earned pursuant to subsection (e) of K.S.A. 79-32,160a, and amendments thereto, against the tax liability of any member or members

of such group in such combined report in the following manner:

(1) Credits earned prior to January 1, 2012, and claimed in taxable years commencing after December 31, 2011, shall be subject to the following limitations:

(A) The amount of carryforward credits applied against the tax liability of any member or members of a unitary group shall not exceed in the aggregate 15% of the carryforward credits available during the taxable year in which the carryforward credits are first applied against the tax liability of any member or members of any such group. Such limitation shall be effective for the taxable year in which the carryforward credits are first applied against a member or members of the group and the six immediately succeeding taxable years. Any carryforward credits not applied during the seven-year period set forth herein may be applied without limitation against the tax liability of any member or members of such group for the remainder of the credit carryforward period under subsection (e) of K.S.A. 79-32,160a, and amendments thereto.

(B) In the event the remainder of the credit carryforward period under subsection (e) of K.S.A. 79-32,160a, and amendments thereto, at the time the carryforward credits are first applied against the tax liability of any member or members of such group is less than seven years, then the carryforward credits applied against the liability of any member or members of such group shall not in the aggregate exceed the percentage of carryforward credits determined by dividing the total carryforward credits by the number of years remaining in the carryforward period under subsection (e) of K.S.A. 79-32,160a, and amendments thereto.

(2) Credits earned after January 1, 2012, may be applied against the tax liability of any member or members of such group in such combined report in such manner as may be determined by the corporation.

(3) Failure to comply with the capital investment and job creation requirements set forth in subsection (b) of K.S.A. 79-32,141, and amendments thereto, within 36 months of the date of the agreement with the secretary of commerce, shall result in the corporation remitting to the state an amount equal to the amount of credits applied against the tax liability of the other members of the unitary group. A corporation that has entered into a separate agreement with the secretary of commerce shall have 54 months to comply with the capital investment and job creation requirements set forth in subsection (b) of K.S.A. 79-32,141, and amendments thereto.

Sec. 3. K.S.A. 2011 Supp. 79-32,160a is hereby amended to read as follows: 79-32,160a. (a) For taxable years commencing after December 31, 1999, and before January 1, 2012, any taxpayer who shall invest in a qualified business facility, as defined in subsection (b) of K.S.A. 79-32,154, and amendments thereto, and effective for tax years commencing after December 31, 2010, and before January 1, 2012, located in an area other than a metropolitan county as defined in either K.S.A. 2011 Supp. 74-50,114 or 74-50,211, and amendments thereto, and also meets the definition of a business in subsection (b) of K.S.A. 74-50,114, and amendments thereto, shall be allowed a credit for such investment, in an amount determined under subsection (b) or (c), as the case requires, against the tax imposed by the Kansas income tax act or where the qualified business facility is the principal place from which the trade or business of the taxpayer is directed or managed and the facility has facilitated the creation of at least 20 new full-time positions, against the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or as measured by the net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas

Statutes Annotated, and amendments thereto, for the taxable year during which commencement of commercial operations, as defined in subsection (f) of K.S.A. 79-32,154, and amendments thereto, occurs at such qualified business facility. In the case of a taxpayer who meets the definition of a manufacturing business in subsection (d) of K.S.A. 74-50,114, and amendments thereto, no credit shall be allowed under this section unless the number of qualified business facility employees, as determined under subsection (d) of K.S.A. 79-32,154, and amendments thereto, engaged or maintained in employment at the qualified business facility as a direct result of the investment by the taxpayer for the taxable year for which the credit is claimed equals or exceeds two. In the case of a taxpayer who meets the definition of a nonmanufacturing business in subsection (f) of K.S.A. 74-50,114, and amendments thereto, no credit shall be allowed under this section unless the number of qualified business facility employees, as determined under subsection (d) of K.S.A. 79-32,154, and amendments thereto, engaged or maintained in employment at the qualified business facility as a direct result of the investment by the taxpayer for the taxable year for which the credit is claimed equals or exceeds five. Where an employee performs services for the taxpayer outside the qualified business facility, the employee shall be considered engaged or maintained in employment at the qualified business facility if: (1) The employee's service performed outside the qualified business facility is incidental to the employee's service inside the qualified business facility; or (2) the base of operations or, the place from which the service is directed or controlled, is at the qualified business facility.

(b) The credit allowed by subsection (a) for any taxpayer who invests in a qualified business facility which is located in a designated nonmetropolitan region established under K.S.A. 74-50,116, and amendments thereto, on or after the effective date of this act, shall be a portion of the income tax imposed by the Kansas income tax act on the taxpayer's Kansas taxable income, the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by the net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, for the taxable year for which such credit is allowed, but in the case where the qualified business facility investment was made prior to January 1, 1996, not in excess of 50% of such tax. Such portion shall be an amount equal to the sum of the following:

(1) Two thousand five hundred dollars for each qualified business facility employee determined under K.S.A. 79-32,154, and amendments thereto; plus

(2) one thousand dollars for each \$100,000, or major fraction thereof, which shall be deemed to be 51% or more, in qualified business facility investment, as determined under K.S.A. 79-32,154, and amendments thereto.

(c) The credit allowed by subsection (a) for any taxpayer who invests in a qualified business facility, which is not located in a nonmetropolitan region established under K.S.A. 74-50,116, and amendments thereto, and effective for tax years commencing after December 31, 2010, and before January 1, 2012, located in an area other than a metropolitan county as defined in either K.S.A. 2011 Supp. 74-50,114 or 74-50,211, and amendments thereto, and which also meets the definition of business in subsection (b) of K.S.A. 74-50,114, and amendments thereto, on or after the effective date of this act, shall be a portion of the income tax imposed by the Kansas income tax act on the taxpayer's Kansas taxable income, the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by the net

income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, for the taxable year for which such credit is allowed, but in the case where the qualified business facility investment was made prior to January 1, 1996, not in excess of 50% of such tax. Such portion shall be an amount equal to the sum of the following:

(1) One thousand five hundred dollars for each qualified business facility employee as determined under K.S.A. 79-32,154, and amendments thereto; and

(2) one thousand dollars for each \$100,000, or major fraction thereof, which shall be deemed to be 51% or more, in qualified business facility investment as determined under K.S.A. 79-32,154, and amendments thereto.

(d) The credit allowed by subsection (a) for each qualified business facility employee and for qualified business facility investment shall be a one-time credit. If the amount of the credit allowed under subsection (a) exceeds the tax imposed by the Kansas income tax act on the taxpayer's Kansas taxable income, the premium tax and privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by the net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, for the taxable year, or in the case where the qualified business facility investment was made prior to January 1, 1996, 50% of such tax imposed upon the amount which exceeds such tax liability or such portion thereof may be carried over for credit in the same manner in the succeeding taxable years until the total amount of such credit is used. Except that, before the credit is allowed, a taxpayer, who meets the definition of a manufacturing business in subsection (d) of K.S.A. 74-50,114, and amendments thereto, shall recertify annually that the net increase of a minimum of two qualified business facility employees has continued to be maintained and a taxpayer, who meets the definition of a nonmanufacturing business in subsection (f) of K.S.A. 74-50,114, and amendments thereto, shall recertify annually that the net increase of a minimum of five qualified business employees has continued to be maintained.

(e) Notwithstanding the foregoing provisions of this section, any taxpayer qualified and certified under the provisions of K.S.A. 74-50,131, and amendments thereto; which, prior to making a commitment to invest in a qualified Kansas business, has filed a certificate of intent to invest in a qualified business facility in a form satisfactory to the secretary of commerce; and that has received written approval from the secretary of commerce for participation and has participated, during the tax year for which the exemption is claimed, in the Kansas industrial training, Kansas industrial retraining or the state of Kansas investments in lifelong learning program or is eligible for the tax credit established in K.S.A. 74-50,132, and amendments thereto, shall be entitled to a credit in an amount equal to 10% of that portion of the qualified business facility investment which exceeds \$50,000 in lieu of the credit provided in subsection (b)(2) or (c)(2) without regard to the number of qualified business facility employees engaged or maintained in employment at the qualified business facility. The credit allowed by this subsection shall be a one-time credit. If the amount thereof exceeds the tax imposed by the Kansas income tax act on the taxpayer's Kansas taxable income or the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as measured by net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, for the taxable year, the amount thereof which exceeds such tax liability may be carried

forward for credit in the succeeding taxable year or years until the total amount of the tax credit is used, except that no such tax credit shall be carried forward for deduction after the 16th taxable year succeeding the taxable year in which such credit initially was claimed, and no carryforward shall be allowed for deduction in any succeeding taxable year unless the taxpayer certifies under oath that the taxpayer continues to meet the requirements of K.S.A. 74-50,131, and amendments thereto, and this act. In no event shall any credit allowed under this section that expired during any taxable year prior to the taxable year commencing January 1, 2011, be revived under the provisions of this act.

(f) For tax years commencing after December 31, 2005, any taxpayer claiming credits pursuant to this section, as a condition for claiming and qualifying for such credits, shall provide information pursuant to K.S.A. 2011 Supp. 79-32,243, and amendments thereto, as part of the tax return in which such credits are claimed. Such credits shall not be denied solely on the basis of the contents of the information provided by the taxpayer pursuant to K.S.A. 2011 Supp. 79-32,243, and amendments thereto.

(g) This section and K.S.A. 79-32,160b, and amendments thereto, shall be part of and supplemental to the job expansion and investment credit act of 1976, and amendments thereto.;

And by renumbering sections accordingly;

Also on page 7, in line 11, after "Sec. 2." by inserting "K.S.A. 79-32,141 and"; also in line 11, by striking "is" and inserting ", 79-32,160a and 79-32,160f are";

On page 1, in the title, in line 2, after "requirements;" by inserting "credits;"; in line 3, after "amending" by inserting "K.S.A. 79-32,141 and"; also in line 3, after "79-3279" by inserting "and 79-32,160a"; in line 4, by striking "section" and inserting "sections; also repealing K.S.A. 2011 Supp. 79-32,160f" and **S Sub for HB 2157** be passed as amended.

The committee report on **S Sub for HB 2241** be amended by adoption of the committee report recommending a substitute bill, be amended by motion of Senator Masterson, on page 2, in line 38, by striking "80% of" and **S Sub for HB 2241** be passed as amended.

Senator King's motion to amend **S Sub for HB 2241** failed and the following amendment was rejected: on page 1, in line 24, by striking "\$22,500,000" and inserting "\$15,000,000";

On page 3, after line 19, by inserting the following:

"Sec. 3. K.S.A. 2011 Supp. 79-4501 is hereby amended to read as follows: 79-4501. The title of this act shall be the homestead property tax refund act. The purpose of this act shall be to provide *ad valorem* tax refunds to: (a) Certain persons who are of qualifying age who own ~~or rent~~ their homestead; (b) certain persons who have a disability, who own ~~or rent~~ their homestead; and (c) certain persons other than persons included under the provisions of (a) or (b) who have low incomes and dependent children and own ~~or rent~~ their homestead.

Sec. 4 K.S.A. 2011 Supp. 79-4502 is hereby amended to read as follows: 79-4502. As used in this act, unless the context clearly indicates otherwise:

(a) "Income" means the sum of adjusted gross income under the Kansas income tax act, maintenance, support money, cash public assistance and relief, not including any refund granted under this act, the gross amount of any pension or annuity, including all

monetary retirement benefits from whatever source derived, including but not limited to, all payments received under the railroad retirement act, except disability payments, payments received under the federal social security act, except that for determination of what constitutes income such amount shall not exceed 50% of any such social security payments and shall not include any social security payments to a claimant who prior to attaining full retirement age had been receiving disability payments under the federal social security act in an amount not to exceed the amount of such disability payments or 50% of any such social security payments, whichever is greater, all dividends and interest from whatever source derived not included in adjusted gross income, workers compensation and the gross amount of "loss of time" insurance. Income does not include gifts from nongovernmental sources or surplus food or other relief in kind supplied by a governmental agency, nor shall net operating losses and net capital losses be considered in the determination of income. Income does not include veterans disability pensions. Income does not include disability payments received under the federal social security act.

(b) "Household" means a claimant, a claimant and spouse who occupy the homestead or a claimant and one or more individuals not related as husband and wife who together occupy a homestead.

(c) "Household income" means all income received by all persons of a household in a calendar year while members of such household.

(d) "Homestead" means the dwelling, or any part thereof, ~~whether owned or rented, which is and~~ occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for *ad valorem* tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated. "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

(e) "Claimant" means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was: (1) A person having a disability; (2) a person who is 55 years of age or older; (3) a disabled veteran; (4) the surviving spouse of active duty military personnel who died in the line of duty; or (5) a person other than a person included under (1), (2), (3) or (4) having one or more dependent children under 18 years of age residing at the person's homestead during the calendar year immediately preceding the year in which a claim is filed under this act. The surviving spouse of a disabled veteran who was receiving benefits pursuant to subsection (e)(3) of this section at the time of the veterans' death, shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

When a homestead is occupied by two or more individuals and more than one of the individuals is able to qualify as a claimant, the individuals may determine between them as to whom the claimant will be. If they are unable to agree, the matter shall be referred to the secretary of revenue whose decision shall be final.

(f) "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's homestead in 1979 or any calendar year thereafter by the state of Kansas and the political and taxing subdivisions of the state. When a homestead is owned by two or

more persons or entities as joint tenants or tenants in common and one or more of the persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on the homestead that reflects the ownership percentage of the claimant's household. For purposes of this act, property taxes are "levied" when the tax roll is delivered to the local treasurer with the treasurer's warrant for collection. When a claimant and household own their homestead part of a calendar year, "property taxes accrued" means only taxes levied on the homestead when both owned and occupied as a homestead by the claimant's household at the time of the levy, multiplied by the percentage of 12 months that the property was owned and occupied by the household as its homestead in the year. When a household owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of the taxes allocable to those several properties while occupied by the household as its homestead during the year. Whenever a homestead is an integral part of a larger unit such as a multi-purpose or multi-dwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For the purpose of this act, the word "unit" refers to that parcel of property covered by a single tax statement of which the homestead is a part.

(g) "Disability" means:

(1) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, and an individual shall be determined to be under a disability only if the physical or mental impairment or impairments are of such severity that the individual is not only unable to do the individual's previous work but cannot, considering age, education and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which the individual lives or whether a specific job vacancy exists for the individual, or whether the individual would be hired if application was made for work. For purposes of the preceding sentence (with respect to any individual), "work which exists in the national economy" means work which exists in significant numbers either in the region where the individual lives or in several regions of the country; for purposes of this subsection, a "physical or mental impairment" is an impairment that results from anatomical, physiological or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques; or

(2) blindness and inability by reason of blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which the individual has previously engaged with some regularity and over a substantial period of time.

(h) "Blindness" means central visual acuity of $^{20}/_{200}$ or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purpose of this paragraph as having a central visual acuity of $^{20}/_{200}$ or less.

(i) ~~"Rent constituting property taxes accrued" means 15% of the gross rent actually paid in cash or its equivalent in 2007 or any taxable year thereafter by a claimant and claimant's household solely for the right of occupancy of a Kansas homestead on which ad valorem property taxes were levied in full for that year. When a household occupies~~

two or more different homesteads in the same calendar year, rent constituting property taxes accrued shall be computed by adding the rent constituting property taxes accrued for each property rented by the household while occupied by the household as its homestead during the year.

(j) "~~Gross rent~~" means the rental paid at arm's length solely for the right of occupancy of a homestead or space rental paid to a landlord for the parking of a mobile home, exclusive of charges for any utilities, services, furniture and furnishings or personal property appliances furnished by the landlord as a part of the rental agreement, whether or not expressly set out in the rental agreement. Whenever the director of taxation finds that the landlord and tenant have not dealt with each other at arms length and that the gross rent charge was excessive, the director may adjust the gross rent to a reasonable amount for the purposes of the claim.

(k) (i) "Disabled veteran" means a person who is a resident of Kansas and has been honorably discharged from active service in any branch of the armed forces of the United States or Kansas national guard and who has been certified by the United States department of veterans affairs or its successor to have a 50% permanent disability sustained through military action or accident or resulting from disease contracted while in such active service.

Sec. 5. K.S.A. 2011 Supp. 79-4508 is hereby amended to read as follows: 79-4508. (a) Commencing in the tax year beginning after December 31, ~~2005~~ 2011, the amount of any claim pursuant to this act shall be computed by deducting the amount computed under column (2) from the amount of claimant's property tax accrued ~~and/or rent constituting property tax accrued.~~

(1)		(2)
Claimants Household income		Deduction from property tax accrued and/or rent constituting Property tax accrued
At least	But not More than	Property tax accrued
\$0	\$6,000 <u>\$10,000</u>	\$0
6,001 \$10,001	7,000 <u>\$11,000</u>	4%
7,001 \$11,001	16,000 <u>\$33,000</u>	4% plus 4% of every \$1,000 or Fraction thereof, of income in Excess of \$7,001 <u>\$11,001</u>
16,001	27,000	40% plus 5% of every \$1,000, or fraction thereof, of income in excess of \$16,001
27,001 <u>\$33,001</u>	27,600 <u>\$34,200</u>	95% <u>96%</u>

(b) The director of taxation shall prepare a table under which claims under this act shall be determined. The amount of claim for each bracket shall be computed only to the nearest \$1.

(c) The claimant may elect not to record the amount claimed on the claim. The claim allowable to persons making this election shall be computed by the department which shall notify the claimant by mail of the amount of the allowable claim.

(d) In the case of all tax years commencing after December 31, ~~2004~~ 2011, the ~~upper limit threshold amount~~ amounts prescribed in this section, shall be increased by an amount equal to such threshold amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar

year in which the taxable year commences.

Sec. 6. K.S.A. 2011 Supp. 79-4509 is hereby amended to read as follows: 79-4509. In the event property taxes accrued, ~~rent constituting property taxes accrued or their sum~~ exceeds ~~\$700~~\$1000 for a household in any one year, the amount thereof shall, for purposes of this act, be deemed to have been ~~\$700~~\$1000.

Sec. 7. K.S.A. 2011 Supp. 79-4511 is hereby amended to read as follows: 79-4511.

(a) Every claimant under this act shall supply to the division, in support of a claim, reasonable proof of age or disability, and changes of homestead, household membership, household income, and size and nature of property claimed as the homestead. A claim alleging disability shall be supported by a report of the examining physician of the claimant with a statement or certificate that the applicant has a disability within the meaning of subsection (g) of K.S.A. 79-4502, and amendments thereto.

(b) Every claimant who is a homestead owner, or whose claim is based wholly or partly upon homestead ownership at some time during the calendar year, shall supply to the division, in support of a claim, the amount of property taxes levied upon the property claimed as a homestead and a statement that the property taxes accrued used for purposes of this act have been or will be paid by the claimant. Upon request by the division, such claimant shall provide a copy of the statement of property taxes levied upon the property claimed as a homestead. The amount of personal property taxes levied on a manufactured home or mobile home shall be set out on the personal property tax statement showing the amount of such tax as a separate item.

(c) Every claimant who is a homestead renter, or whose claim is based wholly or partly upon homestead rental at some time during the calendar year, shall supply to the division, in support of a claim, a statement prescribed by the director certifying the amount of gross rent paid and that ad valorem property taxes were levied in full for that year on the property, all or a part of which was rented by the claimant. When such claimant reports household income that is 150% or less of the homestead rental amount and such claimant has failed to provide any documentation or information requested by the division to verify such household income in support of a claim as required pursuant to subsection (a), within 30 days of such request, such homestead property tax refund claim shall be denied.

~~(d)~~(c) The information required to be furnished under ~~subsections (b) or (e)~~subsection (b) shall be in addition to that required under subsection (a).

Sec. 8. K.S.A. 2011 Supp. 79-4522 is hereby amended to read as follows: 79-4522. A person owning or occupying a homestead ~~that is not rental property and~~ for which the appraised valuation for property tax purposes exceeds \$350,000 in any year shall not be entitled to claim a refund of property taxes under the homestead property tax refund act for any such year. The provisions of this section shall be part of and supplemental to the homestead property tax refund act.";

And by renumbering sections accordingly;

Also on page 3, in line 20, after "79-2959" by inserting ", 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522"

On page 1, in the title, in line 2, by striking the first semicolon and inserting a comma; also in line 2, before "amending" by inserting "homestead property tax refunds;"; in line 3, after "79-2959" by inserting ", 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522"

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

On roll call, the vote was: Yeas 19; Nays 21; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Donovan, Kelsey, King, Love, Lynn, Marshall, Masterson, Merrick, Olson, Ostmeier, Petersen, Pilcher-Cook, Pyle, Steineger, Taddiken, Wagle.

Nays: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

The motion failed and the amendment was rejected.

A motion by Senator Bruce to amend **S Sub for HB 2241** failed and the following amendment was rejected: on page 3, following line 19, by inserting:

"Sec. 3. K.S.A. 2011 Supp. 79-201 is hereby amended to read as follows: 79-201. The following described property, to the extent herein specified, shall be and is hereby exempt from all property or *ad valorem* taxes levied under the laws of the state of Kansas:

First. All buildings used exclusively as places of public worship and all buildings used exclusively by school districts and school district interlocal cooperatives organized under the laws of this state, with the furniture and books therein contained and used exclusively for the accommodation of religious meetings or for school district or school district interlocal cooperative purposes, whichever is applicable, together with the grounds owned thereby if not leased or otherwise used for the realization of profit, except that: (a) (1) Any school building, or portion thereof, together with the grounds upon which the building is located, shall be considered to be used exclusively by the school district for the purposes of this section when leased by the school district to any political or taxing subdivision of the state, including a school district interlocal cooperative, or to any association, organization or nonprofit corporation entitled to tax exemption with respect to such property; and (2) any school building, together with the grounds upon which the building is located, shall be considered to be used exclusively by a school district interlocal cooperative for the purposes of this section when being acquired pursuant to a lease-purchase agreement; and (b) any building, or portion thereof, used as a place of worship, together with the grounds upon which the building is located, shall be considered to be used exclusively for the religious purposes of this section when used as a not-for-profit day care center for children which is licensed pursuant to K.S.A. 65-501 *et seq.*, and amendments thereto, or when used to house an area where the congregation of a church society and others may purchase tracts, books and other items relating to the promulgation of the church society's religious doctrines.

Second. All real property, and all tangible personal property, actually and regularly used exclusively for literary, educational, scientific, religious, benevolent or charitable purposes, including property used exclusively for such purposes by more than one agency or organization for one or more of such exempt purposes. Except with regard to real property which is owned by a religious organization, is to be used exclusively for religious purposes and is not used for a nonexempt purpose prior to its exclusive use for religious purposes which property shall be deemed to be actually and regularly used exclusively for religious purposes for the purposes of this paragraph, this exemption shall not apply to such property, not actually used or occupied for the purposes set forth herein, nor to such property held or used as an investment even though the income or

rentals received therefrom is used wholly for such literary, educational, scientific, religious, benevolent or charitable purposes. In the event any such property which has been exempted pursuant to the preceding sentence is not used for religious purposes prior to its conveyance which results in its use for nonreligious purposes, there shall be a recoupment of property taxes in an amount equal to the tax which would have been levied upon such property except for such exemption for all taxable years for which such exemption was in effect. Such recoupment tax shall become due and payable in such year as provided by K.S.A. 79-2004, and amendments thereto. A lien for such taxes shall attach to the real property subject to the same on November 1 in the year such taxes become due and all such taxes remaining due and unpaid after the date prescribed for the payment thereof shall be collected in the manner provided by law for the collection of delinquent taxes. Moneys collected from the recoupment tax hereunder shall be credited by the county treasurer to the several taxing subdivisions within which such real property is located in the proportion that the total tangible property tax levies made in the preceding year for each such taxing subdivision bear to the total of all such levies made in that year by all such taxing subdivisions. Such moneys shall be credited to the general fund of the taxing subdivision or if such taxing subdivision is making no property tax levy for the support of a general fund such moneys may be credited to any other tangible property tax fund of general application of such subdivision. This exemption shall not be deemed inapplicable to property which would otherwise be exempt pursuant to this paragraph because an agency or organization: (a) Is reimbursed for the provision of services accomplishing the purposes enumerated in this paragraph based upon the ability to pay by the recipient of such services; or (b) is reimbursed for the actual expense of using such property for purposes enumerated in this paragraph; or (c) uses such property for a nonexempt purpose which is minimal in scope and insubstantial in nature if such use is incidental to the exempt purposes of this paragraph; or (d) charges a reasonable fee for admission to cultural or educational activities or permits the use of its property for such activities by a related agency or organization, if any such activity is in furtherance of the purposes of this paragraph; or (e) is applying for an exemption pursuant to this paragraph for a motor vehicle that is being leased for a period of at least one year.

Third. All moneys and credits belonging exclusively to universities, colleges, academies or other public schools of any kind, or to religious, literary, scientific or benevolent and charitable institutions or associations, appropriated solely to sustain such institutions or associations, not exceeding in amount or in income arising therefrom the limit prescribed by the charter of such institution or association.

Fourth. The reserve or emergency funds of fraternal benefit societies authorized to do business under the laws of the state of Kansas.

Fifth. All buildings of private nonprofit universities or colleges which are owned and operated by such universities and colleges as student union buildings, presidents' homes and student dormitories.

Sixth. All real and tangible personal property actually and regularly used exclusively by the alumni association associated by its articles of incorporation with any public or nonprofit Kansas college or university approved by the Kansas board of regents to confer academic degrees or with any community college approved by its board of trustees to grant certificates of completion of courses or curriculum, to provide accommodations and services to such college or university or to the alumni, staff or

faculty thereof.

Seventh. All parsonages owned by a church society and actually and regularly occupied and used predominantly as a residence by a minister or other clergyman of such church society who is actually and regularly engaged in conducting the services and religious ministrations of such society, and the land upon which such parsonage is located to the extent necessary for the accommodation of such parsonage.

Eighth. All real property, all buildings located on such property and all personal property contained therein, actually and regularly used exclusively by any individually chartered organization of honorably discharged military veterans of the United States armed forces or auxiliary of any such organization, which is exempt from federal income taxation pursuant to section 501(c)(19) of the federal internal revenue code of 1986, for clubhouse, place of meeting or memorial hall purposes, and real property to the extent of not more than two acres, and all buildings located on such property, actually and regularly used exclusively by any such veterans' organization or its auxiliary as a memorial park.

Ninth. All real property and tangible personal property actually and regularly used by a community service organization for the predominant purpose of providing humanitarian services, which is owned and operated by a corporation organized not for profit under the laws of the state of Kansas or by a corporation organized not for profit under the laws of another state and duly admitted to engage in business in this state as a foreign not-for-profit corporation if: (a) The directors of such corporation serve without pay for such services; (b) the corporation is operated in a manner which does not result in the accrual of distributable profits, realization of private gain resulting from the payment of compensation in excess of a reasonable allowance for salary or other compensation for services rendered or the realization of any other form of private gain; (c) no officer, director or member of such corporation has any pecuniary interest in the property for which exemption is claimed; (d) the corporation is organized for the purpose of providing humanitarian services; (e) the actual use of property for which an exemption is claimed must be substantially and predominantly related to the purpose of providing humanitarian services, except that, the use of such property for a nonexempt purpose which is minimal in scope and insubstantial in nature shall not result in the loss of exemption if such use is incidental to the purpose of providing humanitarian services by the corporation; (f) the corporation is exempt from federal income taxation pursuant to section 501(c)(3) of the internal revenue code of 1986 and; (g) contributions to the corporation are deductible under the Kansas income tax act. As used in this clause, "humanitarian services" means the conduct of activities which substantially and predominantly meet a demonstrated community need and which improve the physical, mental, social, cultural or spiritual welfare of others or the relief, comfort or assistance of persons in distress or any combination thereof including but not limited to health and recreation services, child care, individual and family counseling, employment and training programs for handicapped persons and meals or feeding programs. Notwithstanding any other provision of this clause, motor vehicles shall not be exempt hereunder unless such vehicles are exclusively used for the purposes described therein, except that the use of any such vehicle for the purpose of participating in a coordinated transit district in accordance with the provisions of K.S.A. 75-5032 through 75-5037, and amendments thereto, or K.S.A. 75-5051 through 75-5058, and amendments thereto, shall be deemed as exclusive use.

Tenth. For all taxable years commencing after December 31, 1986, any building, and the land upon which such building is located to the extent necessary for the accommodation of such building, owned by a church or nonprofit religious society or order which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and actually and regularly occupied and used exclusively for residential and religious purposes by a community of persons who are bound by vows to a religious life and who conduct or assist in the conduct of religious services and actually and regularly engage in religious, benevolent, charitable or educational ministrations or the performance of health care services.

Eleventh. For all taxable years commencing after December 31, 1998, all property actually and regularly used predominantly to produce and generate electricity utilizing renewable energy resources or technologies. For purposes of this section, "renewable energy resources or technologies" shall include wind, solar, photovoltaic, biomass, hydropower, geothermal and landfill gas resources or technologies.

Twelfth. For all taxable years commencing after December 31, 2001, all personal property actually and regularly used predominantly to collect, refine or treat landfill gas or to transport landfill gas from a landfill to a transmission pipeline, and the landfill gas produced therefrom.

Thirteenth. All real property owned and operated by a health club in the state of Kansas. For purposes of this section, "health club" means any corporation, partnership, unincorporated association or other business enterprise whose primary purpose is to offer facilities that contain cardio, weight training or strength and conditioning equipment, or both, for the preservation, maintenance, encouragement or development of physical fitness in return for the payment of a fee which entitles the buyer to the use of such facilities. A health club may have on its premises health spas, studios, tennis, racquet or basketball facilities or swimming pools that offer programs that enhance the primary purpose of the health club as described in this subsection above; but may not be facilities that are primarily weight control facilities, health spas, dance studios, martial arts or self-defense studios, tennis, racquet or basketball facilities, swimming pools, golf clubs or similar activities which do not have the primary purpose as outlined in this subsection above. For purposes of this subsection, a health club will be considered owned and operated by the health club if the owners of the property to be exempted from taxation are the same entity, or are owned by owners of the same entity, that collects the payment of the fee entitling the buyer to use the facility.

The provisions of this section, except as otherwise more specifically provided, shall apply to all taxable years commencing after December 31, ~~2009~~2012.";

And by renumbering sections accordingly;

Also on page 3, in line 20, after "Supp." by inserting "79-201 and";

On page 1, in the title, in line 2, after "subdivisions;" by inserting "property tax exemptions, health clubs;"; in line 3, after "Supp." by inserting "79-201 and"

A motion by Senator Wagle to amend **S Sub for HB 2241** failed and the following amendment was rejected: , on page 2, in line 38, by striking "80% of";

On page 3, following line 19, by inserting:

"New Sec. 3. (a) Subject to the provisions of K.S.A. 79-2925b, and amendments thereto, if the total taxable real property valuation in any municipality increases due to increases in the assessed valuation of existing real property, then the governing body shall lower the mill levy rate to such rate that would equal the amount of *ad valorem*

property taxes levied in the next preceding year. This subsection shall not apply to *ad valorem* taxes levied under K.S.A. 72-6431, 76-6b01 and 76-6b05, and amendments thereto, or any other *ad valorem* tax levy which was previously approved by the voters of such municipality. Property that, in the current year, is new construction, is located within added jurisdictional territory, or has changed in use shall not be considered when determining whether the total taxable real property valuation has increased from the prior year.

(b) If the total taxable real property valuation in any municipality decreases, then the governing body may increase the mill levy rate, subject to any statutory restrictions, to a rate that would equal the amount of *ad valorem* property taxes levied in the next preceding year.

(c) The provisions of subsection (a) shall not apply to or limit the levy of *ad valorem* taxes for the payment of principal and interest on bonds, temporary notes and no-fund warrants or judgments rendered against any such taxing subdivision.

(d) For the purpose of this section, "municipality" means any county, township, city, municipal university, school district, community college, drainage district and any other taxing district or political subdivision which levies taxes on property.

Sec. 4. K.S.A. 2011 Supp. 79-2925b is hereby amended to read as follows: 79-

2925b. (a) ~~Without adoption of a resolution or ordinance so providing, the governing body of any taxing subdivision shall not approve~~ The governing body of any taxing subdivision shall adopt a resolution or ordinance approving any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year, except with regard to revenue produced and attributable to the taxation of: (1) New improvements to real property;

(2) increased personal property valuation, other than increased valuation of oil and gas leaseholds and mobile homes;

(3) property located within added jurisdictional territory; and

(4) property which has changed in use.

(b) The provisions of this section shall be applicable to all fiscal and budget years commencing on and after the effective date of this act.

~~(c) The provisions of this section shall not apply to community colleges or unified school districts.~~

~~(d)~~ The provisions of this section shall not apply to revenue received from property tax levied for the sole purpose of repayment of the principal of and interest upon bonded indebtedness, temporary notes and no-fund warrants.

(d) Any resolution adopted pursuant to this section shall be published in the official county newspaper of the county where such taxing subdivision is located.";

And by renumbering sections accordingly;

On page 3, in line 20, after "Supp." by inserting "79-2925b and";

On page 1, in the title, in line 2, after "subdivisions;" by inserting "revenues produced by property tax levies, mill levy adjustments, resolutions, publication requirements;"; in line 3, after "Supp." by inserting "79-2925b and"

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

On roll call, the vote was: Yeas 16; Nays 24; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Donovan, Kelsey, Love, Lynn, Masterson, Merrick,

Olson, Petersen, Pilcher-Cook, Pyle, V. Schmidt, Steineger, Wagle.

Nays: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Marshall, McGinn, Morris, Ostmeyer, Owens, Reitz, A. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil.

The motion failed and the amendment was rejected.

CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR

On motion of Senator McGinn the Senate nonconcurrred in the House amendments to SB 258 and requested a conference committee be appointed.

The President appointed Senators McGinn, Vratil and Kelly as a conference committee on the part of the Senate.

On motion of Senator Umbarger the Senate nonconcurrred in the House amendments to **SB 300** and requested a conference committee be appointed.

The President appointed Senators Umbarger, Marshall and Kultala as a conference committee on the part of the Senate.

ORIGINAL MOTION

On motion of Senator Owens, the Senate acceded to the request of the House for a conference on **HB 2413**.

The President appointed Senators Owens, King and Haley as conferees on the part of the Senate.

On motion of Senator Owens, the Senate acceded to the request of the House for a conference on **Sub HB 2427**.

The President appointed Senators Owens, King and Haley as conferees on the part of the Senate.

On motion of Senator Umbarger, the Senate acceded to the request of the House for a conference on **HB 2432**.

The President appointed Senators Umbarger, Marshall and Kultala as conferees on the part of the Senate.

On motion of Senator Owens, the Senate acceded to the request of the House for a conference on **HB 2534**.

The President appointed Senators Owens, King and Haley as conferees on the part of the Senate.

REPORTS OF STANDING COMMITTEES

The Committee on **Judiciary** recommends **SB 453** be amended on page 1, following line 7, by inserting:

"New Section 1. On and after July 1, 2012, the amount of \$250 from each fine imposed for a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-1567 or 8-2,144 or section 2, and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2011 Supp. 75-52,113, and amendments thereto.

New Sec. 2. (a) Refusing to submit to a test to determine the presence of alcohol or drugs is refusing to submit to or complete a test or tests deemed consented to under subsection (a) of K.S.A. 8-1001, and amendments thereto.

(b)(1) Refusing to submit to a test to determine the presence of alcohol or drugs is:

(A) On a first conviction a class B, nonperson misdemeanor. The person convicted shall be sentenced to not less than 48 consecutive hours nor more than six months' imprisonment, or in the court's discretion 100 hours of public service, and fined not less than \$750 nor more than \$1,000. The person convicted shall serve at least 48 consecutive hours' imprisonment or 100 hours of public service either before or as a condition of any grant of probation or suspension, reduction of sentence or parole. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the remainder of the minimum sentence only after such person has served 48 consecutive hours' imprisonment;

(B) on a second conviction a class A, nonperson misdemeanor. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,250 nor more than \$1,750. The person convicted shall serve at least five consecutive days' imprisonment before the person is granted probation, suspension or reduction of sentence or parole or is otherwise released. The five days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the remainder of the minimum sentence only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 120 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 120 hours;

(C) on a third conviction a class A, nonperson misdemeanor, except as provided in subsection (b)(1)(D). The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the remainder of the minimum sentence only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed

under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours;

(D) on a third conviction a nonperson felony if the person has a prior conviction which occurred within the preceding 10 years, not including any period of incarceration. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the remainder of the minimum sentence only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours; and

(E) on a fourth or subsequent conviction a nonperson felony. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this paragraph may be served in a work release program only after such person has served 72 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 72 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the remainder of the minimum sentence only after such person has served 72 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours.

(2) The court may order that the term of imprisonment imposed pursuant to subsection (b)(1)(D) or (b)(1)(E) be served in a state facility in the custody of the secretary of corrections in a facility designated by the secretary for the provision of substance abuse treatment pursuant to the provisions of K.S.A. 2011 Supp. 21-6804, and amendments thereto. The person shall remain imprisoned at the state facility only while participating in the substance abuse treatment program designated by the secretary and shall be returned to the custody of the sheriff for execution of the balance of the term of imprisonment upon completion of or the person's discharge from the substance abuse treatment program. Custody of the person shall be returned to the sheriff for execution of the sentence imposed in the event the secretary of corrections determines: (A) That substance abuse treatment resources or the capacity of the facility designated by the secretary for the incarceration and treatment of the person is not available; (B) the person fails to meaningfully participate in the treatment program of the designated facility; (C) the person is disruptive to the security or operation of the designated facility; or (D) the medical or mental health condition of the person renders the person unsuitable for confinement at the designated facility. The determination by the secretary that the person either is not to be admitted into the designated facility or is to be transferred from the designated facility is not subject to review. The sheriff shall be responsible for all transportation expenses to and from the state correctional facility.

(3) In addition, for any conviction pursuant to subsection (b)(1)(C), (b)(1)(D) or (b)(1)(E), at the time of the filing of the judgment form or journal entry as required by K.S.A. 22-3426 or K.S.A. 2011 Supp. 21-6711, and amendments thereto, the court shall cause a certified copy to be sent to the officer having the offender in charge. The court shall determine whether the offender, upon release from imprisonment, shall be supervised by community correctional services or court services based upon the risk and needs of the offender. The risk and needs of the offender shall be determined by use of a risk assessment tool specified by the Kansas sentencing commission. The law enforcement agency maintaining custody and control of a defendant for imprisonment shall cause a certified copy of the judgment form or journal entry to be sent to the supervision office designated by the court and upon expiration of the term of imprisonment shall deliver the defendant to a location designated by the supervision office designated by the court. After the term of imprisonment imposed by the court, the person shall be placed on supervision to community correctional services or court services, as determined by the court, for a mandatory one-year period of supervision, which such period of supervision shall not be reduced. During such supervision, the person shall be required to participate in a multidisciplinary model of services for substance use disorders facilitated by a department of social and rehabilitation services designated care coordination agency to include assessment and, if appropriate, referral to a community based substance use disorder treatment including recovery management and mental health counseling as needed. The multidisciplinary team shall include the designated care coordination agency, the supervision officer, the social and rehabilitation services department designated treatment provider and the offender. Any violation of the conditions of such supervision may subject such person to revocation of supervision and imprisonment in jail for the remainder of the period of imprisonment, the remainder of the supervision period, or any combination or portion thereof.

(4) In addition, prior to sentencing for any conviction, the court shall order the person to participate in an alcohol and drug evaluation conducted by a provider in

accordance with K.S.A. 8-1008, and amendments thereto. The person shall be required to follow any recommendation made by the provider after such evaluation, unless otherwise ordered by the court.

(c) Any person convicted of violating this section or an ordinance which prohibits the acts that this section prohibits who had one or more children under the age of 14 years in the vehicle at the time of the offense shall have such person's punishment enhanced by one month of imprisonment. This imprisonment must be served consecutively to any other minimum mandatory penalty imposed for a violation of this section or an ordinance which prohibits the acts that this section prohibits. Any enhanced penalty imposed shall not exceed the maximum sentence allowable by law. During the service of the enhanced penalty, the judge may order the person on house arrest, work release or other conditional release.

(d) The court may establish the terms and time for payment of any fines, fees, assessments and costs imposed pursuant to this section. Any assessments and costs shall be required to be paid not later than 90 days after imposed, and any remainder of the fine shall be paid prior to the final release of the defendant by the court.

(e) In lieu of payment of a fine imposed pursuant to this section, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed not later than one year after the fine is imposed or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date.

(f) Prior to filing a complaint alleging a violation of this section, a prosecutor shall request and shall receive from the:

(1) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and

(2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(g) The court shall electronically report every conviction of a violation of this section and every diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of this section to the division. Prior to sentencing under the provisions of this section, the court shall request and shall receive from the division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state.

(h) For the purpose of determining whether a conviction is a first, second, third, fourth or subsequent conviction in sentencing under this section:

(1) Convictions for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that such section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, shall be taken into account, but only convictions or diversions occurring: (A) On or after July 1, 2001; and (B) when such person was 18 years of age or older. Nothing in this provision shall be construed as preventing any court from considering any convictions or diversions occurring during the person's lifetime in determining the sentence to be imposed within

the limits provided for a first, second, third, fourth or subsequent offender;

(2) any convictions for a violation of the following sections which occurred during a person's lifetime shall be taken into account, but only convictions occurring when such person was 18 years of age or older: (A) This section; (B) driving a commercial motor vehicle under the influence, K.S.A. 8-2,144, and amendments thereto; (C) operating a vessel under the influence of alcohol or drugs, K.S.A. 32-1131, and amendments thereto; (D) involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or subsection (a)(3) of K.S.A. 2011 Supp. 21-5405, and amendments thereto; and (E) aggravated vehicular homicide, K.S.A. 21-3405a, prior to its repeal, or vehicular battery, K.S.A. 21-3405b, prior to its repeal, if the crime was committed while committing a violation of K.S.A. 8-1567, and amendments thereto;

(3) "conviction" includes: (A) Entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of a crime described in subsection (h)(2); (B) conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state or any law of another state which would constitute a crime described in subsection (h)(1) or (h)(2); and (C) receiving punishment under the uniform code of military justice or Kansas code of military justice for an act which was committed on a military reservation and which would constitute a crime described in subsection (h)(1) or (h)(2) if committed off a military reservation in this state;

(4) it is irrelevant whether an offense occurred before or after conviction for a previous offense;

(5) multiple convictions of any crime described in subsection (h)(1) or (h)(2) arising from the same arrest shall only be counted as one conviction; and

(6) a person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of this section, and amendments thereto, or an ordinance which prohibits the acts of this section, and amendments thereto, only once during the person's lifetime.

(i) Upon conviction of a person of a violation of this section or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section, the division, upon receiving a report of conviction, shall suspend, restrict or suspend and restrict the person's driving privileges as provided by K.S.A. 8-1014, and amendments thereto.

(j) (1) Nothing contained in this section shall be construed as preventing any city from enacting ordinances, or any county from adopting resolutions, declaring acts prohibited or made unlawful by this act as unlawful or prohibited in such city or county and prescribing penalties for violation thereof.

(2) The minimum penalty prescribed by any such ordinance or resolution shall not be less than the minimum penalty prescribed by this section for the same violation, and the maximum penalty in any such ordinance or resolution shall not exceed the maximum penalty prescribed for the same violation.

(3) On and after July 1, 2007, and retroactive for ordinance violations committed on or after July 1, 2006, an ordinance may grant to a municipal court jurisdiction over a violation of such ordinance which is concurrent with the jurisdiction of the district court over a violation of this section, notwithstanding that the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony.

(4) Any such ordinance or resolution shall authorize the court to order that the convicted person pay restitution to any victim who suffered loss due to the violation for which the person was convicted.

(k) (1) Upon the filing of a complaint, citation or notice to appear alleging a person has violated a city ordinance prohibiting the acts prohibited by this section, and prior to conviction thereof, a city attorney shall request and shall receive from the:

(A) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and

(B) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(2) If the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony, the city attorney shall refer the violation to the appropriate county or district attorney for prosecution.

(l) No plea bargaining agreement shall be entered into nor shall any judge approve a plea bargaining agreement entered into for the purpose of permitting a person charged with a violation of this section, or a violation of any ordinance of a city or resolution of any county in this state which prohibits the acts prohibited by this section, to avoid the mandatory penalties established by this section or by the ordinance. For the purpose of this subsection, entering into a diversion agreement pursuant to K.S.A. 12-4413 *et seq.* or 22-2906 *et seq.*, and amendments thereto, shall not constitute plea bargaining.

(m) As used in this section, "imprisonment" shall include any restrained environment in which the court and law enforcement agency intend to retain custody and control of a defendant and such environment has been approved by the board of county commissioners or the governing body of a city.

(n) On and after July 1, 2012, the amount of \$250 from each fine imposed pursuant to this section shall be remitted by the clerk of the district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2011 Supp. 75-52,113, and amendments thereto.

Sec. 3. K.S.A. 2011 Supp. 8-235 is hereby amended to read as follows: 8-235. (a) No person, except those expressly exempted, shall drive any motor vehicle upon a highway in this state unless such person has a valid driver's license. No person shall receive a driver's license unless and until such person surrenders or with the approval of the division, lists to the division all valid licenses in such person's possession issued to such person by any other jurisdiction. All surrendered licenses or the information listed on foreign licenses shall be returned by the division to the issuing department, together with information that the licensee is now licensed in a new jurisdiction. No person shall be permitted to have more than one valid license at any time.

(b) Any person licensed under the motor vehicle drivers' license act may exercise the privilege granted upon all streets and highways in this state and shall not be required to obtain any other license to exercise such privilege by any local authority. Nothing herein shall prevent cities from requiring licenses of persons who drive taxicabs or municipally franchised transit systems for hire upon city streets, to protect the public from drivers whose character or habits make them unfit to transport the public. If a license is denied, the applicant may appeal such decision to the district court of the

county in which such city is located by filing within 14 days after such denial, a notice of appeal with the clerk of the district court and by filing a copy of such notice with the city clerk of the involved city. The city clerk shall certify a copy of such decision of the city governing body to the clerk of the district court and the matter shall be docketed as any other cause and the applicant shall be granted a trial of such person's character and habits. The matter shall be heard by the court de novo in accordance with the code of civil procedure. The cost of such appeal shall be assessed in such manner as the court may direct.

(c) Any person operating in this state a motor vehicle, except a motorcycle, which is registered in this state other than under a temporary thirty-day permit shall be the holder of a driver's license which is classified for the operation of such motor vehicle, and any person operating in this state a motorcycle which is registered in this state shall be the holder of a class M driver's license, except that any person operating in this state a motorcycle which is registered under a temporary thirty-day permit shall be the holder of a driver's license for any class of motor vehicles.

(d) No person shall drive any motorized bicycle upon a highway of this state unless: (1) Such person has a valid driver's license which entitles the licensee to drive a motor vehicle in any class or classes; (2) such person is at least 15 years of age and has passed the written and visual examinations required for obtaining a class C driver's license, in which case the division shall issue to such person a class C license which clearly indicates such license is valid only for the operation of motorized bicycles; or (3) such person has had their driving privileges suspended, for a violation other than a violation of K.S.A. 8-2,144, 8-1567 or 8-1567a or section 2, and amendments thereto, and has made application to the division for the issuance of a class C license for the operation of motorized bicycles, in accordance with paragraph (2), in which case the division shall issue to such person a class C license which clearly indicates such license is valid only for the operation of motorized bicycles.

(e) Violation of this section shall constitute a class B misdemeanor.";

And by renumbering sections accordingly;

Also on page 1, in line 33, following "refusal" by inserting ", a conviction for a violation of section 2, and amendments thereto, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by section 2, and amendments thereto,";

On page 2, following line 33, by inserting:

"Sec. 5. K.S.A. 2011 Supp. 8-262 is hereby amended to read as follows: 8-262. (a) (1) Any person who drives a motor vehicle on any highway of this state at a time when such person's privilege so to do is canceled, suspended or revoked or while such person's privilege to obtain a driver's license is suspended or revoked pursuant to K.S.A. 8-252a, and amendments thereto, shall be guilty of a class B nonperson misdemeanor on the first conviction and a class A nonperson misdemeanor on the second or subsequent conviction.

(2) No person shall be convicted under this section if such person was entitled at the time of arrest under K.S.A. 8-257, and amendments thereto, to the return of such person's driver's license.

(3) Except as otherwise provided by subsection (a)(4) or (c), every person convicted under this section shall be sentenced to at least five days' imprisonment and fined at least \$100 and upon a second conviction shall not be eligible for parole until

completion of five days' imprisonment.

(4) Except as otherwise provided by subsection (c), if a person: (A) Is convicted of a violation of this section, committed while the person's privilege to drive or privilege to obtain a driver's license was suspended or revoked for a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or any ordinance of any city or resolution of any county or a law of another state, which ordinance or resolution or law prohibits the acts prohibited by those statutes; and (B) is or has been also convicted of a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or any ordinance of any city or resolution of any county or law of another state, which ordinance or resolution or law prohibits the acts prohibited by those statutes, committed while the person's privilege to drive or privilege to obtain a driver's license was so suspended or revoked, the person shall not be eligible for suspension of sentence, probation or parole until the person has served at least 90 days' imprisonment, and any fine imposed on such person shall be in addition to such a term of imprisonment.

(b) The division, upon receiving a record of the conviction of any person under this section, or any ordinance of any city or resolution of any county or a law of another state which is in substantial conformity with this section, upon a charge of driving a vehicle while the license of such person is revoked or suspended, shall extend the period of such suspension or revocation for an additional period of 90 days.

(c) (1) The person found guilty of a class A nonperson misdemeanor on a third or subsequent conviction of this section shall be sentenced to not less than 90 days imprisonment and fined not less than \$1,500 if such person's privilege to drive a motor vehicle is canceled, suspended or revoked because such person:

(A) Refused to submit and complete any test of blood, breath or urine requested by law enforcement excluding the preliminary screening test as set forth in K.S.A. 8-1012, and amendments thereto;

(B) was convicted of violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage;

(C) was convicted of vehicular homicide, K.S.A. 21-3405, prior to its repeal, or K.S.A. 2011 Supp. 21-5406, and amendments thereto, involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or involuntary manslaughter as defined in subsection (a)(3) of K.S.A. 2011 Supp. 21-5405, and amendments thereto, or any other murder or manslaughter crime resulting from the operation of a motor vehicle; or

(D) was convicted of being a habitual violator, K.S.A. 8-287, and amendments thereto.

(2) The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, or any municipal ordinance to serve the remainder of the minimum sentence only after such person has served 48 consecutive hours' imprisonment.

(d) For the purposes of determining whether a conviction is a first, second, third or

subsequent conviction in sentencing under this section, "conviction" includes a conviction of a violation of any ordinance of any city or resolution of any county or a law of another state which is in substantial conformity with this section.

Sec. 6. K.S.A. 2011 Supp. 8-285 is hereby amended to read as follows: 8-285. Except as otherwise provided in this section, as used in this act, the words and phrases defined in K.S.A. 8-234a, and amendments thereto, shall have the meanings ascribed to them therein. The term "habitual violator" means any resident or nonresident person who, within the immediately preceding five years, has been convicted in this or any other state:

(a) Three or more times of:

(1) Vehicular homicide, as defined by K.S.A. 21-3405, prior to its repeal, or K.S.A. 2011 Supp. 21-5406, and amendments thereto, or as prohibited by any ordinance of any city in this state, any resolution of any county in this state or any law of another state which is in substantial conformity with that statute;

(2) violating K.S.A. 8-1567, and amendments thereto, or violating an ordinance of any city in this state, any resolution of any county in this state or any law of another state, which ordinance, resolution or law declares to be unlawful the acts prohibited by that statute;

(3) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or while such person's privilege to obtain a driver's license is suspended or revoked pursuant to K.S.A. 8-252a, and amendments thereto, or, as prohibited by any ordinance of any city in this state, any resolution of any county in this state or any law of another state which is in substantial conformity with those statutes;

(4) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(5) violating the provisions of the fifth clause of K.S.A. 8-142, and amendments thereto, relating to fraudulent applications, or violating the provisions of a law of another state which is in substantial conformity with that statute;

(6) any crime punishable as a felony, if a motor vehicle was used in the perpetration of the crime;

(7) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602 through 8-1604, and amendments thereto, or required by any ordinance of any city in this state, any resolution of any county in this state or a law of another state which is in substantial conformity with those statutes; ~~or~~

(8) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage, or an ordinance of any city in this state or a resolution of any county in this state which is in substantial conformity with such statute; or

(9) violating section 2, and amendments thereto, or violating an ordinance of any city in this state, a resolution of any county in this state or any law of another state which ordinance, resolution or law declares to be unlawful the acts prohibited by that statute.

(b) Three or more times, either singly or in combination, of any of the offenses enumerated in subsection (a).

For the purpose of subsection (a)(2) and (a)(9), in addition to the definition of "conviction" otherwise provided by law, conviction includes, but is not limited to, a

diversion agreement entered into in lieu of further criminal proceedings, or a plea of *nolo contendere*, on a complaint, indictment, information, citation or notice to appear alleging a violation of K.S.A. 8-1567 or section 2, and amendments thereto, or an ordinance of a city in this state, a resolution of a county in this state or law of another state, which ordinance or law prohibits the acts prohibited by ~~that statute~~ those statutes.";

And by renumbering sections accordingly;

On page 3, in line 10, by striking "\$500" and inserting "\$750"; in line 17, by striking "\$1,000" and inserting "\$1,250"; in line 18, by striking "\$1,500" and inserting "\$1,750"; in line 42, by striking "\$1,500" and inserting "\$1,750";

On page 6, by striking all in lines 30 through 37 and inserting:

"(1) Convictions for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that such section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, shall be taken into account, but only convictions or diversions occurring on or after July 1, 2001. Nothing in this provision shall be construed as preventing any court from considering any convictions or diversions occurring during the person's lifetime in determining the sentence to be imposed within the limits provided for a first, second, third, fourth or subsequent offender;

(2) any convictions for a violation of the following sections occurring during a person's lifetime shall be taken into account: (A) This section; (B) refusing to submit to a test to determine the presence of alcohol or drugs, section 2, and amendments thereto; (C) operating a vessel under the influence of alcohol or drugs, K.S.A. 32-1131, and amendments thereto; (D) involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or subsection (a)(3) of K.S.A. 2011 Supp. 21-5405, and amendments thereto; and (E) aggravated vehicular homicide, K.S.A. 21-3405a, prior to its repeal, or vehicular battery, K.S.A. 21-3405b, prior to its repeal, if the crime was committed while committing a violation of K.S.A. 8-1567, and amendments thereto;

(3) "conviction" includes: (A) Entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of a crime described in subsection (n)(2); (B) conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state or any law of another state which would constitute a crime described in subsection (n)(1) or (n)(2); and (C) receiving punishment under the uniform code of military justice or Kansas code of military justice for an act which was committed on a military reservation and which would constitute a crime described in subsection (n)(1) or (n)(2) if committed off a military reservation in this state;

(4) it is irrelevant whether an offense occurred before or after conviction for a previous offense; and

(5) multiple convictions of any crime described in subsection (n)(1) or (n)(2) arising from the same arrest shall only be counted as one conviction.";

On page 7, following line 10, by inserting:

"(p) On and after July 1, 2011, the amount of \$250 from each fine imposed pursuant to this section shall be remitted by the clerk of the district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall credit the entire

amount to the community corrections supervision fund established by K.S.A. 2011 Supp. 75-52,113, and amendments thereto.

Sec. 8. K.S.A. 2011 Supp. 8-1001 is hereby amended to read as follows: 8-1001.

(a) Any person who operates or attempts to operate a vehicle within this state is deemed to have given consent, subject to the provisions of this act, to submit to one or more tests of the person's blood, breath, urine or other bodily substance to determine the presence of alcohol or drugs. The testing deemed consented to herein shall include all quantitative and qualitative tests for alcohol and drugs. A person who is dead or unconscious shall be deemed not to have withdrawn the person's consent to such test or tests, which shall be administered in the manner provided by this section.

(b) A law enforcement officer shall request a person to submit to a test or tests deemed consented to under subsection (a): (1) If the officer has reasonable grounds to believe the person was operating or attempting to operate a vehicle while under the influence of alcohol or drugs, or both, or to believe that the person was driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system, or was under the age of 21 years while having alcohol or other drugs in such person's system; and one of the following conditions exists: (A) The person has been arrested or otherwise taken into custody for any offense involving operation or attempted operation of a vehicle while under the influence of alcohol or drugs, or both, or for a violation of K.S.A. 8-1567a, and amendments thereto, or involving driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system, in violation of a state statute or a city ordinance; or (B) the person has been involved in a vehicle accident or collision resulting in property damage or personal injury other than serious injury; or (2) if the person was operating or attempting to operate a vehicle and such vehicle has been involved in an accident or collision resulting in serious injury or death of any person and the operator could be cited for any traffic offense, as defined in K.S.A. 8-2117, and amendments thereto. The traffic offense violation shall constitute probable cause for purposes of paragraph (2). The test or tests under paragraph (2) shall not be required if a law enforcement officer has reasonable grounds to believe the actions of the operator did not contribute to the accident or collision. The law enforcement officer directing administration of the test or tests may act on personal knowledge or on the basis of the collective information available to law enforcement officers involved in the accident investigation or arrest.

(c) If a law enforcement officer requests a person to submit to a test of blood under this section, the withdrawal of blood at the direction of the officer may be performed only by: (1) A person licensed to practice medicine and surgery, licensed as a physician's assistant, or a person acting under the direction of any such licensed person; (2) a registered nurse or a licensed practical nurse; (3) any qualified medical technician, including, but not limited to, an emergency medical technician-intermediate, mobile intensive care technician, an emergency medical technician-intermediate defibrillator, an advanced emergency medical technician or a paramedic, as those terms are defined in K.S.A. 65-6112, and amendments thereto, authorized by medical protocol or (4) a phlebotomist.

(d) A law enforcement officer may direct a medical professional described in this section to draw a sample of blood from a person:

(1) If the person has given consent and meets the requirements of subsection (b);

(2) if medically unable to consent, if the person meets the requirements of paragraph (2) of subsection (b); or

(3) if the person refuses to submit to and complete a test, if the person meets the requirements of paragraph (2) of subsection (b).

(e) When so directed by a law enforcement officer through a written statement, the medical professional shall withdraw the sample as soon as practical and shall deliver the sample to the law enforcement officer or another law enforcement officer as directed by the requesting law enforcement officer as soon as practical, provided the collection of the sample does not jeopardize the person's life, cause serious injury to the person or seriously impede the person's medical assessment, care or treatment. The medical professional authorized herein to withdraw the blood and the medical care facility where the blood is drawn may act on good faith that the requirements have been met for directing the withdrawing of blood once presented with the written statement provided for under this subsection. The medical professional shall not require the person to sign any additional consent or waiver form. In such a case, the person authorized to withdraw blood and the medical care facility shall not be liable in any action alleging lack of consent or lack of informed consent.

(f) Such sample or samples shall be an independent sample and not be a portion of a sample collected for medical purposes. The person collecting the blood sample shall complete the collection portion of a document provided by law enforcement.

(g) If a person must be restrained to collect the sample pursuant to this section, law enforcement shall be responsible for applying any such restraint utilizing acceptable law enforcement restraint practices. The restraint shall be effective in controlling the person in a manner not to jeopardize the person's safety or that of the medical professional or attending medical or health care staff during the drawing of the sample and without interfering with medical treatment.

(h) A law enforcement officer may request a urine sample upon meeting the requirements of paragraph (1) of subsection (b) and shall request a urine sample upon meeting the requirements of paragraph (2) of subsection (b).

(i) If a law enforcement officer requests a person to submit to a test of urine under this section, the collection of the urine sample shall be supervised by: (1) A person licensed to practice medicine and surgery, licensed as a physician's assistant, or a person acting under the direction of any such licensed person; (2) a registered nurse or a licensed practical nurse; or (3) a law enforcement officer of the same sex as the person being tested. The collection of the urine sample shall be conducted out of the view of any person other than the persons supervising the collection of the sample and the person being tested, unless the right to privacy is waived by the person being tested. When possible, the supervising person shall be a law enforcement officer. The results of qualitative testing for drug presence shall be admissible in evidence and questions of accuracy or reliability shall go to the weight rather than the admissibility of the evidence. If the person is medically unable to provide a urine sample in such manner due to the injuries or treatment of the injuries, the same authorization and procedure as used for the collection of blood in subsections (d) and (e) shall apply to the collection of a urine sample.

(j) No law enforcement officer who is acting in accordance with this section shall be liable in any civil or criminal proceeding involving the action.

(k) Before a test or tests are administered under this section, the person shall be

given oral and written notice that: (1) Kansas law requires the person to submit to and complete one or more tests of breath, blood or urine to determine if the person is under the influence of alcohol or drugs, or both;

(2) the opportunity to consent to or refuse a test is not a constitutional right;

(3) there is no constitutional right to consult with an attorney regarding whether to submit to testing;

(4) if the person refuses to submit to and complete any test of breath, blood or urine hereafter requested by a law enforcement officer, the person may be charged with a separate crime of refusing to submit to a test to determine the presence of alcohol or drugs, which carries criminal penalties that are equal to the criminal penalties for the crime of driving under the influence;

~~(4)~~ (5) if the person refuses to submit to and complete any test of breath, blood or urine hereafter requested by a law enforcement officer, the person's driving privileges will be suspended for one year for the first or subsequent occurrence;

~~(5)~~ (6) if the person submits to and completes the test or tests and the test results show:

(A) An alcohol concentration of .08 or greater, the person's driving privileges will be suspended for 30 days for the first occurrence and one year for the second or subsequent occurrence; or

(B) an alcohol concentration of .15 or greater, the person's driving privileges will be suspended for one year for the first or subsequent occurrence;

~~(6)~~ (7) if the person is less than 21 years of age at the time of the test request and submits to and completes the tests and the test results show an alcohol concentration of .08 or greater, the person's driving privileges will be suspended for one year;

~~(7)~~ (8) refusal to submit to testing may be used against the person at any trial on a charge arising out of the operation or attempted operation of a vehicle while under the influence of alcohol or drugs, or both;

~~(8)~~ (9) the results of the testing may be used against the person at any trial on a charge arising out of the operation or attempted operation of a vehicle while under the influence of alcohol or drugs, or both; and

~~(9)~~ (10) after the completion of the testing, the person has the right to consult with an attorney and may secure additional testing, which, if desired, should be done as soon as possible and is customarily available from medical care facilities willing to conduct such testing.

(1) If a law enforcement officer has reasonable grounds to believe that the person has been driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system, the person shall also be provided the oral and written notice pursuant to K.S.A. 8-2,145, and amendments thereto. Any failure to give the notices required by K.S.A. 8-2,145, and amendments thereto, shall not invalidate any action taken as a result of the requirements of this section. If a law enforcement officer has reasonable grounds to believe that the person has been driving or attempting to drive a vehicle while having alcohol or other drugs in such person's system and such person was under 21 years of age, the person also shall be given the notices required by K.S.A. 8-1567a, and amendments thereto. Any failure to give the notices required by K.S.A. 8-1567a, and amendments thereto, shall not invalidate any action taken as a result of the requirements of this section.

(m) After giving the foregoing information, a law enforcement officer shall request the person to submit to testing. The selection of the test or tests shall be made by the officer. If the test results show a blood or breath alcohol concentration of .08 or greater, the person's driving privileges shall be subject to suspension, or suspension and restriction, as provided in K.S.A. 8-1002 and 8-1014, and amendments thereto.

(n) The person's refusal shall be admissible in evidence against the person at any trial on a charge arising out of the alleged operation or attempted operation of a vehicle while under the influence of alcohol or drugs, or both. The person's refusal shall be admissible in evidence against the person at any trial on a charge arising out of the alleged violation of section 2, and amendments thereto.

(o) If a law enforcement officer had reasonable grounds to believe the person had been driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, and the test results show a blood or breath alcohol concentration of .04 or greater, the person shall be disqualified from driving a commercial motor vehicle, pursuant to K.S.A. 8-2,142, and amendments thereto. If a law enforcement officer had reasonable grounds to believe the person had been driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, and the test results show a blood or breath alcohol concentration of .08 or greater, or the person refuses a test, the person's driving privileges shall be subject to suspension, or suspension and restriction, pursuant to this section, in addition to being disqualified from driving a commercial motor vehicle pursuant to K.S.A. 8-2,142, and amendments thereto.

(p) An officer shall have probable cause to believe that the person operated a vehicle while under the influence of alcohol or drugs, or both, if the vehicle was operated by such person in such a manner as to have caused the death of or serious injury to a person. In such event, such test or tests may be made pursuant to a search warrant issued under the authority of K.S.A. 22-2502, and amendments thereto, or without a search warrant under the authority of K.S.A. 22-2501, and amendments thereto.

(q) Failure of a person to provide an adequate breath sample or samples as directed shall constitute a refusal unless the person shows that the failure was due to physical inability caused by a medical condition unrelated to any ingested alcohol or drugs.

(r) It shall not be a defense that the person did not understand the written or oral notice required by this section.

(s) No test results shall be suppressed because of technical irregularities in the consent or notice required pursuant to this act.

(t) Nothing in this section shall be construed to limit the admissibility at any trial of alcohol or drug concentration testing results obtained pursuant to a search warrant.

(u) Upon the request of any person submitting to testing under this section, a report of the results of the testing shall be made available to such person.

(v) This act is remedial law and shall be liberally construed to promote public health, safety and welfare.

(w) As used in this section, "serious injury" means a physical injury to a person, as determined by law enforcement, which has the effect of, prior to the request for testing:

(1) Disabling a person from the physical capacity to remove themselves from the scene;

(2) renders a person unconscious;

- (3) the immediate loss of or absence of the normal use of at least one limb;
- (4) an injury determined by a physician to require surgery; or
- (5) otherwise indicates the person may die or be permanently disabled by the injury.";

And by renumbering sections accordingly;

Also on page 7, in line 23, following "8-1567" by inserting "or section 2"; in line 29, following "8-1567" by inserting "or section 2";

On page 8, in line 5, following "8-1567" by inserting "or section 2"; in line 8, by striking "Except as"; in line 9, by striking "provided further,"; in line 11, by striking all after the period; by striking all in line 12; in line 13, by striking all before "The"; in line 14, by striking ", whether paid by the person or the court,"; in line 19, following "8-1567" by inserting "or section 2"; in line 24, by striking "or the court"; following line 31, by inserting:

"Sec. 10. K.S.A. 2011 Supp. 8-1013 is hereby amended to read as follows: 8-1013. As used in K.S.A. 8-1001 through 8-1010, 8-1011, 8-1012, 8-1014, 8-1015, 8-1016, 8-1017 and 8-1018, and amendments thereto, and this section:

(a) "Alcohol concentration" means the number of grams of alcohol per 100 milliliters of blood or per 210 liters of breath.

(b) (1) "Alcohol or drug-related conviction" means any of the following: (A) Conviction of vehicular battery or aggravated vehicular homicide, if the crime is committed while committing a violation of K.S.A. 8-1567, and amendments thereto, or the ordinance of a city or resolution of a county in this state which prohibits any acts prohibited by that statute, or conviction of a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto; (B) conviction of a violation of a law of another state which would constitute a crime described in subsection (b)(1)(A) if committed in this state; (C) conviction of a violation of an ordinance of a city in this state or a resolution of a county in this state which would constitute a crime described in subsection (b)(1)(A), whether or not such conviction is in a court of record; or (D) conviction of an act which was committed on a military reservation and which would constitute a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or would constitute a crime described in subsection (b)(1)(A) if committed off a military reservation in this state.

(2) For the purpose of determining whether an occurrence is a first, second or subsequent occurrence: (A) "Alcohol or drug-related conviction" also includes entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging commission of a crime described in subsection (b)(1), including a diversion agreement entered into prior to the effective date of this act; and (B) it is irrelevant whether an offense occurred before or after conviction or diversion for a previous offense.

(c) "Division" means the division of vehicles of the department of revenue.

(d) "Ignition interlock device" means a device which uses a breath analysis mechanism to prevent a person from operating a motor vehicle if such person has consumed an alcoholic beverage.

(e) "Occurrence" means a test refusal, test failure or alcohol or drug-related conviction, or any combination thereof arising from one arrest, including an arrest which occurred prior to the effective day of this act.

(f) "Other competent evidence" includes: (1) Alcohol concentration tests obtained

from samples taken three hours or more after the operation or attempted operation of a vehicle; and (2) readings obtained from a partial alcohol concentration test on a breath testing machine.

(g) "Samples" includes breath supplied directly for testing, which breath is not preserved.

(h) "Test failure" or "fails a test" refers to a person's having results of a test administered pursuant to this act, other than a preliminary screening test, which show an alcohol concentration of .08 or greater in the person's blood or breath, and includes failure of any such test on a military reservation.

(i) "Test refusal" or "refuses a test" refers to a person's failure to submit to or complete any test of the person's blood, breath, urine or other bodily substance, other than a preliminary screening test, in accordance with this act, and includes refusal of any such test on a military reservation.

(j) "Law enforcement officer" has the meaning provided by K.S.A. 2011 Supp. 21-5111, and amendments thereto, and includes any person authorized by law to make an arrest on a military reservation for an act which would constitute a violation of K.S.A. 8-1567 or section 2, and amendments thereto, if committed off a military reservation in this state.";

And by renumbering sections accordingly;

On page 11, in line 5, following "1567" by inserting "or section 2";

On page 20, following line 42, by inserting:

"Sec. 14. K.S.A. 8-1501 is hereby amended to read as follows: 8-1501. The provisions of this article relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except:

(a) Where a different place is specifically referred to in a given section; and

(b) The provisions of K.S.A. 8-1566 to 8-1568, inclusive, section 2 and the provisions of article 10 of chapter 8 of the Kansas Statutes Annotated, and any acts amendatory thereof, shall apply upon highways and elsewhere throughout the state.";

And by renumbering sections accordingly;

On page 21, in line 23, by striking "\$500" and inserting "\$750"; in line 33, by striking "\$1,000" and inserting "\$1,250"; in line 34, by striking "\$1,500" and inserting "\$1,750";

On page 22, in line 16, by striking "\$1,500" and inserting "\$1,750"; in line 42, by striking "\$1,500" and inserting "\$1,750";

On page 23, in line 21, by striking "felon" and inserting "felony";

On page 27, by striking all in lines 5 through 15 and inserting:

(1) Convictions for a violation of this section, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that this section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, shall be taken into account, but only convictions or diversions occurring on or after July 1, 2001. Nothing in this provision shall be construed as preventing any court from considering any convictions or diversions occurring during the person's lifetime in determining the sentence to be imposed within the limits provided for a first, second, third, fourth or subsequent offender;

(2) any convictions for a violation of the following sections occurring during a person's lifetime shall be taken into account: (A) Refusing to submit to a test to

determine the presence of alcohol or drugs, section 2, and amendments thereto; (B) driving a commercial motor vehicle under the influence, K.S.A. 8-2,144, and amendments thereto; (C) operating a vessel under the influence of alcohol or drugs, K.S.A. 32-1131, and amendments thereto; (D) involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or subsection (a)(3) of K.S.A. 2011 Supp. 21-5405, and amendments thereto; and (E) aggravated vehicular homicide, K.S.A. 21-3405a, prior to its repeal, or vehicular battery, K.S.A. 21-3405b, prior to its repeal, if the crime was committed while committing a violation of K.S.A. 8-1567, and amendments thereto;

(3) "conviction" includes: (A) Entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of a crime described in subsection (i)(2); (B) conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state or any law of another state which would constitute a crime described in subsection (i)(1) or (i)(2); and (C) receiving punishment under the uniform code of military justice or Kansas code of military justice for an act which was committed on a military reservation and which would constitute a crime described in subsection (i)(1) or (i)(2) if committed off a military reservation in this state;

(4) multiple convictions of any crime described in subsection (i)(1) or (i)(2) arising from the same arrest shall only be counted as one conviction;"

And by redesignating subsections accordingly;

On page 29, in line 5, following "(p)" by inserting "(1)"; following line 20, by inserting:

"(2) On and after July 1, 2011, the amount of \$250 from each fine imposed pursuant to this section shall be remitted by the clerk of the district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2011 Supp. 75-52,113, and amendments thereto.

Sec. 16. K.S.A. 2011 Supp. 12-4106 is hereby amended to read as follows: 12-4106. (a) The municipal judge shall have the power to administer the oaths and enforce all orders, rules and judgments made by such municipal judge, and may fine or imprison for contempt in the same manner and to the same extent as a judge of the district court.

(b) The municipal judge shall have the power to hear and determine all cases properly brought before such municipal judge to: Grant continuances; sentence those found guilty to a fine or confinement in jail, or both; commit accused persons to jail in default of bond; determine applications for parole; release on probation; grant time in which a fine may be paid; correct a sentence; suspend imposition of a sentence; set aside a judgment; permit time for post trial motions; and discharge accused persons.

(c) The municipal judge shall maintain a docket in which every cause commenced before such municipal judge shall be entered. Such docket shall contain the names of the accused persons and complainant, the nature or character of the offense, the date of trial, the names of all witnesses sworn and examined, the finding of the court, the judgment and sentence, the date of payment, the date of issuing commitment, if any, and every other fact necessary to show the full proceedings in each case.

(d) The municipal judge shall promptly make such reports and furnish the information requested by any departmental justice or the judicial administrator, in the

manner and form prescribed by the supreme court.

(e) The municipal judge shall ensure that information concerning dispositions of city ordinance violations that result in convictions comparable to convictions for class A and B misdemeanors under Kansas criminal statutes is forwarded to the Kansas bureau of investigation central repository. This information shall be transmitted, on a form or in a format approved by the attorney general, within 30 days of final disposition.

(f) In all cases alleging a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, the municipal court judge shall ensure that the municipal court reports the filing and disposition of such case to the Kansas bureau of investigation central repository, and, on and after July 1, 2013, reports the filing and disposition of such case electronically to the Kansas bureau of investigation central repository.

(g) In all cases in which a fine is imposed for a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, the municipal court judge shall ensure that the municipal court remits the appropriate amount of such fine to the state treasurer as provided in section 1, and amendments thereto.

Sec. 17. K.S.A. 12-4413 is hereby amended to read as follows: 12-4413. As used in K.S.A. 8-1009; and 12-4413 to 12-4418, inclusive ~~and 22-3609~~, and amendments thereto:

- (a) "City attorney" means a city attorney of a city of this state.
- (b) "Complaint" means complaint, citation or notice to appear in a municipal court.
- (c) "Diversion" means referral of a defendant in a criminal case charging an alcohol related offense to a supervised performance program prior to adjudication.
- (d) "Diversion agreement" means the specification of formal terms and conditions which a defendant must fulfill in order to have the charges against such person dismissed.

(e) "Alcohol related offense" means violation of an ordinance of a city of this state that prohibits the acts prohibited by K.S.A. 8-1567 or section 2, and amendments thereto, or violation of such statute.

Sec. 18. K.S.A. 2011 Supp. 12-4414 is hereby amended to read as follows: 12-4414. (a) Except as provided in K.S.A. 8-1567 and section 2, and amendments thereto, after a complaint has been filed charging a defendant with violation of an alcohol or drug related offense and prior to conviction thereof, and after the city attorney has considered the factors listed in K.S.A. 12-4415, and amendments thereto, if it appears to the city attorney that diversion of the defendant would be in the interests of justice and of benefit to the defendant and the community, the city attorney may propose a diversion agreement to the defendant. The terms of each diversion agreement shall be established by the city attorney in accordance with K.S.A. 12-4416, and amendments thereto.

(b) Each city attorney shall adopt written policies and guidelines for the implementation of a diversion program in accordance with K.S.A. 8-1009 and 12-4412 to 12-4417, inclusive, and amendments thereto. Such policies and guidelines shall provide for a diversion conference and other procedures in those cases where the city attorney elects to offer diversion in lieu of further criminal proceedings on the complaint.

(c) Each defendant shall be informed in writing of the diversion program and the

policies and guidelines adopted by the city attorney. The city attorney may require any defendant requesting diversion to provide information regarding prior criminal charges, education, work experience and training, family, residence in the community, medical history, including any psychiatric or psychological treatment or counseling, and other information relating to the diversion program. In all cases, the defendant shall be present and shall have the right to be represented by counsel at the diversion conference with the city attorney.

Sec. 19. K.S.A. 2011 Supp. 12-4415 is hereby amended to read as follows: 12-4415. (a) In determining whether diversion of a defendant is in the interests of justice and of benefit to the defendant and the community, the city attorney shall consider at least the following factors among all factors considered:

- (1) The nature of the crime charged and the circumstances surrounding it;
- (2) any special characteristics or circumstances of the defendant;
- (3) whether the defendant is a first-time offender of an alcohol related offense and if the defendant has previously participated in diversion, according to the certification of the division of vehicles of the state department of revenue;
- (4) whether there is a probability that the defendant will cooperate with and benefit from diversion;
- (5) whether the available diversion program is appropriate to the needs of the defendant;
- (6) the impact of the diversion of the defendant upon the community;
- (7) recommendations, if any, of the involved law enforcement agency;
- (8) recommendations, if any, of the victim;
- (9) provisions for restitution; and
- (10) any mitigating circumstances.

(b) A city attorney shall not enter into a diversion agreement in lieu of further criminal proceedings on a complaint alleging an alcohol related offense if the defendant:

- (1) Has previously participated in diversion of an alcohol related offense;
- (2) has previously been convicted of or pleaded *nolo contendere* to an alcohol related offense in this state or has previously been convicted of or pleaded *nolo contendere* to a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto or of a law of another state, or of a political subdivision thereof, which prohibits the acts prohibited by those statutes; or
- (3) during the time of the alleged alcohol related offense was involved in a motor vehicle accident or collision resulting in personal injury or death.

Sec. 20. K.S.A. 2011 Supp. 12-4416 is hereby amended to read as follows: 12-4416. (a) A diversion agreement shall provide that if the defendant fulfills the obligations of the program described therein, as determined by the city attorney, the city attorney shall act to have the criminal charges against the defendant dismissed with prejudice. The diversion agreement shall include specifically the waiver of all rights under the law or the constitution of Kansas or of the United States to counsel, a speedy arraignment, a speedy trial, and the right to trial by jury. The diversion agreement may include, but is not limited to, provisions concerning payment of restitution, including court costs and diversion costs, residence in a specified facility, maintenance of gainful employment, and participation in programs offering medical, educational, vocational, social and psychological services, corrective and preventive guidance and other

rehabilitative services. The diversion agreement shall state:

- (1) The defendant's full name;
- (2) the defendant's full name at the time the complaint was filed, if different from the defendant's current name;
- (3) the defendant's sex, race and date of birth;
- (4) the crime with which the defendant is charged;
- (5) the date the complaint was filed; and
- (6) the municipal court with which the agreement is filed.

(b) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging an alcohol related offense, the diversion agreement shall include a stipulation, agreed to by the defendant and the city attorney, of the facts upon which the charge is based and a provision that if the defendant fails to fulfill the terms of the specific diversion agreement and the criminal proceedings on the complaint are resumed, the proceedings, including any proceedings on appeal, shall be conducted on the record of the stipulation of facts relating to the complaint. In addition, the agreement shall include a requirement that the defendant:

(1) Pay a fine specified by the agreement in an amount equal to an amount authorized by K.S.A. 8-1567 or section 2, and amendments thereto, for a first offense or, in lieu of payment of the fine, perform community service specified by the agreement, consonant with K.S.A. 8-1567 or section 2, and amendments thereto; and

(2) participate in an alcohol and drug evaluation conducted by a licensed provider pursuant to K.S.A. 8-1008, and amendments thereto, and follow any recommendation made by the provider after such evaluation.

(c) If the person entering into a diversion agreement is a nonresident, the city attorney shall transmit a copy of the diversion agreement to the division. The division shall forward a copy of the diversion agreement to the motor vehicle administrator of the person's state of residence.

(d) If the city attorney elects to offer diversion in lieu of further criminal proceedings on the complaint and the defendant agrees to all of the terms of the proposed agreement, the diversion agreement shall be filed with the municipal court and the municipal court shall stay further proceedings on the complaint. If the defendant declines to accept diversion, the municipal court shall resume the criminal proceedings on the complaint.

(e) The city attorney shall forward to the division of vehicles of the state department of revenue a copy of the diversion agreement at the time such agreement is filed with the municipal court. The copy of the agreement shall be made available upon request to any county, district or city attorney or court.

Sec. 21. K.S.A. 2011 Supp. 12-4517 is hereby amended to read as follows: 12-4517. (a) (1) The municipal court judge shall ensure that all persons convicted of violating municipal ordinance provisions that prohibit conduct comparable to a class A or B misdemeanor or assault as defined in subsection (a) of K.S.A. 2011 Supp. 21-5412, and amendments thereto, under a Kansas criminal statute are fingerprinted and processed.

(2) The municipal court judge shall ensure that all persons arrested or charged with a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, are fingerprinted and processed at the time of booking or first appearance, whichever occurs first.

(b) The municipal court judge shall order the individual to be fingerprinted at an appropriate location as determined by the municipal court judge. Failure of the person to be fingerprinted after court order issued by the municipal judge shall constitute contempt of court. To reimburse the city or other entity for costs associated with fingerprinting, the municipal court judge may assess reasonable court costs, in addition to other court costs imposed by the state or municipality.

Sec. 22. K.S.A. 2011 Supp. 21-5203 is hereby amended to read as follows: 21-5203. A person may be guilty of a crime without having a culpable mental state if the crime is:

(a) A misdemeanor, cigarette or tobacco infraction or traffic infraction and the statute defining the crime clearly indicates a legislative purpose to impose absolute liability for the conduct described;

(b) a felony and the statute defining the crime clearly indicates a legislative purpose to impose absolute liability for the conduct described;

(c) a violation of K.S.A. 8-1567 or 8-1567a, and amendments thereto;

(d) a violation of K.S.A. 8-2,144, and amendments thereto; or

(e) a violation of section 2, and amendments thereto; or

~~(e)~~ (f) a violation of K.S.A. 22-4901 *et seq.*, and amendments thereto.

Sec. 23. K.S.A. 2011 Supp. 21-6804 is hereby amended to read as follows: 21-6804. (a) The provisions of this section shall be applicable to the sentencing guidelines grid for nondrug crimes. The following sentencing guidelines grid shall be applicable to nondrug felony crimes:

(b) Sentences expressed in the sentencing guidelines grid for nondrug crimes represent months of imprisonment.

(c) The sentencing guidelines grid is a two-dimensional crime severity and criminal history classification tool. The grid's vertical axis is the crime severity scale which classifies current crimes of conviction. The grid's horizontal axis is the criminal history scale which classifies criminal histories.

(d) The sentencing guidelines grid for nondrug crimes as provided in this section defines presumptive punishments for felony convictions, subject to the sentencing court's discretion to enter a departure sentence. The appropriate punishment for a felony conviction should depend on the severity of the crime of conviction when compared to all other crimes and the offender's criminal history.

(e) (1) The sentencing court has discretion to sentence at any place within the sentencing range. In the usual case it is recommended that the sentencing judge select the center of the range and reserve the upper and lower limits for aggravating and mitigating factors insufficient to warrant a departure.

(2) In presumptive imprisonment cases, the sentencing court shall pronounce the complete sentence which shall include the:

(A) Prison sentence;

(B) maximum potential reduction to such sentence as a result of good time; and

(C) period of postrelease supervision at the sentencing hearing. Failure to pronounce the period of postrelease supervision shall not negate the existence of such period of postrelease supervision.

(3) In presumptive nonprison cases, the sentencing court shall pronounce the:

(A) Prison sentence; and

(B) duration of the nonprison sanction at the sentencing hearing.

(f) Each grid block states the presumptive sentencing range for an offender whose crime of conviction and criminal history place such offender in that grid block. If an offense is classified in a grid block below the dispositional line, the presumptive disposition shall be nonimprisonment. If an offense is classified in a grid block above the dispositional line, the presumptive disposition shall be imprisonment. If an offense is classified in grid blocks 5-H, 5-I or 6-G, the court may impose an optional nonprison sentence as provided in subsection (q).

(g) The sentence for a violation of K.S.A. 21-3415, prior to its repeal, aggravated battery against a law enforcement officer committed prior to July 1, 2006, or a violation of subsection (d) of K.S.A. 2011 Supp. 21-5412, and amendments thereto, aggravated assault against a law enforcement officer, which places the defendant's sentence in grid block 6-H or 6-I shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(h) When a firearm is used to commit any person felony, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(i) (l) The sentence for the violation of the felony provision of K.S.A. 8-1567, subsection (b)(3) of K.S.A. 2011 Supp. 21-5414, subsections (b)(3) and (b)(4) of K.S.A. 2011 Supp. 21-5823, 21-6412 and 21-6416, and amendments thereto, shall be as provided by the specific mandatory sentencing requirements of that section and shall not be subject to the provisions of this section or K.S.A. 2011 Supp. 21-6807, and amendments thereto.

(2) If because of the offender's criminal history classification the offender is subject to presumptive imprisonment or if the judge departs from a presumptive probation sentence and the offender is subject to imprisonment, the provisions of this section and K.S.A. 2011 Supp. 21-6807, and amendments thereto, shall apply and the offender shall not be subject to the mandatory sentence as provided in K.S.A. 2011 Supp. 21-5823, and amendments thereto.

(3) Notwithstanding the provisions of any other section, the term of imprisonment imposed for the violation of the felony provision of K.S.A. section 2, K.S.A. 8-2,144, 8-1567, subsection (b)(3) of K.S.A. 2011 Supp. 21-5414, subsections (b)(3) and (b)(4) of K.S.A. 2011 Supp. 21-5823, 21-6412 and 21-6416, and amendments thereto, shall not be served in a state facility in the custody of the secretary of corrections, except that the term of imprisonment for felony violations of section 2 or K.S.A. 8-2,144 or K.S.A. 8-1567, and amendments thereto, may be served in a state correctional facility designated by the secretary of corrections if the secretary determines that substance abuse treatment resources and facility capacity is available. The secretary's determination regarding the availability of treatment resources and facility capacity shall not be subject to review. Prior to imposing any sentence pursuant to this subsection, the court may consider assigning the defendant to a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto.

(j) (l) The sentence for any persistent sex offender whose current convicted crime carries a presumptive term of imprisonment shall be double the maximum duration of the presumptive imprisonment term. The sentence for any persistent sex offender whose current conviction carries a presumptive nonprison term shall be presumed imprisonment and shall be double the maximum duration of the presumptive imprisonment term.

(2) Except as otherwise provided in this subsection, as used in this subsection, "persistent sex offender" means a person who:

(A) (i) Has been convicted in this state of a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(A)(i) has at least one conviction for a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto, in this state or comparable felony under the laws of another state, the federal government or a foreign government; or

(B) (i) has been convicted of rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2011 Supp. 21-5503, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(B)(i) has at least one conviction for rape in this state or comparable felony under the laws of another state, the federal government or a foreign government.

(3) Except as provided in subsection (j)(2)(B), the provisions of this subsection shall not apply to any person whose current convicted crime is a severity level 1 or 2 felony.

(k) (1) If it is shown at sentencing that the offender committed any felony violation for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further or assist in any criminal conduct by gang members, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(2) As used in this subsection, "criminal street gang" means any organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities:

(A) The commission of one or more person felonies; or

(B) the commission of felony violations of K.S.A. 2010 Supp. 21-36a01 through 21-36a17, and amendments thereto, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009; and

(C) its members have a common name or common identifying sign or symbol; and

(D) its members, individually or collectively, engage in or have engaged in the commission, attempted commission, conspiracy to commit or solicitation of two or more person felonies or felony violations of K.S.A. 2010 Supp. 21-36a01 through 21-36a17, and amendments thereto, any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009, or any substantially similar offense from another jurisdiction.

(l) Except as provided in subsection (o), the sentence for a violation of subsection (a)(1) of K.S.A. 2011 Supp. 21-5807, and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2011 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of subsection (a) or (b) of K.S.A. 21-3715, prior to its repeal, 21-3716, prior to its repeal, subsection (a)(1) or (a)(2) of K.S.A. 2011 Supp. 21-5807, or subsection (b) of K.S.A. 2011 Supp. 21-5807, and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment.

(m) The sentence for a violation of K.S.A. 22-4903 or subsection (a)(2) of K.S.A. 2011 Supp. 21-5913, and amendments thereto, shall be presumptive imprisonment. If an offense under such sections is classified in grid blocks 5-E, 5-F, 5-G, 5-H or 5-I, the court may impose an optional nonprison sentence as provided in subsection (q).

(n) The sentence for a violation of criminal deprivation of property, as defined in K.S.A. 2011 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, and when such person being sentenced has any combination of two or more prior convictions of subsection (b) of K.S.A. 21-3705, prior to its repeal, or of criminal deprivation of property, as defined in K.S.A. 2011 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(o) The sentence for a felony violation of theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary as defined in subsection (a) of K.S.A. 2011 Supp. 21-5807, and amendments thereto, when such person being sentenced has no prior convictions for a violation of K.S.A. 21-3701 or 21-3715, prior to their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary as defined in subsection (a) of K.S.A. 2011 Supp. 21-5807, and amendments thereto; or the sentence for a felony violation of theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, when such person being sentenced has one or two prior felony convictions for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2011 Supp. 21-5807, and amendments thereto; or the sentence for a felony violation of burglary as defined in subsection (a) of K.S.A. 2011 Supp. 21-5807, and amendments thereto, when such person being sentenced has one prior felony conviction for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2011 Supp. 21-5807, and amendments thereto, shall be the sentence as provided by this section, except that the court may order an optional nonprison sentence for a defendant to participate in a drug treatment program, including, but not limited to, an approved after-care plan, if the court makes the following findings on the record:

- (1) Substance abuse was an underlying factor in the commission of the crime;
- (2) substance abuse treatment in the community is likely to be more effective than a prison term in reducing the risk of offender recidivism; and
- (3) participation in an intensive substance abuse treatment program will serve community safety interests.

A defendant sentenced to an optional nonprison sentence under this subsection shall be supervised by community correctional services. The provisions of subsection (f)(1) of K.S.A. 2011 Supp. 21-6824, and amendments thereto, shall apply to a defendant sentenced under this subsection. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(p) The sentence for a felony violation of theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, when such person being sentenced has any combination of three or more prior felony convictions for violations of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2011 Supp. 21-5807, and amendments thereto; or the sentence for a violation of burglary as defined in subsection (a) of K.S.A. 2011 Supp. 21-5807, and amendments thereto, when such person being sentenced has any combination of two or more prior convictions for violations of K.S.A. 21-3701, 21-3715 and 21-3716, prior to

their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2011 Supp. 21-5807, and amendments thereto, shall be presumed imprisonment and the defendant shall be sentenced to prison as provided by this section, except that the court may recommend that an offender be placed in the custody of the secretary of corrections, in a facility designated by the secretary to participate in an intensive substance abuse treatment program, upon making the following findings on the record:

- (1) Substance abuse was an underlying factor in the commission of the crime;
- (2) substance abuse treatment with a possibility of an early release from imprisonment is likely to be more effective than a prison term in reducing the risk of offender recidivism; and
- (3) participation in an intensive substance abuse treatment program with the possibility of an early release from imprisonment will serve community safety interests by promoting offender reformation.

The intensive substance abuse treatment program shall be determined by the secretary of corrections, but shall be for a period of at least four months. Upon the successful completion of such intensive treatment program, the offender shall be returned to the court and the court may modify the sentence by directing that a less severe penalty be imposed in lieu of that originally adjudged within statutory limits. If the offender's term of imprisonment expires, the offender shall be placed under the applicable period of postrelease supervision. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(q) As used in this section, an "optional nonprison sentence" is a sentence which the court may impose, in lieu of the presumptive sentence, upon making the following findings on the record:

- (1) An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; and
- (2) the recommended treatment program is available and the offender can be admitted to such program within a reasonable period of time; or
- (3) the nonprison sanction will serve community safety interests by promoting offender reformation.

Any decision made by the court regarding the imposition of an optional nonprison sentence shall not be considered a departure and shall not be subject to appeal.

(r) The sentence for a violation of subsection (c)(2) of K.S.A. 2011 Supp. 21-5413, and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(s) The sentence for a violation of K.S.A. 2011 Supp. 21-5512, and amendments thereto, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(t) (1) If the trier of fact makes a finding that an offender wore or used ballistic resistant material in the commission of, or attempt to commit, or flight from any felony, in addition to the sentence imposed pursuant to the Kansas sentencing guidelines act, the offender shall be sentenced to an additional 30 months' imprisonment.

(2) The sentence imposed pursuant to subsection (t)(1) shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not

be subject to appeal.

(3) As used in this subsection, "ballistic resistant material" means: (A) Any commercially produced material designed with the purpose of providing ballistic and trauma protection, including, but not limited to, bulletproof vests and kevlar vests; and (B) any homemade or fabricated substance or item designed with the purpose of providing ballistic and trauma protection.

(u) The sentence for a violation of K.S.A. 2011 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2011 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of K.S.A. 21-4018, prior to its repeal, or K.S.A. 2011 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

Sec. 24. K.S.A. 2011 Supp. 22-2802 is hereby amended to read as follows: 22-2802. (1) Any person charged with a crime shall, at the person's first appearance before a magistrate, be ordered released pending preliminary examination or trial upon the execution of an appearance bond in an amount specified by the magistrate and sufficient to assure the appearance of such person before the magistrate when ordered and to assure the public safety. If the person is being bound over for a felony, the bond shall also be conditioned on the person's appearance in the district court or by way of a two-way electronic audio-video communication as provided in subsection (14) at the time required by the court to answer the charge against such person and at any time thereafter that the court requires. Unless the magistrate makes a specific finding otherwise, if the person is being bonded out for a person felony or a person misdemeanor, the bond shall be conditioned on the person being prohibited from having any contact with the alleged victim of such offense for a period of at least 72 hours. The magistrate may impose such of the following additional conditions of release as will reasonably assure the appearance of the person for preliminary examination or trial:

(a) Place the person in the custody of a designated person or organization agreeing to supervise such person;

(b) place restrictions on the travel, association or place of abode of the person during the period of release;

(c) impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody during specified hours;

(d) place the person under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto; or

(e) place the person under the supervision of a court services officer responsible for monitoring the person's compliance with any conditions of release ordered by the magistrate. The magistrate may order the person to pay for any costs associated with the supervision provided by the court services department in an amount not to exceed \$15 per week of such supervision. The magistrate may also order the person to pay for all other costs associated with the supervision and conditions for compliance in addition to the \$15 per week.

(2) In addition to any conditions of release provided in subsection (1), for any person charged with a felony, the magistrate may order such person to submit to a drug and alcohol abuse examination and evaluation in a public or private treatment facility or

state institution and, if determined by the head of such facility or institution that such person is a drug or alcohol abuser or is incapacitated by drugs or alcohol, to submit to treatment for such drug or alcohol abuse, as a condition of release.

(3) The appearance bond shall be executed with sufficient solvent sureties who are residents of the state of Kansas, unless the magistrate determines, in the exercise of such magistrate's discretion, that requiring sureties is not necessary to assure the appearance of the person at the time ordered.

(4) A deposit of cash in the amount of the bond may be made in lieu of the execution of the bond pursuant to subsection (3). Except as provided in subsection (5), such deposit shall be in the full amount of the bond and in no event shall a deposit of cash in less than the full amount of bond be permitted. Any person charged with a crime who is released on a cash bond shall be entitled to a refund of all moneys paid for the cash bond, after deduction of any outstanding restitution, costs, fines and fees, after the final disposition of the criminal case if the person complies with all requirements to appear in court. The court may not exclude the option of posting bond pursuant to subsection (3).

(5) Except as provided further, the amount of the appearance bond shall be the same whether executed as described in subsection (3) or posted with a deposit of cash as described in subsection (4). When the appearance bond has been set at \$2,500 or less and the most serious charge against the person is a misdemeanor, a severity level 8, 9 or 10 nonperson felony, a drug severity level 4 felony or a violation of K.S.A. 8-1567 or section 2, and amendments thereto, the magistrate may allow the person to deposit cash with the clerk in the amount of 10% of the bond, provided the person meets at least the following qualifications:

- (A) Is a resident of the state of Kansas;
 - (B) has a criminal history score category of G, H or I;
 - (C) has no prior history of failure to appear for any court appearances;
 - (D) has no detainer or hold from any other jurisdiction;
 - (E) has not been extradited from, and is not awaiting extradition to, another state;
- and
- (F) has not been detained for an alleged violation of probation.

(6) In the discretion of the court, a person charged with a crime may be released upon the person's own recognizance by guaranteeing payment of the amount of the bond for the person's failure to comply with all requirements to appear in court. The release of a person charged with a crime upon the person's own recognizance shall not require the deposit of any cash by the person.

(7) The court shall not impose any administrative fee.

(8) In determining which conditions of release will reasonably assure appearance and the public safety, the magistrate shall, on the basis of available information, take into account the nature and circumstances of the crime charged; the weight of the evidence against the defendant; whether the defendant is lawfully present in the United States; the defendant's family ties, employment, financial resources, character, mental condition, length of residence in the community, record of convictions, record of appearance or failure to appear at court proceedings or of flight to avoid prosecution; the likelihood or propensity of the defendant to commit crimes while on release, including whether the defendant will be likely to threaten, harass or cause injury to the victim of the crime or any witnesses thereto; and whether the defendant is on probation

or parole from a previous offense at the time of the alleged commission of the subsequent offense.

(9) The appearance bond shall set forth all of the conditions of release.

(10) A person for whom conditions of release are imposed and who continues to be detained as a result of the person's inability to meet the conditions of release shall be entitled, upon application, to have the conditions reviewed without unnecessary delay by the magistrate who imposed them. If the magistrate who imposed conditions of release is not available, any other magistrate in the county may review such conditions.

(11) A magistrate ordering the release of a person on any conditions specified in this section may at any time amend the order to impose additional or different conditions of release. If the imposition of additional or different conditions results in the detention of the person, the provisions of subsection (10) shall apply.

(12) Statements or information offered in determining the conditions of release need not conform to the rules of evidence. No statement or admission of the defendant made at such a proceeding shall be received as evidence in any subsequent proceeding against the defendant.

(13) The appearance bond and any security required as a condition of the defendant's release shall be deposited in the office of the magistrate or the clerk of the court where the release is ordered. If the defendant is bound to appear before a magistrate or court other than the one ordering the release, the order of release, together with the bond and security shall be transmitted to the magistrate or clerk of the court before whom the defendant is bound to appear.

(14) Proceedings before a magistrate as provided in this section to determine the release conditions of a person charged with a crime including release upon execution of an appearance bond may be conducted by two-way electronic audio-video communication between the defendant and the judge in lieu of personal presence of the defendant or defendant's counsel in the courtroom in the discretion of the court. The defendant may be accompanied by the defendant's counsel. The defendant shall be informed of the defendant's right to be personally present in the courtroom during such proceeding if the defendant so requests. Exercising the right to be present shall in no way prejudice the defendant.

(15) The magistrate may order the person to pay for any costs associated with the supervision of the conditions of release of the appearance bond in an amount not to exceed \$15 per week of such supervision. As a condition of sentencing under K.S.A. 2011 Supp. 21-6604, and amendments thereto, the court may impose the full amount of any such costs in addition to the \$15 per week, including, but not limited to, costs for treatment and evaluation under subsection (2).

Sec. 25. K.S.A. 2011 Supp. 22-2908 is hereby amended to read as follows: 22-2908. (a) In determining whether diversion of a defendant is in the interests of justice and of benefit to the defendant and the community, the county or district attorney shall consider at least the following factors among all factors considered:

- (1) The nature of the crime charged and the circumstances surrounding it;
- (2) any special characteristics or circumstances of the defendant;
- (3) whether the defendant is a first-time offender and if the defendant has previously participated in diversion, according to the certification of the Kansas bureau of investigation or the division of vehicles of the department of revenue;
- (4) whether there is a probability that the defendant will cooperate with and benefit

from diversion;

(5) whether the available diversion program is appropriate to the needs of the defendant;

(6) the impact of the diversion of the defendant upon the community;

(7) recommendations, if any, of the involved law enforcement agency;

(8) recommendations, if any, of the victim;

(9) provisions for restitution; and

(10) any mitigating circumstances.

(b) A county or district attorney shall not enter into a diversion agreement in lieu of further criminal proceedings on a complaint if:

(1) The complaint alleges a violation of K.S.A. 8-1567 or section 2, and amendments thereto, and the defendant: (A) Has previously participated in diversion upon a complaint alleging a violation of that statute or an ordinance of a city in this state which prohibits the acts prohibited by that statute; (B) has previously been convicted of or pleaded nolo contendere to a violation of that statute or a violation of a law of another state or of a political subdivision of this or any other state, which law prohibits the acts prohibited by that statute; or (C) during the time of the alleged violation was involved in a motor vehicle accident or collision resulting in personal injury or death;

(2) the complaint alleges that the defendant committed a class A or B felony or for crimes committed on or after July 1, 1993, an off-grid crime, a severity level 1, 2 or 3 felony for nondrug crimes or drug severity level 1 or 2 felony for drug crimes; or

(3) the complaint alleges a domestic violence offense, as defined in K.S.A. 2011 Supp. 21-5111, and amendments thereto, and the defendant has participated in two or more diversions in the previous five year period upon complaints alleging a domestic violence offense.

(c) A county or district attorney may enter into a diversion agreement in lieu of further criminal proceedings on a complaint for violations of article 10 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto, if such diversion carries the same penalties as the conviction for the corresponding violations. If the defendant has previously participated in one or more diversions for violations of article 10 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto, then each subsequent diversion shall carry the same penalties as the conviction for the corresponding violations.

Sec. 26. K.S.A. 2011 Supp. 22-2909 is hereby amended to read as follows: 22-2909. (a) A diversion agreement shall provide that if the defendant fulfills the obligations of the program described therein, as determined by the attorney general or county or district attorney, such attorney shall act to have the criminal charges against the defendant dismissed with prejudice. The diversion agreement shall include specifically the waiver of all rights under the law or the constitution of Kansas or of the United States to a speedy arraignment, preliminary examinations and hearings, and a speedy trial, and in the case of diversion under subsection (c) waiver of the rights to counsel and trial by jury. The diversion agreement may include, but is not limited to, provisions concerning payment of restitution, including court costs and diversion costs, residence in a specified facility, maintenance of gainful employment, and participation in programs offering medical, educational, vocational, social and psychological services, corrective and preventive guidance and other rehabilitative services. If a

county creates a local fund under the property crime restitution and compensation act, a county or district attorney may require in all diversion agreements as a condition of diversion the payment of a diversion fee in an amount not to exceed \$100. Such fees shall be deposited into the local fund and disbursed pursuant to recommendations of the local board under the property crime restitution and victims compensation act.

(b) The diversion agreement shall state: (1) The defendant's full name; (2) the defendant's full name at the time the complaint was filed, if different from the defendant's current name; (3) the defendant's sex, race and date of birth; (4) the crime with which the defendant is charged; (5) the date the complaint was filed; and (6) the district court with which the agreement is filed.

(c) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging a violation of K.S.A. 8-1567 or section 2, and amendments thereto, the diversion agreement shall include a stipulation, agreed to by the defendant, the defendant's attorney if the defendant is represented by an attorney and the attorney general or county or district attorney, of the facts upon which the charge is based and a provision that if the defendant fails to fulfill the terms of the specific diversion agreement and the criminal proceedings on the complaint are resumed, the proceedings, including any proceedings on appeal, shall be conducted on the record of the stipulation of facts relating to the complaint. In addition, the agreement shall include a requirement that the defendant:

(1) Pay a fine specified by the agreement in an amount equal to an amount authorized by K.S.A. 8-1567 or section 2, and amendments thereto, for a first offense or, in lieu of payment of the fine, perform community service specified by the agreement, in accordance with K.S.A. 8-1567 or section 2, and amendments thereto; and

(2) participate in an alcohol and drug evaluation conducted by a licensed provider pursuant to K.S.A. 8-1008, and amendments thereto, and follow any recommendation made by the provider after such evaluation.

(d) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging a domestic violence offense, as defined in K.S.A. 2011 Supp. 21-5111, and amendments thereto, the diversion agreement shall include a requirement that the defendant undergo a domestic violence offender assessment and follow all recommendations unless otherwise agreed to with the prosecutor in the diversion agreement. The defendant shall be required to pay for such assessment and, unless otherwise agreed to with the prosecutor in the diversion agreement, for completion of all recommendations.

(e) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging a violation other than K.S.A. 8-1567 or section 2, and amendments thereto, the diversion agreement may include a stipulation, agreed to by the defendant, the defendant's attorney if the defendant is represented by an attorney and the attorney general or county or district attorney, of the facts upon which the charge is based and a provision that if the defendant fails to fulfill the terms of the specific diversion agreement and the criminal proceedings on the complaint are resumed, the proceedings, including any proceedings on appeal, shall be conducted on the record of the stipulation of facts relating to the complaint.

(f) If the person entering into a diversion agreement is a nonresident, the attorney general or county or district attorney shall transmit a copy of the diversion agreement to

the division. The division shall forward a copy of the diversion agreement to the motor vehicle administrator of the person's state of residence.

(g) If the attorney general or county or district attorney elects to offer diversion in lieu of further criminal proceedings on the complaint and the defendant agrees to all of the terms of the proposed agreement, the diversion agreement shall be filed with the district court and the district court shall stay further proceedings on the complaint. If the defendant declines to accept diversion, the district court shall resume the criminal proceedings on the complaint.

(h) Except as provided in subsection ~~(h)~~ (i), if a diversion agreement is entered into in lieu of further criminal proceedings alleging commission of a misdemeanor by the defendant, while under 21 years of age, under K.S.A. 2011 Supp. 21-5701 through 21-5717, and amendments thereto, or K.S.A. 41-719, 41-727, 41-804, 41-2719 or 41-2720, and amendments thereto, the agreement shall require the defendant to participate in an alcohol and drug evaluation conducted by a licensed provider pursuant to K.S.A. 8-1008, and amendments thereto, and follow any recommendation made by the provider after such evaluation.

(i) If the defendant is 18 or more years of age but less than 21 years of age and allegedly committed a violation of K.S.A. 41-727, and amendments thereto, involving cereal malt beverage, the provisions of subsection ~~(g)~~ (h) are permissive and not mandatory.

(j) Except diversion agreements reported under subsection (j) ~~(k)~~, the attorney general or county or district attorney shall forward to the Kansas bureau of investigation a copy of the diversion agreement at the time such agreement is filed with the district court. The copy of the agreement shall be made available upon request to the attorney general or any county, district or city attorney or court.

(k) At the time of filing the diversion agreement with the district court, the attorney general or county or district attorney shall forward to the division of vehicles of the state department of revenue a copy of any diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of K.S.A. 8-1567, and amendments thereto. The copy of the agreement shall be made available upon request to the attorney general or any county, district or city attorney or court.

Sec. 27. K.S.A. 22-2910 is hereby amended to read as follows: 22-2910. No defendant shall be required to enter any plea to a criminal charge as a condition for diversion. No statements made by the defendant or counsel in any diversion conference or in any other discussion of a proposed diversion agreement shall be admissible as evidence in criminal proceedings on crimes charged or facts alleged in the complaint. Except for sentencing proceedings and as otherwise provided in subsection (c) of K.S.A. 22-2909, and amendments thereto, and as otherwise provided in K.S.A. 8-285 and 8-1567 and section 2, and amendments to these sections ~~thereto~~, the following shall not be admissible as evidence in criminal proceedings which are resumed under K.S.A. 22-2911: (1) Participation in a diversion program; (2) the facts of such participation; or (3) the diversion agreement entered into.

Sec. 28. K.S.A. 2011 Supp. 22-4704 is hereby amended to read as follows: 22-4704. (a) In accordance with the provisions of K.S.A. 77-415 et seq., and amendments thereto, the director shall adopt appropriate rules and regulations for agencies in the executive branch of government and for criminal justice agencies other than those that are part of the judicial branch of government to implement the provisions of this act.

(b) The director shall develop procedures to permit and encourage the transfer of criminal history record information among and between courts and affected agencies in the executive branch, and especially between courts and the central repository.

(c) The rules and regulations adopted by the director shall include those: (1) Governing the collection, reporting, and dissemination of criminal history record information by criminal justice agencies;

(2) necessary to insure the security of all criminal history record information reported, collected and disseminated by and through the criminal justice information system;

(3) necessary for the coordination of all criminal justice data and information processing activities as they relate to criminal history record information;

(4) governing the dissemination of criminal history record information;

(5) governing the procedures for inspection and challenging of criminal history record information;

(6) governing the auditing of criminal justice agencies to insure that criminal history record information is accurate and complete and that it is collected, reported, and disseminated in accordance with this act;

(7) governing the development and content of agreements between the central repository and criminal justice and noncriminal justice agencies;

(8) governing the exercise of the rights of inspection and challenge provided in this act.

(d) The rules and regulations adopted by the director shall not include any provision that allows the charging of a fee for information requests for the purpose of participating in a block parent program, including but not limited to, the McGruff house program.

(e) Rules and regulations adopted by the director may not be inconsistent with the provisions of this act.

(f) (1) On or before July 1, 2012, the director shall adopt rules and regulations requiring district courts to report the filing of all cases alleging a violation of K.S.A. 8-1567, and amendments thereto, to the central repository.

(2) On or before July 1, 2013, the director shall adopt rules and regulations requiring district courts to electronically report all case filings for violations of K.S.A. 8-1567 or section 2, and amendments thereto, to the central repository.

Sec. 29. K.S.A. 2011 Supp. 60-427 is hereby amended to read as follows: 60-427.

(a) As used in this section:

(1) "Patient" means a person who, for the sole purpose of securing preventive, palliative, or curative treatment, or a diagnosis preliminary to such treatment, of such person's physical or mental condition, consults a physician, or submits to an examination by a physician.

(2) "Physician" means a person licensed or reasonably believed by the patient to be licensed to practice medicine or one of the healing arts as defined in K.S.A. 65-2802, and amendments thereto, in the state or jurisdiction in which the consultation or examination takes place.

(3) "Holder of the privilege" means the patient while alive and not under guardianship or conservatorship or the guardian or conservator of the patient, or the personal representative of a deceased patient.

(4) "Confidential communication between physician and patient" means such

information transmitted between physician and patient, including information obtained by an examination of the patient, as is transmitted in confidence and by a means which, so far as the patient is aware, discloses the information to no third persons other than those reasonably necessary for the transmission of the information or the accomplishment of the purpose for which it is transmitted.

(b) Except as provided by subsections (c), (d), (e) and (f), a person, whether or not a party, has a privilege in a civil action or in a prosecution for a misdemeanor, other than a prosecution for a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or a city ordinance or county resolution which prohibits the acts prohibited by those statutes, to refuse to disclose, and to prevent a witness from disclosing, a communication, if the person claims the privilege and the judge finds that: (1) The communication was a confidential communication between patient and physician; (2) the patient or the physician reasonably believed the communication necessary or helpful to enable the physician to make a diagnosis of the condition of the patient or to prescribe or render treatment therefor; (3) the witness (i) is the holder of the privilege, (ii) at the time of the communication was the physician or a person to whom disclosure was made because reasonably necessary for the transmission of the communication or for the accomplishment of the purpose for which it was transmitted or (iii) is any other person who obtained knowledge or possession of the communication as the result of an intentional breach of the physician's duty of nondisclosure by the physician or the physician's agent or servant; and (4) the claimant is the holder of the privilege or a person authorized to claim the privilege for the holder of the privilege.

(c) There is no privilege under this section as to any relevant communication between the patient and the patient's physician: (1) Upon an issue of the patient's condition in an action to commit the patient or otherwise place the patient under the control of another or others because of alleged incapacity or mental illness, in an action in which the patient seeks to establish the patient's competence or in an action to recover damages on account of conduct of the patient which constitutes a criminal offense other than a misdemeanor; (2) upon an issue as to the validity of a document as a will of the patient; or (3) upon an issue between parties claiming by testate or intestate succession from a deceased patient.

(d) There is no privilege under this section in an action in which the condition of the patient is an element or factor of the claim or defense of the patient or of any party claiming through or under the patient or claiming as a beneficiary of the patient through a contract to which the patient is or was a party.

(e) There is no privilege under this section: (1) As to blood drawn at the request of a law enforcement officer pursuant to K.S.A. 8-1001, and amendments thereto; and (2) as to information which the physician or the patient is required to report to a public official or as to information required to be recorded in a public office, unless the statute requiring the report or record specifically provides that the information shall not be disclosed.

(f) No person has a privilege under this section if the judge finds that sufficient evidence, aside from the communication has been introduced to warrant a finding that the services of the physician were sought or obtained to enable or aid anyone to commit or to plan to commit a crime or a tort, or to escape detection or apprehension after the commission of a crime or a tort.

(g) A privilege under this section as to a communication is terminated if the judge

finds that any person while a holder of the privilege has caused the physician or any agent or servant of the physician to testify in any action to any matter of which the physician or the physician's agent or servant gained knowledge through the communication.

(h) Providing false information to a physician for the purpose of obtaining a prescription-only drug shall not be a confidential communication between physician and patient and no person shall have a privilege in any prosecution for unlawfully obtaining or distributing a prescription-only drug under K.S.A. 2011 Supp. 21-5708, and amendments thereto.

Sec. 30. K.S.A. 2011 Supp. 74-2012 is hereby amended to read as follows: 74-2012. (a) (1) All motor vehicle records shall be subject to the provisions of the open records act, except as otherwise provided under the provisions of this section and by K.S.A. 74-2022, and amendments thereto.

(2) For the purpose of this section, "motor vehicle records" means any record that pertains to a motor vehicle drivers license, motor vehicle certificate of title, motor vehicle registration or identification card issued by the division of vehicles.

(b) All motor vehicle records which relate to the physical or mental condition of any person, have been expunged or are photographs or digital images maintained in connection with the issuance of drivers' licenses shall be confidential and shall not be disclosed except in accordance with a proper judicial order or as otherwise more specifically provided in this section or by other law. Photographs or digital images maintained by the division of vehicles in connection with the issuance of drivers' licenses may be disclosed to any federal, state or local agency, including any court or law enforcement agency, to assist such agency in carrying out the functions required of such governmental agency. In January of each year the division shall report to the house committee on veterans, military and homeland security regarding the utilization of the provisions of this subsection. Motor vehicle records relating to diversion agreements for the purposes of K.S.A. 8-1567, 12-4415 and 22-2908 and section 2, and amendments thereto, shall be confidential and shall not be disclosed except in accordance with a proper judicial order or by direct computer access to:

(1) A city, county or district attorney, for the purpose of determining a person's eligibility for diversion or to determine the proper charge for a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or any ordinance of a city or resolution of a county in this state which prohibits any acts prohibited by those statutes;

(2) a municipal or district court, for the purpose of using the record in connection with any matter before the court;

(3) a law enforcement agency, for the purpose of supplying the record to a person authorized to obtain it under paragraph (1) or (2) of this subsection; or

(4) an employer when a person is required to retain a commercial driver's license due to the nature of such person's employment.

(c) Lists of persons' names and addresses contained in or derived from motor vehicle records shall not be sold, given or received for the purposes prohibited by K.S.A. 2011 Supp. 45-230, and amendments thereto, except that:

(1) The director of vehicles may provide to a requesting party, and a requesting party may receive, such a list and accompanying information from motor vehicle records upon written certification that the requesting party shall use the list solely for the purpose of:

(A) Assisting manufacturers of motor vehicles in compiling statistical reports or in notifying owners of vehicles believed to:

- (i) Have safety-related defects,
- (ii) fail to comply with emission standards; or
- (iii) have any defect to be remedied at the expense of the manufacturer;

(B) assisting an insurer authorized to do business in this state, or the insurer's authorized agent:

- (i) In processing an application for, or renewal or cancellation of, a motor vehicle liability insurance policy; or
- (ii) in conducting antifraud activities by identifying potential undisclosed drivers of a motor vehicle currently insured by an insurer licensed to do business in this state by providing only the following information: drivers license number, license type, date of birth, name, address, issue date and expiration date;

(C) assisting the selective service system in the maintenance of a list of persons 18 to 26 years of age in this state as required under the provisions of section 3 of the federal military selective service act;

(D) assisting any federal, state or local agency, including any court or law enforcement agency, or any private person acting on behalf of such agencies in carrying out the functions required of such governmental agency, except that such records shall not be redisclosed;

(E) assisting businesses with the verification or reporting of information derived from the title and registration records of the division to prepare and assemble vehicle history reports, except that such vehicle history reports shall not include the names or addresses of any current or previous owners;

(F) assisting businesses in producing motor vehicle title or motor vehicle registration, or both, statistical reports, so long as personal information is not published, redisclosed or used to contact individuals; or

(G) assisting an employer or an employer's authorized agent in monitoring the driving record of the employees required to drive in the course of employment to ensure driver behavior, performance or safety.

(2) Any law enforcement agency of this state which has access to motor vehicle records may furnish to a requesting party, and a requesting party may receive, such a list and accompanying information from such records upon written certification that the requesting party shall use the list solely for the purpose of assisting an insurer authorized to do business in this state, or the insurer's authorized agent, in processing an application for, or renewal or cancellation of, a motor vehicle liability insurance policy.

(d) If a law enforcement agency of this state furnishes information to a requesting party pursuant to paragraph (2) of subsection (c), the law enforcement agency shall charge the fee prescribed by the secretary of revenue pursuant to K.S.A. 74-2022, and amendments thereto, for any copies furnished and may charge an additional fee to be retained by the law enforcement agency to cover its cost of providing such copies. The fee prescribed pursuant to K.S.A. 74-2022, and amendments thereto, shall be paid monthly to the secretary of revenue and upon receipt thereof shall be deposited in the state treasury to the credit of the electronic databases fee fund, except for the \$1 of the fee for each record required to be credited to the highway patrol training center fund under subsection (f).

(e) The secretary of revenue, the secretary's agents or employees, the director of

vehicles or the director's agents or employees shall not be liable for damages caused by any negligent or wrongful act or omission of a law enforcement agency in furnishing any information obtained from motor vehicle records.

(f) A fee in an amount fixed by the secretary of revenue pursuant to K.S.A. 74-2022, and amendments thereto, of not less than \$2 for each full or partial motor vehicle record shall be charged by the division, except that the director may charge a lesser fee pursuant to a contract between the secretary of revenue and any person to whom the director is authorized to furnish information under paragraph (1) of subsection (c), and such fee shall not be less than the cost of production or reproduction of any full or partial motor vehicle record requested. Except for the fees charged pursuant to a contract for motor vehicle records authorized by this subsection pertaining to motor vehicle titles or motor vehicle registrations or pursuant to subsection (c)(1)(B)(ii) or (c)(1)(D), \$1 shall be credited to the highway patrol training center fund for each motor vehicle record provided by the division of vehicles.

(g) The secretary of revenue may adopt such rules and regulations as are necessary to implement the provisions of this section.";

And by renumbering sections accordingly;

On page 29, in line 21, by striking all after "8-241"; in line 30, by striking all before "are" and inserting "8-1501, 12-4413 and 22-2910 and K.S.A. 2011 Supp. 8-235, 8-262, 8-285, 8-2, 144, 8-1001, 8-1008, 8-1013, 8-1014, 8-1015, 8-1020, 8-1020b, 8-1567, 12-4106, 12-4414, 12-4415, 12-4416, 12-4517, 21-5203, 21-6804, 22-2802, 22-2908, 22-2909, 22-2909c, 22-4704, 60-427 and 74-2012";

On page 1, in the title, in line 1, following the semicolon, by inserting "creating the crime of refusing to submit to a test to determine the presence of alcohol or drugs;"; in line 3, by striking all after "8-241"; in line 4, by striking "8-1020 and 8-1567" and inserting "8-1501, 12-4413 and 22-2910 and K.S.A. 2011 Supp. 8-235, 8-262, 8-285, 8-2, 144, 8-1001, 8-1008, 8-1013, 8-1014, 8-1015, 8-1020, 8-1567, 12-4106, 12-4414, 12-4415, 12-4416, 12-4517, 21-5203, 21-6804, 22-2802, 22-2908, 22-2909, 22-4704, 60-427 and 74-2012"; in line 5, following "8-1020b" by inserting "22-2909c"; and the bill be passed as amended.

Committee on **Natural Resources** recommends **HB 2597** be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2597," as follows:

"SENATE Substitute for HOUSE BILL No. 2597

By Committee on Natural Resources

"AN ACT concerning solid waste; relating to permit exemptions; amending K.S.A. 2011 Supp. 65-3407c and repealing the existing section.";

and the substitute bill be passed.

Committee on **Reapportionment** recommends **HB 2606** be amended on page 2, in line 14, after "elected" by inserting "to";

On page 156, following line 5, by inserting the following:

"Sec. 130. In accordance with section 2 of article 2 of the constitution of the state of Kansas, the state of Kansas is divided into 40 single member state senatorial districts. Such districts are reapportioned in accordance with section 1 of article 10 of the constitution of the state of Kansas.

Sec. 131. (a) As used in sections 130 through 173, and amendments thereto,

"voting district," "tract," "block group" or "block" means, respectively, a voting district (VTD), tract, block group or block identified on the official United States 2010 decennial census maps.

(b) Voting districts, tracts, block groups and blocks are referred to in sections 130 through 173, and amendments thereto, by the alphanumeric code by which they are identified on the official United States 2010 decennial census maps and data lists.

(c) The boundaries of counties, voting districts, tracts, block groups and blocks referred to in sections 130 through 173, and amendments thereto, are those boundaries as they exist and are identified on the official United States 2010 decennial census maps.

Sec. 132. (a) If a county, voting district, tract, block group or block is not included within a representative district established by this act, such county, voting district, tract, block group or block shall be attached to the representative district to which it is contiguous and, if contiguous to more than one representative district, it shall be attached to the contiguous representative district which has the least total population.

(b) If a county, voting district, tract, block group or block is included in two or more representative districts established by this act, such county, voting district, tract, block group or block shall be attached to and become a part of the representative district which has the least total population.

Sec. 133. The provisions of this act shall not affect the term of any representative elected to represent a district at the general election of 2010 or the term of any successor elected to succeed such representative for an unexpired term, and all such representatives shall continue to serve the districts from which elected until the representatives elected from the representative districts established by this act commence their terms of office in January of 2013.

Sec. 134. Senatorial district 1 shall consist of all of Atchison county; and all of Brown county; and all of Doniphan county; and all of Jackson county; and all of Nemaha county; and the following voting districts in Pottawatomie county: (000010), (000040); and the following blocks in voting district (000050), tract 0004.00, block group 3, in Pottawatomie county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 195, block 196, block 197, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 224, block 225, block 226; and the following voting districts in Pottawatomie county: (000060), (000070), (000090), (000100); and the following blocks in voting district (000110), tract 0001.00, block group 1, in Pottawatomie county: block 043, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 093, block 097, block 098, block 100, block 104, block 105, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 130, block 131, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156,

block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 221, block 225, block 228, block 230; and the following blocks in voting district (000110), tract 0001.00, block group 2, in Pottawatomie county: block 097, block 183, block 184; and the following blocks in voting district (000110), tract 0002.00, block group 1, in Pottawatomie county: block 000, block 001, block 002, block 003, block 031, block 032, block 033; and the following voting districts in Pottawatomie county: (000130); and the following blocks in voting district (000140), tract 0004.00, block group 4, in Pottawatomie county: block 069, block 070, block 072, block 077, block 084, block 147, block 148, block 149, block 150, block 153, block 154, block 155, block 156, block 160, block 161, block 162, block 163, block 166, block 167; and the following blocks in voting district (000150), tract 0004.00, block group 3, in Pottawatomie county: block 209, block 210, block 211, block 212, block 213, block 227, block 228, block 229, block 230, block 231; and the following blocks in voting district (000150), tract 0004.00, block group 4, in Pottawatomie county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 012, block 014, block 015, block 016, block 059, block 060, block 061, block 062, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 151, block 152, block 157, block 158, block 159, block 164, block 212, block 219, block 220; and the following voting districts in Pottawatomie county: (000170), (000190); and the following blocks in voting district (000200), tract 0001.00, block group 1, in Pottawatomie county: block 171, block 172, block 173, block 226, block 227; and the following blocks in voting district (000200), tract 0001.00, block group 2, in Pottawatomie county: block 065, block 066, block 098, block 099, block 100, block 103, block 187, block 188; and the following blocks in voting district (000200), tract 0001.00, block group 3, in Pottawatomie county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 049, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 113, block 119, block

120, block 121, block 122, block 123, block 124, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 168, block 170, block 171; and the following blocks in voting district (000200), tract 0002.00, block group 1, in Pottawatomie county: block 004, block 005, block 006, block 007, block 008, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 068, block 069, block 070, block 071; and the following blocks in voting district (000200), tract 0002.00, block group 4, in Pottawatomie county: block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 096, block 097, block 098, block 099, block 100, block 104, block 105, block 106, block 110; and the following voting districts in Pottawatomie county: (000210), (000220); and the following blocks in voting district (000230), tract 0001.00, block group 1, in Pottawatomie county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 048, block 094, block 095, block 096, block 229; and the following blocks in voting district (000230), tract 0004.00, block group 1, in Pottawatomie county: block 359, block 360, block 361, block 363, block 376, block 377, block 378, block 379, block 380, block 415, block 416, block 417, block 418, block 419; and the following blocks in voting district (000230), tract 0004.00, block group 4, in Pottawatomie county: block 144, block 145, block 146, block 168, block 169, block 170, block 171, block 172, block 173, block 176, block 177, block 214; and the following voting districts in Pottawatomie county: (000240), (000250), (00026A), (000270), (900010), (900040).

Sec. 135. Senatorial district 2 shall consist of the following blocks in voting district (000010), tract 0015.00, block group 2, in Douglas county: block 008, block 009, block 010, block 011, block 012, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052; and the following blocks in voting district (000030), tract 0008.01, block group 1, in Douglas county: block 006; and the following blocks in voting district (000050), tract 0001.00, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 015, block 017, block 018, block 019, block 022, block 023, block 024, block 027, block 028, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 045, block 046, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 066, block 069, block 070, block 072, block 073, block 074, block 075, block 087, block 089, block 090, block 092; and the following blocks in voting district (000050), tract 0001.00, block group 3, in Douglas county: block 000, block 001, block 002, block 003; and the following blocks in voting district (00006A), tract 0006.03, block group 1, in Douglas county: block 002, block 003, block 004, block 005, block 013, block 014, block 016, block 017, block 018, block 035, block 036, block 040, block 058, block 060, block 065, block 066, block 098; and the following blocks in voting district (00006A), tract 0014.00, block group 2, in Douglas county:

block 002, block 003; and the following blocks in voting district (00006A), tract 0015.00, block group 1, in Douglas county: block 080, block 081, block 093, block 094, block 095, block 097; and the following blocks in voting district (00006A), tract 0015.00, block group 2, in Douglas county: block 072, block 073, block 074; and the following blocks in voting district (00006A), tract 0016.00, block group 2, in Douglas county: block 012, block 013, block 044, block 046, block 047, block 048, block 049, block 056; and the following voting districts in Douglas county: (00007A), (000080), (000090), (00010A), (000110), (00012A), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000210), (000220), (000240), (000250), (000260), (000270), (000290), (000300), (000310), (000320), (000330), (000340); and the following blocks in voting district (000360), tract 0009.01, block group 2, in Douglas county: block 004, block 005, block 012, block 014, block 015, block 016, block 017; and the following voting districts in Douglas county: (000400); and the following blocks in voting district (000410), tract 0010.01, block group 1, in Douglas county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 023, block 024, block 025, block 026, block 027, block 028, block 037, block 038, block 042, block 043, block 044; and the following voting districts in Douglas county: (000420); and the following blocks in voting district (000430), tract 0002.00, block group 5, in Douglas county: block 005, block 006, block 007, block 008; and the following blocks in voting district (000430), tract 0010.01, block group 1, in Douglas county: block 000, block 001, block 002, block 003; and the following blocks in voting district (000460), tract 0001.00, block group 3, in Douglas county: block 024, block 026; and the following blocks in voting district (000460), tract 0002.00, block group 1, in Douglas county: block 003, block 004, block 005, block 006, block 007, block 008, block 021, block 026, block 027, block 036, block 037, block 038, block 039; and the following blocks in voting district (000460), tract 0002.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 025, block 026, block 027; and the following blocks in voting district (000460), tract 0005.01, block group 1, in Douglas county: block 040, block 041; and the following voting districts in Douglas county: (000470); and the following blocks in voting district (00048A), tract 0001.00, block group 1, in Douglas county: block 012, block 013, block 014, block 016, block 020, block 021, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 064, block 065, block 067, block 068, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 088, block 091, block 093, block 094, block 095; and the following blocks in voting district (00048A), tract 0001.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040; and the following blocks in voting district (00048A), tract 0001.00, block group 3, in Douglas county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block

023, block 025, block 027, block 028, block 029, block 030, block 031; and the following voting districts in Douglas county: (00048B), (00048C), (00048D), (00050A), (00050C), (00052A); and the following blocks in voting district (000560), tract 0008.01, block group 1, in Douglas county: block 004, block 005; and the following blocks in voting district (000560), tract 0016.00, block group 2, in Douglas county: block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 045, block 050, block 051, block 052, block 053, block 054, block 055, block 057, block 058, block 062, block 063, block 064; and the following blocks in voting district (000580), tract 0015.00, block group 1, in Douglas county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 098, block 099; and the following blocks in voting district (000580), tract 0015.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 075; and the following voting districts in Douglas county: (00061A), (400010), (400020), (400030), (400040), (400060), (400080), (900040), (900050), (900060), (900070), (900080), (900090), (900150), (900170); and the following voting districts in Jefferson county: (000010), (000020), (000030), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130).

Sec. 136. Senatorial district 3 shall consist of the following voting districts in Douglas county: (000020); and the following blocks in voting district (000050), tract 0001.00, block group 1, in Douglas county: block 086; and the following blocks in voting district (000050), tract 0001.00, block group 3, in Douglas county: block 004, block 006, block 007, block 009, block 010; and the following blocks in voting district (000200), tract 0008.02, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 013, block 014, block 015, block 016, block 017, block 023, block 024, block 025, block 026; and the following blocks in voting district (000200), tract 0008.02, block group 2, in Douglas county: block 000, block 001, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 023; and the following blocks in voting district (000200), tract 0008.02, block group 3, in Douglas county: block 000, block 001, block 002, block 003, block 006, block 009, block 010, block 011, block 012, block 023; and the following blocks in voting district (000200), tract 0009.02, block group 1, in Douglas county: block 027, block 028, block 041, block 042; and the following voting districts in Douglas county: (000230), (000280), (000350); and the following blocks in voting district (000360), tract 0009.01, block group 4, in Douglas county: block 001, block 003, block 004, block 005, block 006; and the following blocks in voting district (000360), tract 0009.01, block group 5, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following voting districts in Douglas county: (000370), (000380); and the following blocks in voting district (000410), tract

0010.01, block group 2, in Douglas county: block 002, block 005, block 006, block 008, block 009, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 034, block 035; and the following blocks in voting district (000430), tract 0002.00, block group 5, in Douglas county: block 009; and the following blocks in voting district (000430), tract 0002.00, block group 6, in Douglas county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (000430), tract 0010.02, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following voting districts in Douglas county: (00044A), (000450); and the following blocks in voting district (000460), tract 0002.00, block group 1, in Douglas county: block 010, block 011; and the following blocks in voting district (00048A), tract 0001.00, block group 3, in Douglas county: block 008; and the following blocks in voting district (00053A), tract 0008.01, block group 1, in Douglas county: block 000, block 001, block 002, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 030, block 043; and the following blocks in voting district (00053A), tract 0008.01, block group 2, in Douglas county: block 004, block 005, block 006, block 007, block 008, block 009, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 034, block 036, block 042; and the following blocks in voting district (000560), tract 0008.01, block group 1, in Douglas county: block 003; and the following voting districts in Douglas county: (000600), (000620), (000630), (000640), (000650), (000660); and the following blocks in voting district (00067A), tract 0008.01, block group 1, in Douglas county: block 017, block 028, block 029, block 038, block 039, block 048, block 049; and the following blocks in voting district (00067A), tract 0008.01, block group 2, in Douglas county: block 032, block 033, block 038, block 039, block 040, block 041, block 043, block 045; and the following blocks in voting district (00067A), tract 0008.02, block group 2, in Douglas county: block 004, block 005, block 006, block 007, block 018; and the following blocks in voting district (00067A), tract 0009.02, block group 1, in Douglas county: block 031, block 032, block 037, block 043; and the following blocks in voting district (00067A), tract 0012.01, block group 1, in Douglas county: block 070, block 071, block 072, block 077, block 081, block 082, block 083; and the following voting districts in Douglas county: (00067B); and the following blocks in voting district (000680), tract 0012.01, block group 1, in Douglas county: block 130, block 131, block 132, block 133, block 135, block 136, block 137, block 138, block 139; and the following blocks in voting district (000680), tract 0012.03, block group 1, in Douglas county: block 015, block 016, block 017, block 018, block 019, block 020, block 051, block 052, block 053, block 054, block 073, block 074, block 075, block 076, block 077, block 079, block 081; and the following voting districts in Douglas county: (200010), (200020), (400050), (400070), (400090), (400100); and the following blocks in voting district (400110), tract 0008.01, block group 1, in Douglas county: block 015; and the following voting districts in Douglas county: (900020), (900100), (900110), (900120), (900130), (900140), (900160); and the following voting districts in Leavenworth county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (000300), (000310), (000320), (000350), (000360), (000370), (000380), (000390), (900010), (900020), (900030), (900080).

Sec. 137. Senatorial district 4 shall consist of the following voting districts in

Wyandotte county: (600090), (600100); and the following blocks in voting district (600110), tract 0400.01, block group 1, in Wyandotte county: block 126; and the following blocks in voting district (600110), tract 0400.02, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 041, block 042, block 043, block 044, block 050; and the following blocks in voting district (600110), tract 0418.00, block group 1, in Wyandotte county: block 017, block 031; and the following blocks in voting district (600110), tract 0419.00, block group 1, in Wyandotte county: block 000, block 006, block 007; and the following blocks in voting district (600110), tract 0419.00, block group 2, in Wyandotte county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 034; and the following blocks in voting district (600110), tract 0425.01, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following voting districts in Wyandotte county: (600120), (600130), (600140), (600150), (600160), (600170), (600180), (600190), (600200), (600210), (600220), (600230), (600240); and the following blocks in voting district (600250), tract 0419.00, block group 2, in Wyandotte county: block 010, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (600250), tract 0420.02, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (600250), tract 0424.00, block group 2, in Wyandotte county: block 001; and the following blocks in voting district (600250), tract 0425.01, block group 1, in Wyandotte county: block 023, block 024, block 025, block 026; and the following blocks in voting district (600260), tract 0420.02, block group 1, in Wyandotte county: block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (600260), tract 0420.02, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (600270), tract 0421.00, block group 3, in Wyandotte county: block 010, block 011, block 013, block 014, block 015; and the following blocks in voting district (600290), tract 0421.00, block group 1, in Wyandotte county: block 009, block 010, block 011, block 012; and the following blocks in voting district (600290), tract 0421.00, block group 3, in Wyandotte county: block 006, block 007, block 008, block 009; and the following voting districts in Wyandotte county: (600450), (600460), (600470); and the following blocks in voting district (600480), tract 0415.00, block group 1, in Wyandotte county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 036, block 038; and the following blocks in voting district (600480), tract 0415.00, block group 2, in Wyandotte county: block 017, block 018, block 019, block 020, block 023,

block 024; and the following blocks in voting district (600480), tract 0425.02, block group 1, in Wyandotte county: block 015, block 095; and the following blocks in voting district (600480), tract 0439.05, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 038, block 039, block 063, block 065; and the following voting districts in Wyandotte county: (600500); and the following blocks in voting district (600520), tract 0439.05, block group 1, in Wyandotte county: block 014, block 017, block 018, block 022; and the following blocks in voting district (600520), tract 0441.01, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following voting districts in Wyandotte county: (600590), (600600), (600610), (600620), (600630), (600640), (600650), (600660), (600670), (600680), (600690), (600700), (600710), (600720), (600870), (600880), (600890), (600900), (600910), (600920), (600940), (600950), (600970), (600980), (600990), (601000).

Sec. 138. Senatorial district 5 shall consist of the following voting districts in Leavenworth county: (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (00017A), (00017B), (000180), (00019A), (00019B), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (00027A), (000280), (00029A), (00029C), (00029D), (000330), (000340), (300010), (800010), (900040), (900050), (900060); and the following blocks in voting district (600040), tract 0448.05, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 041, block 042, block 043; and the following blocks in voting district (600040), tract 0448.06, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028; and the following voting districts in Wyandotte county: (600530); and the following blocks in voting district (600540), tract 0441.02, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600550), tract 0441.02, block group 1, in Wyandotte county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020; and the following blocks in voting district (600550), tract 0447.04, block group 2, in Wyandotte county: block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 38, block 039, block 055; and the following voting districts in Wyandotte county: (600730), (600740), (600750); and the following blocks in voting district (600760), tract 0447.03, block group 1, in Wyandotte county: block 028, block 029, block 032, block 033, block 034,

block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 101, block 104, block 106; and the following blocks in voting district (600760), tract 0447.04, block group 2, in Wyandotte county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 040, block 041, block 044, block 045, block 046, block 047; and the following blocks in voting district (600760), tract 0448.03, block group 2, in Wyandotte county: block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 098, block 099; and the following voting districts in Wyandotte county: (600930), (600960), (601010), (601020), (601030), (601040), (601050), (601060), (601070), (601080), (601090), (601100).

Sec. 139. Senatorial district 6 shall consist of the following blocks in voting district (000920), tract 0522.01, block group 1, in Johnson county: block 000, block 025; and the following blocks in voting district (001540), tract 0522.01, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 023, block 024, block 030, block 031; and the following voting districts in Johnson county: (900490), (900500); and the following blocks in voting district (900510), tract 0522.01, block group 2, in Johnson county: block 013, block 019, block 020; and the following blocks in voting district (900510), tract 0522.01, block group 3, in Johnson county: block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 021; and the following blocks in voting district (900520), tract 0522.01, block group 2, in Johnson county: block 014, block 017, block 018; and the following voting districts in Wyandotte county: (600010), (600020), (600030); and the following blocks in voting district (600040), tract 0448.05, block group 1, in Wyandotte county: block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 030, block 032, block 033, block 034, block 035, block 036; and the following blocks in voting district (600040), tract 0448.06, block group 1, in Wyandotte county: block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block

062, block 063, block 064, block 065, block 066, block 067, block 075, block 079, block 080, block 081, block 085, block 086, block 088, block 089, block 090, block 091, block 092; and the following voting districts in Wyandotte county: (600050), (600060), (600070), (600080); and the following blocks in voting district (600110), tract 0400.02, block group 1, in Wyandotte county: block 037, block 038, block 039, block 040, block 045, block 046, block 047, block 048, block 049, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063; and the following blocks in voting district (600250), tract 0424.00, block group 2, in Wyandotte county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (600250), tract 0424.00, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (600250), tract 0425.01, block group 1, in Wyandotte county: block 014, block 015, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 120, block 121, block 122, block 123, block 124, block 125; and the following blocks in voting district (600260), tract 0424.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 006; and the following blocks in voting district (600270), tract 0423.00, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 012, block 013, block 014, block 015; and the following blocks in voting district (600270), tract 0423.00, block group 3, in Wyandotte county: block 000, block 001, block 002, block 005, block 009, block 024; and the following voting districts in Wyandotte county: (600280); and the following blocks in voting district (600290), tract 0423.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600290), tract 0423.00, block group 2, in Wyandotte county: block 004, block 005, block 006, block 007, block 008, block 009; and the following voting districts in Wyandotte county: (600300), (600310), (600320), (600330), (600340), (600350), (600360), (600370), (600380), (600390), (600400), (600410), (600420), (600430), (600440); and the following blocks in voting district (600480), tract 0439.05, block group 2, in Wyandotte county: block 032, block 033, block 034, block 036, block 037, block 040, block 041, block 042, block 043, block 044, block 045, block 050, block 051, block 052, block 053, block 054, block 055, block 061, block 062; and the following voting districts in Wyandotte county: (600490), (600510); and the following blocks in voting district (600520), tract 0440.01, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (600520), tract 0440.01, block group 3, in Wyandotte county: block 026, block 028; and the following blocks in voting district (600540), tract 0440.01, block group 1, in Wyandotte county: block 000, block 001, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 024, block

025, block 026; and the following blocks in voting district (600550), tract 0440.01, block group 1, in Wyandotte county: block 002, block 003; and the following voting districts in Wyandotte county: (600560), (600570), (600580); and the following blocks in voting district (600760), tract 0447.03, block group 1, in Wyandotte county: block 078, block 086, block 087, block 098, block 099, block 100, block 102, block 103, block 108; and the following blocks in voting district (600760), tract 0447.04, block group 2, in Wyandotte county: block 042, block 043, block 048, block 049, block 050, block 051, block 052, block 053; and the following voting districts in Wyandotte county: (600770), (600780), (600790), (600800), (600810), (600820), (600830), (600840), (600850), (600860).

Sec. 140. Senatorial district 7 shall consist of the following voting districts in Johnson county: (000100), (000110), (000120), (000130), (000200), (000210), (000220), (000230), (000840), (000850), (000860), (000870), (000880), (000890), (000900), (000910); and the following blocks in voting district (000920), tract 0503.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (000920), tract 0503.01, block group 2, in Johnson county: block 000, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following voting districts in Johnson county: (000930), (000940), (000950), (000960), (000970); and the following blocks in voting district (001540), tract 0504.00, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 014, block 015; and the following blocks in voting district (001540), tract 0504.00, block group 3, in Johnson county: block 001, block 002, block 003, block 021; and the following voting districts in Johnson county: (001550), (001560), (001590), (001600), (001700), (001720), (001770), (001830), (002280), (002290), (002500), (002510), (002520), (002530), (002540), (002550), (002560), (002570), (002580), (002590), (002600), (002610), (002620), (002630), (002640), (002650), (002660), (002670), (002680), (002690), (002700), (002710), (002720), (002730), (002740), (002750), (003130), (003140), (003150); and the following blocks in voting district (900520), tract 0521.01, block group 1, in Johnson county: block 003; and the following voting districts in Johnson county: (900990), (901320).

Sec. 141. Senatorial district 8 shall consist of the following voting districts in Johnson county: (000630), (000640), (000650), (001490), (001690), (001730), (001740), (001750), (001760), (001780), (001790), (001800), (001810), (001820), (001840), (001850), (001860), (001870), (001880), (001890); and the following blocks in voting district (001900), tract 0518.05, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (001900), tract 0532.01, block group 1, in Johnson county: block 018; and the following voting districts in Johnson county: (001910), (001920), (001930), (001940), (001950), (001960), (001970), (001980), (001990), (002000), (002010), (002020), (002030), (002040), (002050), (002060), (002070), (002080), (002120), (002130),

(002140), (002150), (00217B), (002300), (002310), (002320); and the following blocks in voting district (002340), tract 0518.06, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (002350), tract 0518.06, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (002380), tract 0531.02, block group 2, in Johnson county: block 009, block 010, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (900460), tract 0530.05, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (901050), tract 0530.08, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 015; and the following blocks in voting district (901050), tract 0530.08, block group 2, in Johnson county: block 000, block 015.

Sec. 142. Senatorial district 9 shall consist of the following voting districts in Johnson county: (000070), (000080), (000560); and the following blocks in voting district (001000), tract 0535.55, block group 1, in Johnson county: block 012, block 013, block 014, block 015, block 020, block 021, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (001000), tract 0535.55, block group 2, in Johnson county: block 009, block 014, block 015, block 016; and the following blocks in voting district (001000), tract 0535.55, block group 3, in Johnson county: block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (001090), tract 0535.55, block group 1, in Johnson county: block 016, block 017, block 018, block 019, block 022, block 023; and the following blocks in voting district (001090), tract 0536.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (001090), tract 0536.01, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 024, block 025, block 026, block 027, block 028, block 029; and the following voting districts in Johnson county: (001130), (001150), (001160), (00117A), (00117B), (001200), (001210), (001220), (001240), (001250), (001260), (001280), (001290); and the following blocks in voting district (001420), tract 0529.05, block group 1, in Johnson county: block 020, block 021, block 022; and the following voting districts in Johnson county: (001520), (00153J), (00153K); and the following blocks in voting district (002980), tract 0526.03, block group 2, in Johnson county: block 018; and the following voting districts in Johnson county: (003000), (003010), (003020), (004070), (004080), (004090), (004100), (004140), (004180), (900040), (900050), (900060), (900390), (900420), (900640), (900660), (900670), (900680), (900700), (900720), (900730), (900740), (900750), (900760); and the following blocks in voting district (900870), tract 0529.10, block group 1, in Johnson county: block 019, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038,

block 039; and the following blocks in voting district (901360), tract 0526.03, block group 2, in Johnson county: block 008, block 009; and the following voting districts in Johnson county: (901370), (901380), (901400); and the following blocks in voting district (901550), tract 0535.55, block group 1, in Johnson county: block 029, block 030, block 031, block 032; and the following blocks in voting district (901550), tract 0535.57, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (901550), tract 0535.57, block group 2, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 014; and the following blocks in voting district (901650), tract 0528.02, block group 4, in Johnson county: block 002, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 032; and the following voting districts in Johnson county: (901660), (901670); and the following blocks in voting district (901700), tract 0529.05, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 023; and the following blocks in voting district (901700), tract 0529.05, block group 2, in Johnson county: block 008, block 009, block 010, block 011, block 012, block 017, block 018, block 019; and the following blocks in voting district (901700), tract 0529.08, block group 4, in Johnson county: block 004; and the following voting districts in Johnson county: (901720); and the following blocks in voting district (901810), tract 0536.02, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 006, block 007, block 008, block 009, block 010, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 035, block 036; and the following voting districts in Johnson county: (901850), (901910), (901930), (901940).

Sec. 143. Senatorial district 10 shall consist of the following voting districts in Johnson county: (000190); and the following blocks in voting district (000580), tract 0524.18, block group 2, in Johnson county: block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (000580), tract 0524.19, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (000590), tract 9800.02, block group 1, in Johnson county: block 008, block 013, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following voting districts in Johnson county: (001570), (001580), (001610), (001620), (001630), (001640), (001650), (001660), (001670), (001680), (001710), (002760), (002770), (002780), (002790), (002800), (002810), (002820), (002830), (002850), (002860), (002870), (002880), (002890), (002900), (002910), (002920), (002960); and the following blocks in voting district (002980), tract 0526.03, block group 1, in Johnson county: block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (002980), tract 0526.03, block group 2, in Johnson county: block 017, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032; and the following voting districts in Johnson

county: (002990), (003040), (003050), (003060), (003070), (003080), (900030); and the following blocks in voting district (900510), tract 0521.01, block group 1, in Johnson county: block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 043, block 047; and the following blocks in voting district (900520), tract 0521.01, block group 1, in Johnson county: block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 041, block 042, block 044, block 045, block 046, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066; and the following voting districts in Johnson county: (900530), (900540), (900550), (900560), (901330), (901340), (901350); and the following blocks in voting district (901360), tract 0526.03, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Johnson county: (901390); and the following voting districts in Wyandotte county: (601110).

Sec. 144. Senatorial district 11 shall consist of the following voting districts in Johnson county: (000240), (000270), (000350), (000370); and the following blocks in voting district (001900), tract 0518.05, block group 4, in Johnson county: block 028, block 029; and the following blocks in voting district (001900), tract 0532.01, block group 1, in Johnson county: block 017; and the following voting districts in Johnson county: (002090), (002160), (002180), (002190), (002200), (002210), (00222B), (002230), (002240), (002330); and the following blocks in voting district (002340), tract 0518.06, block group 5, in Johnson county: block 003, block 004, block 005, block 006, block 015, block 016, block 017, block 018, block 019, block 023, block 024, block 025; and the following blocks in voting district (002350), tract 0518.06, block group 5, in Johnson county: block 000, block 001, block 002, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 020, block 021, block 022; and the following voting districts in Johnson county: (002370); and the following blocks in voting district (002380), tract 0531.05, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following voting districts in Johnson county: (002390), (002400), (002410), (00242A), (00242B), (900190), (900200), (900210), (900220), (900230), (900240), (900250), (900260), (900270), (900280); and the following blocks in voting district (900290), tract 0534.10, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 021, block 022; and the following voting districts in Johnson county: (900300), (900310), (900320), (900330), (900340), (901020), (901040), (901060), (901070), (901080), (901090), (901100), (901110); and the following blocks in voting district (901160), tract 0534.10, block group 4, in Johnson county: block 010, block 017, block 018, block 019, block 020, block 023, block 024.

Sec. 145. Senatorial district 12 shall consist of the following voting districts in

Franklin county: (000010), (000020), (000030), (000040), (000050); and the following blocks in voting district (000060), tract 9541.00, block group 5, in Franklin county: block 133, block 134, block 135, block 137, block 138, block 139, block 140, block 145, block 174, block 175, block 176, block 177, block 193; and the following blocks in voting district (000060), tract 9541.00, block group 6, in Franklin county: block 006, block 007, block 008, block 014, block 017, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 064, block 069, block 070, block 071, block 072, block 073, block 076, block 078, block 079, block 082, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 138, block 144, block 188, block 189, block 191, block 193, block 194; and the following voting districts in Franklin county: (000070), (000080); and the following blocks in voting district (000090), tract 9545.00, block group 4, in Franklin county: block 019, block 023, block 078; and the following voting districts in Franklin county: (000100); and the following blocks in voting district (000110), tract 9545.00, block group 2, in Franklin county: block 162, block 164, block 166, block 167, block 168, block 169, block 171, block 172, block 173; and the following blocks in voting district (000110), tract 9545.00, block group 3, in Franklin county: block 018, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 063, block 064; and the following blocks in voting district (000110), tract 9545.00, block group 4, in Franklin county: block 066, block 067, block 068, block 069, block 070, block 071, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 145, block 147, block 148, block 149, block 150, block 151; and the following blocks in voting district (000110), tract 9545.00, block group 5, in Franklin county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 019, block 027, block 028, block 029; and the following voting districts in Franklin county: (00012A), (00013A), (00013B), (00013C), (000140), (000150), (000160), (000170), (000180), (000190), (00020A), (000210), (000220), (000230); and the following blocks in voting district (000240), tract 9545.00, block group 3, in Franklin county: block 058, block 059, block 060, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 094, block 186, block 187, block 188, block 189, block 190, block 191, block 192; and the following blocks in voting district (000240), tract 9545.00, block group 5, in Franklin county: block 026, block 030, block 031, block 032, block 033, block 034, block 035, block

036, block 037, block 038, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114; and the following voting districts in Franklin county: (900010); and all of Linn county; and all of Miami county.

Sec. 146. Senatorial district 13 shall consist of the following blocks in voting district (000020), tract 9526.00, block group 1, in Allen county: block 566, block 567, block 568, block 569, block 570, block 576, block 577, block 578, block 579, block 580, block 581, block 582, block 583, block 584, block 608, block 609, block 610, block 611, block 612, block 613, block 614, block 615, block 616, block 617, block 618, block 619, block 620, block 621, block 622, block 623, block 624, block 625, block 626, block 627, block 628, block 721, block 726, block 727, block 728, block 729, block 730, block 731, block 732, block 733, block 734, block 736; and the following blocks in voting district (000020), tract 9530.00, block group 1, in Allen county: block 196, block 197, block 198, block 199, block 201, block 231, block 242, block 243, block 244, block 245, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286; and the following voting districts in Allen county: (000030), (000040); and the following blocks in voting district (00006A), tract 9530.00, block group 1, in Allen county: block 101, block 102, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 121, block 122, block 123, block 126, block 162, block 163, block 164, block 165, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 288; and the following blocks in voting district (00006A), tract 9530.00, block group 2, in Allen county: block 040; and the following voting districts in Allen county: (000140), (000150), (000170), (000180), (000190); and all of Bourbon county; and the following blocks in voting district (000010), tract 9586.00, block group 1, in Cherokee county: block 012, block 013, block 016, block 017, block 019, block 020, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120; and the following blocks in voting district (000010), tract 9586.00, block group 3, in Cherokee county: block 000, block 001, block 002, block 003, block 023, block 024, block 025, block 026, block 027, block 033, block 034, block 035, block 036; and the following blocks in voting district (000010), tract 9586.00, block group 5, in Cherokee county: block 009, block 010; and the following voting districts in Cherokee county: (000030); and the following blocks in voting district (00004A), tract 9586.00, block group 2, in

Cherokee county: block 062, block 063; and the following blocks in voting district (00004A), tract 9586.00, block group 3, in Cherokee county: block 039, block 040, block 047, block 048; and the following blocks in voting district (00004A), tract 9586.00, block group 4, in Cherokee county: block 002, block 003, block 006, block 007, block 012, block 013, block 018, block 019, block 022, block 023, block 024, block 025, block 028, block 029, block 030, block 037; and the following blocks in voting district (00004A), tract 9586.00, block group 5, in Cherokee county: block 035; and the following voting districts in Cherokee county: (000050); and the following blocks in voting district (000110), tract 9581.00, block group 3, in Cherokee county: block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 140, block 141; and the following blocks in voting district (000110), tract 9583.00, block group 1, in Cherokee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 012; and the following voting districts in Cherokee county: (000120), (00013A), (00013B), (00013C), (00013D), (000140), (00015A), (00015B), (000160), (000170), (00018A), (00018B), (00018C), (000200), (000220), (000250), (000310), (000320), (000330), (000340); and the following blocks in voting district (000360), tract 9584.00, block group 2, in Cherokee county: block 035, block 036, block 047, block 049, block 050; and the following blocks in voting district (00037A), tract 9584.00, block group 3, in Cherokee county: block 030, block 031, block 032, block 033; and the following blocks in voting district (00037A), tract 9586.00, block group 1, in Cherokee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 014, block 015, block 018; and the following blocks in voting district (00037B), tract 9586.00, block group 2, in Cherokee county: block 060, block 061; and the following blocks in voting district (00037B), tract 9586.00, block group 5, in Cherokee county: block 038; and the following voting districts in Cherokee county: (00037C), (00039A), (000400), (000410); and all of Crawford county.

Sec. 147. Senatorial district 14 shall consist of the following blocks in voting district (000010), tract 9586.00, block group 1, in Cherokee county: block 021, block 057, block 058, block 072, block 083, block 095; and the following blocks in voting district (000010), tract 9586.00, block group 3, in Cherokee county: block 004, block 011, block 012, block 022; and the following voting districts in Cherokee county: (000020); and the following blocks in voting district (00004A), tract 9586.00, block group 2, in Cherokee county: block 021, block 022, block 024, block 032, block 033, block 034, block 038, block 039, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 059, block 067, block 068, block 069; and the following blocks in voting district (00004A), tract 9586.00, block group 3, in Cherokee county: block 017, block 018, block 019, block 028, block 029, block 030, block 031, block 032, block 041, block 042, block 043, block 044, block 045, block 046; and the following blocks in voting district (00004A), tract 9586.00, block group 4, in Cherokee county: block 004, block 005, block 020, block 021, block 026, block 027; and the following voting districts in Cherokee county: (00004B), (000060), (000070), (000080), (000090), (00010A), (00010B); and the following blocks in voting district (000110), tract 9582.00, block group 2, in Cherokee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 020, block 021, block

022, block 023, block 024; and the following blocks in voting district (000110), tract 9583.00, block group 1, in Cherokee county: block 009, block 010, block 011, block 044, block 045, block 046, block 060, block 061, block 062, block 063, block 104, block 105, block 106, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132; and the following blocks in voting district (000110), tract 9584.00, block group 1, in Cherokee county: block 012, block 013, block 014, block 015, block 023, block 024, block 025, block 026, block 092, block 093, block 094, block 095, block 096; and the following voting districts in Cherokee county: (000190), (000210), (000230), (000240), (000260), (000270), (000280), (000290), (00030A), (00030B), (000350); and the following blocks in voting district (000360), tract 9582.00, block group 2, in Cherokee county: block 019, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 105, block 175, block 176, block 180; and the following blocks in voting district (000360), tract 9584.00, block group 1, in Cherokee county: block 097, block 098, block 099, block 105, block 106, block 107, block 158, block 159, block 160, block 161, block 176, block 177, block 178, block 186, block 187, block 188; and the following blocks in voting district (000360), tract 9584.00, block group 2, in Cherokee county: block 032, block 033, block 034, block 037, block 038, block 039, block 044, block 045, block 046; and the following blocks in voting district (00037A), tract 9582.00, block group 2, in Cherokee county: block 101, block 102, block 103, block 104, block 106, block 107, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 173, block 174, block 177, block 178, block 179, block 182, block 183; and the following blocks in voting district (00037A), tract 9586.00, block group 1, in Cherokee county: block 022, block 023, block 024, block 025, block 026, block 028, block 029, block 030, block 031, block 037, block 038, block 039, block 040, block 041, block 042, block 049, block 050; and the following blocks in voting district (00037A), tract 9586.00, block group 2, in Cherokee county: block 009, block 010, block 011, block 012, block 020, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 036, block 037, block 040, block 041, block 042, block 043, block 044, block 045, block 064, block 065, block 066; and the following blocks in voting district (00037B), tract 9586.00, block group 2, in Cherokee county: block 058; and the following voting districts in Cherokee county: (000380), (00042A), (00042B); and all of Labette county; and the following voting districts in Montgomery county: (00001A), (00001B), (00001C), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000250), (000260), (000430), (00044A), (00044B), (00044C), (900010), (900020), (900030), (900040); and the following voting districts in Neosho county: (000010), (00002A), (000030), (000040), (000050), (000060), (000070), (000080), (000090),

000100), (000110), (00012A), (00012B), (00012C), (000130), (000140), (000150), (000160), (000170), (000180); and the following blocks in voting district (000190), tract 9516.00, block group 4, in Neosho county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 022, block 023, block 032, block 033, block 034; and the following blocks in voting district (000190), tract 9517.00, block group 1, in Neosho county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 056, block 057, block 059; and the following blocks in voting district (000190), tract 9517.00, block group 2, in Neosho county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 020, block 023, block 024, block 030, block 031, block 036, block 073, block 079; and the following voting districts in Neosho county: (000200), (000210), (00022A), (00022B), (00022C), (00022D), (000230), (000240), (900010), (900020).

Sec. 148. Senatorial district 15 shall consist of the following voting districts in Allen county: (000010); and the following blocks in voting district (000020), tract 9530.00, block group 1, in Allen county: block 200, block 202, block 203, block 204, block 205, block 206, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 232, block 233, block 234, block 236, block 240, block 241, block 274, block 275; and the following blocks in voting district (000020), tract 9530.00, block group 4, in Allen county: block 133, block 134, block 135, block 159, block 160, block 161; and the following voting districts in Allen county: (000050); and the following blocks in voting district (00006A), tract 9530.00, block group 1, in Allen county: block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 103, block 104, block 105, block 106, block 107, block 124, block 125, block 127, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 289, block 290; and the following blocks in voting district (00006A), tract 9530.00, block group 2, in Allen county: block 000, block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 015, block 016, block 018, block 033, block 034, block 035, block 036, block 039, block 049, block 095, block 105, block 106; and the following blocks in voting district (00006A), tract 9530.00, block group 4, in Allen county: block 000, block 001, block 002, block 013, block 014, block 015, block 064, block 087, block 093, block 095, block 096, block 097, block 099, block 100, block 101, block 102, block 104, block 105, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 124, block 125, block 126, block 127, block 128, block 129, block 131, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 158, block 163; and the following voting districts in Allen county: (00006B), (00006C), (000070), (000080), (000090), (00010A), (00010B), (000110), (000120), (000130), (00016A), (00016B), (00016C), (00020A), (00020B), (000210); and all of Anderson county; and all of Chautauqua

county; and the following voting districts in Coffey county: (000010), (000020), (000030), (00004A), (00004B), (00005A), (00005B), (00005C), (000060); and the following blocks in voting district (000070), tract 9661.00, block group 1, in Coffey county: block 167, block 171; and the following voting districts in Coffey county: (000080), (000090); and the following blocks in voting district (000100), tract 9662.00, block group 2, in Coffey county: block 017, block 018, block 083; and the following blocks in voting district (000100), tract 9662.00, block group 3, in Coffey county: block 213, block 253, block 254, block 255, block 256, block 258, block 259, block 260, block 261, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 303, block 305, block 306, block 320, block 327; and the following voting districts in Coffey county: (000110), (000120), (000130), (000140); and the following blocks in voting district (000150), tract 9661.00, block group 1, in Coffey county: block 158; and the following voting districts in Coffey county: (000160), (000170), (900010), (900020), (900030); and all of Elk county; and the following blocks in voting district (000060), tract 9541.00, block group 6, in Franklin county: block 101, block 102, block 103, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 123, block 153, block 154, block 155, block 156, block 157; and the following blocks in voting district (000090), tract 9541.00, block group 6, in Franklin county: block 134, block 135, block 136, block 137, block 139, block 140, block 141, block 142, block 143, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 174, block 175, block 177, block 186; and the following blocks in voting district (000090), tract 9545.00, block group 4, in Franklin county: block 018, block 020, block 021, block 022, block 048, block 072, block 073, block 074, block 075, block 076, block 077, block 094, block 095, block 096, block 097, block 141, block 142, block 143, block 144; and the following blocks in voting district (000090), tract 9545.00, block group 6, in Franklin county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 049, block 050, block 051, block 052, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 090, block 091, block 092, block 093, block 216; and the following blocks in voting district (000110), tract 9545.00, block group 4, in Franklin county: block 093; and the following blocks in voting district (000110), tract 9545.00, block group 5, in Franklin county: block 020, block 021, block 022, block 023; and the following blocks in voting district (000240), tract 9545.00, block group 5, in Franklin county: block 018, block 024, block 025, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 115; and the following blocks in voting district (000240), tract 9545.00, block group 6, in Franklin county: block 167, block 168, block 169, block 170, block 171; and the following voting districts in Franklin county: (000250); and all of Greenwood county;

and the following voting districts in Montgomery county: (000240), (000270), (000280), (000290), (000300), (000310), (00032A), (00032B), (000330), (000340), (000350), (000360), (000370), (000380), (000390), (00040A), (00040B), (00040C), (000410), (000420), (000450), (000460), (000470), (900050), (900060); and the following blocks in voting district (000190), tract 9516.00, block group 4, in Neosho county: block 010, block 011; and the following blocks in voting district (000190), tract 9517.00, block group 1, in Neosho county: block 000; and all of Wilson county; and all of Woodson county.

Sec. 149. Senatorial district 16 shall consist of all of Butler county; and the following blocks in voting district (500490), tract 0101.06, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 017, block 032, block 038, block 040, block 041; and the following blocks in voting district (500490), tract 0101.16, block group 1, in Sedgwick county: block 139, block 140, block 159, block 160, block 161, block 162, block 163, block 164, block 179, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 198, block 199, block 200, block 202, block 203; and the following blocks in voting district (500490), tract 0108.02, block group 1, in Sedgwick county: block 000, block 001, block 002, block 035, block 036, block 037, block 038, block 040, block 041, block 046, block 047, block 048, block 050, block 051, block 052, block 053; and the following voting districts in Sedgwick county: (500500), (500510), (500520); and the following blocks in voting district (500530), tract 0101.15, block group 1, in Sedgwick county: block 028, block 029; and the following blocks in voting district (500530), tract 0101.16, block group 1, in Sedgwick county: block 166, block 174, block 175, block 176, block 180, block 181; and the following blocks in voting district (500540), tract 0101.15, block group 1, in Sedgwick county: block 008, block 009, block 022, block 023, block 024, block 025, block 037, block 038, block 039, block 094, block 095, block 099, block 100, block 101, block 125, block 126, block 127; and the following blocks in voting district (500540), tract 0101.16, block group 1, in Sedgwick county: block 169, block 171, block 173; and the following blocks in voting district (500560), tract 0101.15, block group 1, in Sedgwick county: block 116; and the following voting districts in Sedgwick county: (500710); and the following blocks in voting district (502240), tract 0101.11, block group 1, in Sedgwick county: block 000, block 001, block 023, block 028; and the following blocks in voting district (502240), tract 0101.16, block group 1, in Sedgwick county: block 209, block 210, block 215, block 216; and the following voting districts in Sedgwick county: (502250); and the following blocks in voting district (503020), tract 0100.01, block group 2, in Sedgwick county: block 000; and the following blocks in voting district (503020), tract 0101.15, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 107, block 108, block 109, block 110, block 115, block 121, block 122, block 123, block 124; and the following blocks in voting district (503020), tract 0101.16, block group 1, in Sedgwick county: block 167, block 168, block 194; and the following blocks in voting district (503090), tract 0101.15, block group 1, in Sedgwick county: block 026, block 027; and the following blocks in voting district (503090), tract 0101.16, block group 1, in Sedgwick county: block 172; and the following voting districts in Sedgwick county: (503110); and the following blocks in voting district (503160), tract 0101.15, block group 1, in Sedgwick county: block 030, block 031; and the following blocks in

voting district (503160), tract 0101.16, block group 1, in Sedgwick county: block 183; and the following blocks in voting district (503530), tract 0101.16, block group 1, in Sedgwick county: block 096, block 097, block 110, block 111, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 123, block 124, block 132, block 133, block 134, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 158, block 170; and the following blocks in voting district (503550), tract 0101.16, block group 1, in Sedgwick county: block 211; and the following voting districts in Sedgwick county: (503560), (503580), (530540), (700490); and the following blocks in voting district (700530), tract 0101.15, block group 1, in Sedgwick county: block 072, block 073, block 074, block 076; and the following voting districts in Sedgwick county: (700620), (700660), (700670), (900010).

Sec. 150. Senatorial district 17 shall consist of all of Chase county; and the following blocks in voting district (000070), tract 9661.00, block group 1, in Coffey county: block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 092, block 093, block 094, block 095, block 096, block 097, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 168, block 169, block 170, block 174, block 175; and the following blocks in voting district (000070), tract 9662.00, block group 3, in Coffey county: block 000, block 001, block 002, block 003, block 004, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 314, block 315, block 316, block 317, block 326; and the following blocks in voting district (000100), tract 9662.00, block group 3, in Coffey county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block

155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 207, block 208, block 209, block 210, block 211, block 212, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 257, block 262, block 263, block 304, block 307, block 308, block 309, block 310, block 311, block 312, block 313, block 318, block 319, block 321, block 322, block 323, block 324, block 325, block 328, block 329, block 330; and the following blocks in voting district (000150), tract 9661.00, block group 1, in Coffey county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 172, block 173, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219; and the following voting districts in Dickinson county: (000060), (000080), (000120), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000230), (000240), (000250), (000270), (000280), (000300), (000310); and all of Lyon county; and all of Marion county; and all of Morris county; and the following voting districts in Osage county: (000010), (000020), (000030), (000060), (000080), (000090), (000100), (000130), (000140), (000220); and the following blocks in voting district (000230), tract 0103.00, block group 1, in Osage county: block 116, block 117, block 124, block 125, block 126, block 140, block 145, block 148, block 149; and the following voting districts in Osage county: (000240).

Sec. 151. Senatorial district 18 shall consist of the following voting districts in Shawnee county: (000090), (000150); and the following blocks in voting district

(000250), tract 0008.00, block group 1, in Shawnee county: block 076, block 082, block 083; and the following blocks in voting district (000260), tract 0008.00, block group 1, in Shawnee county: block 081, block 091; and the following voting districts in Shawnee county: (000330), (000350), (000410), (000420), (000430), (000440); and the following blocks in voting district (000480), tract 0008.00, block group 1, in Shawnee county: block 085, block 096; and the following voting districts in Shawnee county: (000590), (000600), (000610), (000630), (000640), (000650), (000660), (000740), (001040), (001050), (001060), (001070), (001080), (001090), (001100), (001120), (001130), (001140), (001150), (001160), (001170), (001180), (001190), (001210), (001220); and the following blocks in voting district (001230), tract 0019.00, block group 1, in Shawnee county: block 025, block 026; and the following blocks in voting district (001230), tract 0019.00, block group 2, in Shawnee county: block 000, block 001, block 007, block 008, block 009, block 010, block 017, block 018; and the following voting districts in Shawnee county: (001360), (001370), (001380), (001410), (001460), (001760), (001850), (001880), (001890), (100050), (200010), (200020), (200120), (200140), (400070), (400100), (400110), (500010); and the following blocks in voting district (500110), tract 0036.07, block group 3, in Shawnee county: block 004, block 024, block 025; and the following voting districts in Shawnee county: (600010), (600020); and the following blocks in voting district (600030), tract 0004.00, block group 1, in Shawnee county: block 000, block 001; and the following blocks in voting district (600030), tract 0005.00, block group 2, in Shawnee county: block 010, block 011; and the following blocks in voting district (600030), tract 0040.00, block group 3, in Shawnee county: block 011, block 012; and the following voting districts in Shawnee county: (600050), (600060), (600150), (600160), (600220), (600230), (600240), (600340), (600350), (600360), (600370), (600380), (600390), (600470), (600510), (600530), (600570), (600580), (800020), (800030), (900030), (900040), (900050); and all of Wabaunsee county.

Sec. 152. Senatorial district 19 shall consist of the following blocks in voting district (000010), tract 0014.00, block group 2, in Douglas county: block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 038, block 043; and the following blocks in voting district (000030), tract 0008.01, block group 1, in Douglas county: block 007, block 009, block 010, block 012, block 046; and the following blocks in voting district (000030), tract 0014.00, block group 1, in Douglas county: block 009, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 029, block 030, block 031, block 032, block 034, block 035, block 036, block 038, block 039, block 040, block 062, block 092, block 093, block 094; and the following blocks in voting district (000030), tract 0014.00, block group 2, in Douglas county: block 136, block 145, block 146, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 193, block 194, block 195, block 196, block 197, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 228; and the following blocks in voting district (000030), tract 0014.00, block group 3, in Douglas county: block 000, block 001, block 002, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block

019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 055, block 070, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 220, block 221, block 224, block 225; and the following blocks in voting district (00006A), tract 0006.03, block group 1, in Douglas county: block 059, block 061, block 062, block 063, block 064; and the following blocks in voting district (00006A), tract 0014.00, block group 2, in Douglas county: block 000, block 001, block 004, block 005, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 042, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 198, block 199, block 225, block 226, block 227, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237; and the following blocks in voting district (00006A), tract 0014.00, block group 3, in Douglas county: block 003, block 004, block 005, block 006, block 007, block 008, block 222; and the following blocks in voting district (000200), tract 0009.02, block group 1, in Douglas county: block 040; and the following blocks in voting district (00053A), tract 0008.01, block group 1, in Douglas county: block 011, block 031, block 032, block 033, block 035, block 036, block 037, block 044, block 045, block 047; and the following blocks in voting district (00053A), tract 0014.00, block group 1, in Douglas county: block 006, block 007, block 008; and the following blocks in voting district (000560), tract 0008.01, block group 1, in Douglas county: block 008; and the following blocks in voting district (000580), tract 0014.00, block group 2, in Douglas county: block 006, block 007, block 037, block 039, block 040, block 041; and the following voting districts in Douglas county: (000590); and the following blocks in voting district (00067A), tract 0008.01, block group 1, in Douglas county: block 040, block 041, block 042; and the following blocks in voting district (00067A), tract 0008.02, block group 2, in Douglas county: block 016, block 017, block 019, block 020, block 021, block 022;

and the following blocks in voting district (00067A), tract 0009.02, block group 1, in Douglas county: block 038, block 039; and the following blocks in voting district (00067A), tract 0012.01, block group 1, in Douglas county: block 073, block 074, block 075, block 076; and the following blocks in voting district (00067A), tract 0014.00, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 010, block 011, block 012, block 013, block 014, block 015, block 025, block 026, block 027, block 028, block 037, block 045, block 046, block 047; and the following blocks in voting district (000680), tract 0014.00, block group 1, in Douglas county: block 033, block 041, block 042, block 043, block 044, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 063, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 090, block 091; and the following blocks in voting district (000680), tract 0014.00, block group 3, in Douglas county: block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 188, block 189, block 190, block 191, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 219; and the following blocks in voting district (400110), tract 0008.01, block group 1, in Douglas county: block 013, block 014, block 034; and the following voting districts in Douglas county: (900010); and the following voting districts in Jefferson county: (000040); and the following voting districts in Osage county: (000007), (000040), (000050), (000110), (000120), (000150), (000160), (000170), (000180), (000190), (000200), (000210); and the following blocks in voting district (000230), tract 0103.00, block group 1, in Osage county: block 062, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 118, block 119, block 120, block 121, block 122, block 123, block 129, block 130, block 146, block 147, block 176, block 177, block 178, block 187, block 570, block 573, block 579, block 580; and the following blocks in voting district (000230), tract 0104.00, block group 1, in Osage county: block 002, block 003, block 006, block 008, block 009, block 012, block 014; and the following blocks in voting district (000230), tract 0104.00, block group 2, in Osage county: block 001, block 002, block 003, block 006, block 010, block 013, block 015, block 078, block 094, block 095; and the following voting districts in Osage county: (900010), (900020), (900030), (900040); and the following voting districts in Shawnee county: (000080), (000180), (000190); and the following blocks in voting district (000250), tract 0008.00, block group 1, in Shawnee county: block 089; and the following blocks in voting district (000250), tract 0009.00, block group 4, in Shawnee county: block 012, block 013; and the following blocks in voting district (000260), tract 0008.00, block group 1, in Shawnee county: block 090; and the following blocks in voting district (000260), tract 0009.00, block group 4, in Shawnee county: block 000, block 001, block 002, block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 015, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 026, block 030,

block 041, block 045, block 046, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 063, block 064, block 076, block 078, block 079, block 080; and the following blocks in voting district (000260), tract 0031.00, block group 1, in Shawnee county: block 002, block 003, block 004; and the following blocks in voting district (000260), tract 0039.01, block group 1, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 018, block 019, block 021, block 022; and the following blocks in voting district (000260), tract 0039.01, block group 3, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 011; and the following voting districts in Shawnee county: (000270), (000280), (000290), (000300), (000310), (000370); and the following blocks in voting district (000480), tract 0008.00, block group 1, in Shawnee county: block 086; and the following blocks in voting district (000480), tract 0009.00, block group 1, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (000480), tract 0009.00, block group 2, in Shawnee county: block 000, block 001, block 002, block 003; and the following blocks in voting district (000480), tract 0009.00, block group 3, in Shawnee county: block 000, block 001, block 002, block 003; and the following blocks in voting district (000480), tract 0009.00, block group 4, in Shawnee county: block 003, block 005, block 014, block 016, block 017, block 025, block 027, block 028, block 029, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 042, block 043, block 044, block 077; and the following voting districts in Shawnee county: (000490), (000500), (000510), (000520), (000530), (000540), (000550), (000560), (000570), (000580), (000690), (000700), (000710), (000750), (000760), (000770), (000780), (000790), (000800), (000820), (000830), (000840), (000850), (000860), (000870), (000880), (000890), (000910), (000920), (000930), (000940), (000950), (001010), (001910), (100060), (200090), (500070), (500080), (500120), (500130); and the following blocks in voting district (600030), tract 0004.00, block group 1, in Shawnee county: block 015, block 016; and the following blocks in voting district (600030), tract 0004.00, block group 3, in Shawnee county: block 000, block 001, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600030), tract 0040.00, block group 3, in Shawnee county: block 007, block 008, block 009, block 013, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040; and the following blocks in voting district (600030), tract 0040.00, block group 4, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Shawnee county: (600130), (600140); and the following blocks in voting district (600210), tract 0030.02, block group 2, in Shawnee county: block 017, block 023, block 024, block 025, block 026, block 029, block 030, block 039, block 041, block 042, block 043, block 044, block 046; and the following blocks in voting district (600210), tract 0030.02, block group 3, in Shawnee county: block 048, block 053; and the following voting districts in Shawnee county: (600420), (600430), (600440); and the following blocks in voting district

(900020), tract 0030.02, block group 2, in Shawnee county: block 040; and the following blocks in voting district (900020), tract 0030.02, block group 3, in Shawnee county: block 049, block 050.

Sec. 153. Senatorial district 20 shall consist of the following voting districts in Shawnee county: (000210), (000240), (000340), (000960), (000970), (000980), (000990), (001000), (001030), (001200); and the following blocks in voting district (001230), tract 0019.00, block group 1, in Shawnee county: block 027, block 028; and the following blocks in voting district (001230), tract 0019.00, block group 2, in Shawnee county: block 002, block 005, block 006, block 011, block 016, block 019, block 020, block 021; and the following voting districts in Shawnee county: (001240), (001250), (001260), (001270), (001280), (001290), (001300), (001310), (001320), (001330), (001340), (001350), (001400), (001420), (001430), (001440), (001450), (001470), (001480), (001490), (001500), (001510), (001520), (001530), (001540), (001550), (001560), (001570), (001590), (001600), (001610), (001620), (001630), (001640), (001650), (001670), (001680), (001710), (001720), (001780), (100030), (100040), (200050), (200070), (200080), (200130), (200150), (200160), (300090); and the following blocks in voting district (500110), tract 0036.04, block group 1, in Shawnee county: block 000, block 001; and the following blocks in voting district (500110), tract 0036.07, block group 1, in Shawnee county: block 001, block 028, block 029, block 036, block 040, block 041, block 042, block 051, block 052, block 053; and the following blocks in voting district (500110), tract 0036.07, block group 3, in Shawnee county: block 005, block 006, block 007, block 009, block 023, block 026, block 027, block 031; and the following voting districts in Shawnee county: (500140), (500160), (600040), (600080), (600090), (600110), (600170), (600180), (600190); and the following blocks in voting district (600210), tract 0037.00, block group 4, in Shawnee county: block 004; and the following voting districts in Shawnee county: (600250), (600260), (600270), (600280), (600290), (600300), (600310), (600330), (600490), (600500), (700010), (700020), (800010), (800040), (800060), (800070), (900010); and the following blocks in voting district (900020), tract 0030.02, block group 2, in Shawnee county: block 038, block 045, block 049, block 050, block 051, block 052; and the following blocks in voting district (900020), tract 0037.00, block group 1, in Shawnee county: block 007, block 013, block 076, block 093, block 094, block 105, block 110; and the following blocks in voting district (900020), tract 0037.00, block group 3, in Shawnee county: block 000, block 013, block 022, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (900020), tract 0037.00, block group 4, in Shawnee county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 024, block 025, block 026, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 076, block 082, block 083, block 084, block 148, block 149; and the following voting districts in Shawnee county: (900060), (900070), (900080), (900090).

Sec. 154. Senatorial district 21 shall consist of all of Clay county; and all of Cloud county; and the following voting districts in Geary county: (000010), (00002A); and the

following blocks in voting district (00002B), tract 0006.00, block group 3, in Geary county: block 012; and the following blocks in voting district (00002C), tract 0006.00, block group 3, in Geary county: block 032, block 035, block 036, block 037, block 059; and the following blocks in voting district (00002D), tract 0006.00, block group 3, in Geary county: block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 033, block 034, block 038; and the following blocks in voting district (00002E), tract 0006.00, block group 3, in Geary county: block 015, block 016, block 017, block 018, block 019, block 020, block 039; and the following blocks in voting district (00002F), tract 0006.00, block group 3, in Geary county: block 013, block 014, block 060; and the following voting districts in Geary county: (00002M), (00002O), (00002P), (00002Q), (00002R); and the following blocks in voting district (000040), tract 0007.00, block group 1, in Geary county: block 052, block 053, block 054, block 055, block 056, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 156, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 303, block 304, block 333, block 336, block 337, block 346, block 347, block 348, block 355, block 356, block 357, block 358, block 359, block 389, block 390, block 391, block 392, block 393, block 504, block 508; and the following blocks in voting district (000050), tract 0007.00, block group 1, in Geary county: block 000, block 001, block 002, block 305, block 306, block 307, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 324, block 325, block 326, block 327, block 328, block 329, block 330, block 331, block 332, block 334, block 335, block 338, block 339, block 340, block 341, block 342, block 343, block 344, block 345, block 349, block 350, block 351, block 352, block 353, block 354, block 360, block 361, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 377, block 378, block 495; and the following blocks in voting district (000060), tract 0007.00, block group 1, in Geary county: block 050, block 051, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 081, block 082, block 083, block 084, block 085, block 086, block 090, block 091, block 093, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 150, block 151, block 152, block 153, block 154, block 155, block 157, block 158, block 254, block 255, block 256, block 264, block 494; and the following blocks in voting district (00007A), tract 0007.00, block group 1, in Geary county: block 171, block 173, block 174, block 175, block 176, block 177, block 182, block 183, block 189; and the following blocks in voting district (00013A), tract 0007.00, block group 1, in Geary county: block 186, block 187, block 188; and the following voting districts in Geary county: (00022B); and the following blocks in voting district (000230), tract 0003.00, block group 2, in Geary county: block 012, block 013, block 014; and the following voting districts in Geary county: (000240), (000250), (000270); and the following blocks in voting district (900010), tract 0003.00, block group 2, in Geary county: block

000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 015, block 017, block 018, block 022; and the following blocks in voting district (900010), tract 0007.00, block group 1, in Geary county: block 184, block 185, block 220, block 221, block 222, block 236, block 239; and the following blocks in voting district (900010), tract 0008.00, block group 1, in Geary county: block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 234, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 299, block 301, block 302, block 312, block 313, block 315, block 316, block 334, block 335, block 336, block 337, block 338, block 340; and the following blocks in voting district (900010), tract 0008.00, block group 2, in Geary county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 048, block 049, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 211, block 212, block 213, block 217, block 218, block 219, block 222, block 225, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 312, block 313, block 330, block 332, block 333, block 401, block 402, block 403, block 404; and the following blocks in voting district (900090), tract 0007.00, block group 1, in Geary county: block 087, block 088, block 089, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 172, block 178, block 179, block 180, block 181, block 190, block 197, block 198, block 199, block 206, block 209, block 497, block 498, block 499, block 502; and the following blocks in voting district (900120), tract 0007.00, block group 1, in Geary county: block 223, block 224, block 225, block 237, block 238; and the following blocks in voting district (900120), tract 0008.00, block group 2, in Geary county: block 208, block 209, block 210, block 214, block 215, block 216, block 220, block 221, block 223, block 224, block 226, block 227, block 299; and the following blocks in voting district (900180), tract 0008.00,

block group 2, in Geary county: block 089, block 189; and all of Marshall county; and the following blocks in voting district (000010), tract 1766.00, block group 1, in Mitchell county: block 095, block 096, block 097, block 102, block 103, block 104, block 105, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 131, block 132, block 133, block 134, block 135, block 201, block 202, block 213, block 228; and the following voting districts in Mitchell county: (000020), (000030), (000040), (000050); and the following blocks in voting district (00006A), tract 1766.00, block group 1, in Mitchell county: block 079, block 080, block 081, block 098, block 099, block 100, block 101, block 136, block 137, block 138, block 139, block 140, block 141, block 144, block 147, block 148, block 149, block 150, block 151, block 186, block 187, block 190, block 191, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 203, block 205, block 206, block 208, block 397, block 404; and the following blocks in voting district (00006A), tract 1766.00, block group 2, in Mitchell county: block 022, block 023, block 024, block 025, block 051, block 071, block 072, block 074, block 075, block 076, block 077; and the following blocks in voting district (00006A), tract 1766.00, block group 4, in Mitchell county: block 006, block 007, block 008, block 039, block 040, block 041, block 069; and the following blocks in voting district (00006A), tract 1767.00, block group 1, in Mitchell county: block 035, block 036, block 037; and the following voting districts in Mitchell county: (00006B), (00006C), (00006D); and the following blocks in voting district (000090), tract 1767.00, block group 1, in Mitchell county: block 078, block 079, block 080, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 106, block 107, block 108, block 109, block 110, block 125, block 400, block 401; and the following blocks in voting district (000090), tract 1767.00, block group 2, in Mitchell county: block 213, block 214, block 215, block 216, block 217; and the following voting districts in Mitchell county: (000100), (000110), (000150), (000160), (000200), (000220), (000250), (000270); and the following blocks in voting district (000290), tract 1766.00, block group 2, in Mitchell county: block 078, block 079; and the following blocks in voting district (000290), tract 1767.00, block group 1, in Mitchell county: block 000, block 001, block 002, block 003, block 016, block 017, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 056, block 057, block 058, block 059, block 060, block 061; and the following blocks in voting district (000300), tract 1767.00, block group 1, in Mitchell county: block 018, block 019, block 051, block 052, block 053, block 054, block 055, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 074, block 076, block 077, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119; and the following blocks in voting district (000300), tract 1767.00, block group 2, in Mitchell county: block 307, block 308, block 309, block 310, block 311; and the following voting districts in Ottawa county: (000020), (000040), (000050), (000060), (000080), (000090), (000100), (000110), (000120), (000140), (000150), (00016A), (00016B), (000170), (000190), (000200), (000210), (000220), (000230); and the

following voting districts in Pottawatomie county: (000020), (000030); and the following blocks in voting district (000050), tract 0004.00, block group 3, in Pottawatomie county: block 021, block 022, block 023, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 177, block 193, block 194, block 198, block 232, block 423; and the following voting districts in Pottawatomie county: (000080); and the following blocks in voting district (000110), tract 0001.00, block group 1, in Pottawatomie county: block 044, block 045, block 052, block 054, block 055, block 056, block 057, block 058, block 070; and the following blocks in voting district (000110), tract 0001.00, block group 2, in Pottawatomie county: block 086, block 088, block 089, block 090; and the following voting districts in Pottawatomie county: (000120); and the following blocks in voting district (000140), tract 0001.00, block group 2, in Pottawatomie county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 091, block 092, block 093, block 094, block 095, block 096, block 101, block 102, block 185, block 186; and the following blocks in voting district (000140), tract 0004.00, block group 4, in Pottawatomie county: block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 063, block 064, block 065, block 066, block 067, block 068, block 071, block 073, block 074, block 075, block 076, block 078, block 079, block 080, block 081, block 082, block 083, block 165, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 207, block 208, block 209, block 210, block 213, block 215, block 216, block 217, block 218; and the following blocks in voting district (000150), tract 0004.00, block group 3, in Pottawatomie county: block 187, block 188, block 189, block 190, block 191, block 192, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223; and the following blocks in voting district (000150), tract 0004.00, block group 4, in Pottawatomie county: block 010, block 011, block 013, block 017, block 022, block 023, block 024, block 033, block 058; and the following voting districts in Pottawatomie county: (000160), (000180); and the following blocks in voting district (000200), tract 0001.00, block group 2, in Pottawatomie county: block 035, block 062, block 063, block 064, block 067, block 104; and the following blocks in voting district (000200), tract 0001.00, block group 3, in Pottawatomie county: block 007, block 009, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 050, block 060, block 061, block 112, block 114, block 115, block 116, block 117, block 118, block 125, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144,

block 145, block 149, block 150, block 166, block 169; and the following blocks in voting district (000200), tract 0001.00, block group 4, in Pottawatomie county: block 236, block 238, block 239, block 240, block 241; and the following blocks in voting district (000230), tract 0001.00, block group 1, in Pottawatomie county: block 046, block 047, block 049, block 050, block 051, block 053; and the following blocks in voting district (000230), tract 0001.00, block group 2, in Pottawatomie county: block 000, block 087; and the following blocks in voting district (000230), tract 0004.00, block group 4, in Pottawatomie county: block 174, block 175, block 178, block 179, block 180, block 211; and the following voting districts in Pottawatomie county: (900030); and all of Republic county; and the following blocks in voting district (000010), tract 0009.00, block group 4, in Riley county: block 049, block 053; and the following voting districts in Riley county: (000020), (000030), (000040), (00005A), (00005B); and the following blocks in voting district (000060), tract 0002.00, block group 4, in Riley county: block 025, block 026; and the following blocks in voting district (000060), tract 0013.02, block group 1, in Riley county: block 070, block 076, block 077, block 078, block 079, block 080, block 081, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 150, block 151, block 152, block 162, block 164, block 165, block 167, block 181; and the following blocks in voting district (000060), tract 0013.02, block group 2, in Riley county: block 000, block 001, block 002, block 031, block 032, block 033, block 034, block 084, block 085, block 086, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 156; and the following blocks in voting district (000060), tract 0013.02, block group 3, in Riley county: block 015, block 035; and the following blocks in voting district (000060), tract 0013.02, block group 4, in Riley county: block 325; and the following voting districts in Riley county: (000070), (000080); and the following blocks in voting district (00039A), tract 0013.02, block group 1, in Riley county: block 138, block 139, block 140, block 141, block 142, block 143, block 145, block 146, block 147, block 148, block 149, block 182; and the following blocks in voting district (000400), tract 0009.00, block group 4, in Riley county: block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 060, block 116, block 118; and the following blocks in voting district (000420), tract 0002.00, block group 4, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following voting districts in Riley county: (000430), (000450), (000460); and the following blocks in voting district (00047A), tract 0013.02, block group 1, in Riley county: block 119, block 120, block 121, block 122, block 161, block 163, block 166, block 180; and the following blocks in voting district (00047A), tract 0013.02, block group 2, in Riley county: block 138, block 139, block 148, block 149, block 150, block 152, block 153, block 154, block 155; and the following blocks in voting district (00047A), tract

0013.02, block group 3, in Riley county: block 010, block 011, block 012, block 013, block 014, block 020, block 021, block 022, block 023, block 040, block 041; and the following voting districts in Riley county: (000480); and the following blocks in voting district (300010), tract 0009.00, block group 1, in Riley county: block 024, block 025; and the following blocks in voting district (300010), tract 9800.00, block group 1, in Riley county: block 311, block 312, block 313, block 314; and the following voting districts in Riley county: (300090); and all of Washington county.

Sec. 155. Senatorial district 22 shall consist of the following blocks in voting district (00002B), tract 0006.00, block group 1, in Geary county: block 095, block 096, block 098, block 099; and the following blocks in voting district (00002B), tract 0006.00, block group 2, in Geary county: block 013, block 015, block 016, block 017, block 019, block 021; and the following blocks in voting district (00002B), tract 0006.00, block group 3, in Geary county: block 009, block 010, block 011, block 045, block 046, block 047, block 048, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 061, block 062, block 065, block 066; and the following blocks in voting district (00002C), tract 0006.00, block group 2, in Geary county: block 022; and the following blocks in voting district (00002C), tract 0006.00, block group 3, in Geary county: block 049, block 058; and the following blocks in voting district (00002D), tract 0006.00, block group 3, in Geary county: block 042; and the following blocks in voting district (00002E), tract 0006.00, block group 3, in Geary county: block 040, block 041; and the following blocks in voting district (00002F), tract 0006.00, block group 3, in Geary county: block 043, block 044; and the following voting districts in Geary county: (00002G), (00002H), (00002I), (00002J), (00002K), (00002L), (00002N); and the following blocks in voting district (000040), tract 0007.00, block group 1, in Geary county: block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 057, block 058, block 059; and the following blocks in voting district (000050), tract 0007.00, block group 1, in Geary county: block 003, block 004, block 005, block 006, block 007, block 040, block 308, block 309; and the following blocks in voting district (000060), tract 0007.00, block group 1, in Geary county: block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 079, block 080, block 094, block 500, block 505, block 506, block 507; and the following blocks in voting district (00007A), tract 0001.00, block group 3, in Geary county: block 081, block 082, block 083, block 085, block 086, block 087, block 088, block 089, block 091, block 092, block 093, block 094, block 096, block 098; and the following blocks in voting district (00007A), tract 0005.00, block group 1, in Geary county: block 039; and the following blocks in voting district (00007A), tract 0005.00, block group 2, in Geary county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block

057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087; and the following blocks in voting district (00007A), tract 0005.00, block group 4, in Geary county: block 000, block 001, block 002, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 044, block 045, block 049; and the following voting districts in Geary county: (000080), (000090), (000100), (000110); and the following blocks in voting district (00013A), tract 0004.00, block group 4, in Geary county: block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 061, block 062; and the following blocks in voting district (00013A), tract 0005.00, block group 4, in Geary county: block 046, block 047, block 048; and the following voting districts in Geary county: (000140), (000150), (00016A), (000180), (000190), (00022A); and the following blocks in voting district (000230), tract 0001.00, block group 2, in Geary county: block 001, block 002, block 015, block 016, block 017, block 018, block 025, block 026, block 027, block 049; and the following blocks in voting district (000230), tract 0002.00, block group 2, in Geary county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 022, block 023, block 024, block 025, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 041; and the following voting districts in Geary county: (000260); and the following blocks in voting district (900010), tract 0002.00, block group 1, in Geary county: block 000, block 001, block 002, block 003, block 008, block 016; and the following blocks in voting district (900010), tract 0002.00, block group 2, in Geary county: block 003, block 004, block 021; and the following blocks in voting district (900010), tract 0003.00, block group 2, in Geary county: block 010, block 011, block 016, block 021; and the following blocks in voting district (900010), tract 0008.00, block group 2, in Geary county: block 042, block 043, block 044, block 045, block 047, block 071, block 072, block 073, block 074, block 075, block 090, block 091, block 099, block 102, block 185, block 187, block 188, block 199, block 200, block 285, block 286, block 287, block 304, block 325; and the following voting districts in Geary county: (900020), (900030), (900040), (900050), (900060), (900070), (900080); and the following blocks in voting district (900090), tract 0001.00, block group 1, in Geary county: block 042, block 049, block 050, block 052, block 053, block 072, block 075, block 089, block 094; and the following blocks in voting district (900090), tract 0001.00, block group 3, in Geary county: block 000, block 003, block 013, block 016, block 017, block 018, block 080, block 084, block 095, block 097; and the following blocks in voting district (900090), tract 0005.00, block group 2, in Geary county: block 001, block 030, block 038, block 039; and the following blocks in voting district (900090), tract 0007.00, block group 2, in Geary county: block 000, block 001,

block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081; and the following voting districts in Geary county: (900100); and the following blocks in voting district (900120), tract 0004.00, block group 4, in Geary county: block 060; and the following blocks in voting district (900120), tract 0008.00, block group 2, in Geary county: block 201, block 202, block 203, block 204, block 205, block 206, block 207; and the following voting districts in Geary county: (900130), (900140), (900150), (900160), (900170); and the following blocks in voting district (900180), tract 0008.00, block group 2, in Geary county: block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 101, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 180, block 181, block 182, block 183, block 184, block 186, block 297, block 298, block 300, block 319, block 320, block 321, block 322, block 323, block 324, block 331; and the following voting districts in Geary county: (900190), (900200), (900210), (900220); and the following blocks in voting district (000010), tract 0009.00, block group 2, in Riley county: block 001, block 004, block 012, block 014, block 018, block 019, block 021, block 022, block 023, block 025, block 026, block 027, block 055, block 058, block 061; and the following blocks in voting district (000010), tract 0009.00, block group 3, in Riley county: block 005, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 039, block 041, block 042, block 044, block 076, block 077, block 078, block 079, block 082, block 085, block 086, block 093, block 094, block 096, block 097, block 101, block 102; and the following blocks in voting district (000010), tract 0009.00, block group 4, in Riley county: block 051, block 052, block 054, block 055, block 056, block 057, block 058; and the following blocks in voting district (000060), tract 0013.02, block group 3, in Riley county: block 009; and the following voting districts in Riley county: (000120), (000140), (000170), (00022A), (00022B), (000230), (00025A), (00025B), (000310), (000320), (000330), (000340), (000350), (00036A), (000370), (000380); and the following blocks in voting district (00039A), tract 0002.00, block group 4, in Riley county: block 042, block 043, block 044, block 045, block 046, block 047, block 051, block 052, block 054, block 064, block 070; and the following blocks in voting district (00039A), tract 0011.00, block group 1, in Riley county: block 000, block 009; and the following blocks in voting district (00039A), tract 0013.01, block group 2, in Riley county: block 000, block 018, block 024, block 025, block 026; and the following blocks in voting district (00039A), tract 0013.02, block group 1, in Riley

county: block 144, block 168; and the following blocks in voting district (00039A), tract 0013.02, block group 3, in Riley county: block 000, block 001, block 002, block 024, block 025, block 027, block 028, block 042, block 043; and the following voting districts in Riley county: (00039B), (00039C), (00039E), (00039G), (00039H); and the following blocks in voting district (000400), tract 0009.00, block group 3, in Riley county: block 000, block 001, block 002, block 003, block 004, block 006, block 007; and the following blocks in voting district (000400), tract 0009.00, block group 4, in Riley county: block 050; and the following voting districts in Riley county: (000410); and the following blocks in voting district (000420), tract 0002.00, block group 2, in Riley county: block 007, block 008, block 025, block 041; and the following blocks in voting district (000420), tract 0002.00, block group 3, in Riley county: block 000, block 001, block 012, block 013, block 014, block 015, block 016, block 017, block 019; and the following blocks in voting district (000420), tract 0002.00, block group 4, in Riley county: block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 050, block 053, block 056, block 057, block 058, block 060, block 061, block 062, block 063, block 068, block 069, block 071; and the following blocks in voting district (000420), tract 0002.00, block group 5, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 009, block 014, block 015, block 018; and the following blocks in voting district (000420), tract 0011.00, block group 3, in Riley county: block 000, block 001, block 003, block 004, block 005; and the following voting districts in Riley county: (00044A); and the following blocks in voting district (00047A), tract 0006.00, block group 1, in Riley county: block 001, block 006, block 007, block 010; and the following blocks in voting district (00047A), tract 0006.00, block group 5, in Riley county: block 072; and the following blocks in voting district (00047A), tract 0013.01, block group 2, in Riley county: block 034, block 041, block 042, block 044, block 047, block 049, block 051; and the following blocks in voting district (00047A), tract 0013.02, block group 3, in Riley county: block 003, block 004, block 005, block 006, block 007, block 008, block 016, block 017, block 018, block 019, block 026, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 038, block 044; and the following voting districts in Riley county: (00047B), (00047C), (00047D); and the following blocks in voting district (300010), tract 0009.00, block group 1, in Riley county: block 011, block 012, block 013, block 016, block 022, block 026, block 126; and the following voting districts in Riley county: (300020), (300030), (300040), (300050), (300060), (300070), (300100), (400010), (400020), (400030), (400040), (400050), (400060), (400070), (400080), (400090), (500010), (500030), (600001), (800001), (900010), (900020), (900030), (900040), (900050), (900060).

Sec. 156. Senatorial district 23 shall consist of the following voting districts in Johnson county: (000090), (00014A), (00014C), (000160); and the following blocks in voting district (001000), tract 0535.55, block group 2, in Johnson county: block 010, block 011, block 012, block 013; and the following blocks in voting district (001000), tract 0535.55, block group 3, in Johnson county: block 000, block 001, block 002, block 008; and the following blocks in voting district (001000), tract 0535.56, block group 1, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007,

block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 019, block 023, block 024, block 025, block 026; and the following blocks in voting district (001000), tract 0535.56, block group 2, in Johnson county: block 000, block 001, block 012, block 013; and the following voting districts in Johnson county: (001010), (001030), (001040), (001050), (001060), (001070); and the following blocks in voting district (001090), tract 0536.01, block group 2, in Johnson county: block 017, block 020, block 021, block 022, block 023; and the following blocks in voting district (001090), tract 0536.02, block group 1, in Johnson county: block 003; and the following voting districts in Johnson county: (001100), (001270), (001320), (001330), (001350), (001380), (001390), (00153P), (00311A), (00311B), (00311D), (003120), (004030), (004040), (004190), (100030), (900080), (900090), (900100), (900110), (900120), (900130), (900150), (900160), (900170), (900180), (900570), (900580), (900600), (900610), (900620), (900650), (900820), (900850), (900860), (900910), (900920), (900930), (900940), (900980), (901440), (901460), (901470), (901510); and the following blocks in voting district (901550), tract 0535.08, block group 1, in Johnson county: block 014, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (901550), tract 0535.55, block group 3, in Johnson county: block 009; and the following blocks in voting district (901550), tract 0535.57, block group 1, in Johnson county: block 019, block 020; and the following blocks in voting district (901550), tract 0535.57, block group 2, in Johnson county: block 000, block 001, block 013, block 015; and the following blocks in voting district (901550), tract 0536.02, block group 1, in Johnson county: block 000, block 001, block 002, block 030, block 031, block 032, block 033, block 034, block 035, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 054, block 062, block 100; and the following voting districts in Johnson county: (901560), (901570), (901610), (901620), (901630), (901680), (901730), (901750), (901760), (901780), (901800); and the following blocks in voting district (901810), tract 0536.02, block group 1, in Johnson county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 036, block 038, block 039, block 040, block 057, block 058, block 059, block 060, block 061, block 069, block 070, block 071, block 073, block 078, block 079; and the following blocks in voting district (901810), tract 0537.11, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Johnson county: (901820), (901830), (901840), (901860), (901870), (901880), (901890), (901900), (901950), (901970).

Sec. 157. Senatorial district 24 shall consist of the following voting districts in Dickinson county: (000010), (00002A), (00002B), (000030), (000040), (000050), (000070), (000090), (000100), (000110), (000130), (000140), (000220), (000260), (000290), (000320), (900010), (900020), (900030); and the following voting districts in Ottawa county: (000010), (000030), (000070), (000130), (000180); and all of Saline county.

Sec. 158. Senatorial district 25 shall consist of the following voting districts in Sedgwick county: (500010), (500020), (500030), (500040); and the following blocks in

voting district (500050), tract 0024.00, block group 1, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 027, block 028, block 029; and the following voting districts in Sedgwick county: (500740), (500750), (500760), (500770); and the following blocks in voting district (500780), tract 0062.00, block group 2, in Sedgwick county: block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (500780), tract 0062.00, block group 3, in Sedgwick county: block 000, block 001, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Sedgwick county: (500950), (500960), (500970), (500980), (500990), (501000), (501010), (501020), (501030), (501040); and the following blocks in voting district (501160), tract 0051.00, block group 1, in Sedgwick county: block 007, block 008, block 009, block 011; and the following blocks in voting district (501160), tract 0051.00, block group 3, in Sedgwick county: block 001, block 010; and the following blocks in voting district (501160), tract 0053.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (501160), tract 0053.00, block group 2, in Sedgwick county: block 000, block 001, block 002; and the following voting districts in Sedgwick county: (501830), (501840), (501850), (501860), (501870), (501880), (501900), (501910), (501920); and the following blocks in voting district (501930), tract 0086.00, block group 1, in Sedgwick county: block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (501930), tract 0086.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (501930), tract 0088.00, block group 4, in Sedgwick county: block 005, block 006; and the following blocks in voting district (501940), tract 0084.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (501940), tract 0084.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (501940), tract 0084.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (501940), tract 0085.00, block group 1, in Sedgwick county: block 000; and the following blocks in voting district (501940), tract 0085.00, block group 2, in Sedgwick

county: block 000; and the following blocks in voting district (501940), tract 0086.00, block group 1, in Sedgwick county: block 000, block 003, block 004.

Sec. 159. Senatorial district 26 shall consist of the following voting districts in Sedgwick county: (500940), (501050), (501060), (501070), (501080), (501090), (501100), (501110), (501120), (501130), (501140), (501150); and the following blocks in voting district (501160), tract 0052.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (501160), tract 0091.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following voting districts in Sedgwick county: (501220), (501230), (501240), (501260), (501290), (501300), (501310); and the following blocks in voting district (501410), tract 0092.00, block group 2, in Sedgwick county: block 008, block 015, block 020, block 030, block 031, block 032, block 033, block 034, block 037, block 038, block 039, block 040, block 046, block 047, block 048, block 049, block 050, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 077, block 129, block 130, block 131; and the following voting districts in Sedgwick county: (501680); and the following blocks in voting district (501690), tract 0095.07, block group 1, in Sedgwick county: block 004, block 007, block 008, block 016; and the following blocks in voting district (501720), tract 0095.07, block group 2, in Sedgwick county: block 030, block 031, block 032, block 037, block 039; and the following voting districts in Sedgwick county: (501760), (501770), (501780), (501790), (502120), (502130); and the following blocks in voting district (502140), tract 0095.09, block group 1, in Sedgwick county: block 047, block 049, block 050, block 051, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 063, block 064, block 065, block 066, block 070, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 081; and the following blocks in voting district (502140), tract 0095.10, block group 1, in Sedgwick county: block 019, block 022, block 028, block 029, block 030; and the following voting districts in Sedgwick county: (502150); and the following blocks in voting district (502180), tract 0095.07, block group 1, in Sedgwick county: block 001, block 002, block 003, block 009, block 010, block 011, block 012; and the following blocks in voting district (502180), tract 0095.07, block group 2, in Sedgwick county: block 000, block 001, block 002, block 008, block 019, block 020, block 021, block 024, block 025, block 026, block 027, block 035, block 036; and the following blocks in voting district (502200), tract 0095.09, block group 2, in Sedgwick county: block 000, block 002, block 009, block 010, block 011, block 015, block 018; and the following voting districts in Sedgwick county: (502210); and the following blocks in voting district (502270), tract 0098.02, block group 1, in Sedgwick county: block 009, block 010, block 011, block 012; and the following blocks in voting district (502270), tract 0098.02, block group 3, in Sedgwick county: block 000; and the following voting districts in Sedgwick county: (502320), (502340), (502350), (502360), (502370), (502380), (502400), (502450); and the following blocks in voting district (502480), tract 0104.00, block group 2, in Sedgwick county: block 049, block 088, block 089,

block 090, block 093, block 095, block 113, block 114, block 120; and the following voting districts in Sedgwick county: (502500), (502510); and the following blocks in voting district (502560), tract 0104.00, block group 2, in Sedgwick county: block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 040, block 043, block 044, block 045, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 091, block 092, block 115, block 116, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140; and the following blocks in voting district (502630), tract 0054.00, block group 1, in Sedgwick county: block 115, block 123, block 125; and the following blocks in voting district (502630), tract 0055.01, block group 1, in Sedgwick county: block 006; and the following blocks in voting district (502630), tract 0055.01, block group 2, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (502630), tract 0055.01, block group 3, in Sedgwick county: block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (502630), tract 0055.01, block group 4, in Sedgwick county: block 020; and the following blocks in voting district (502630), tract 0096.05, block group 2, in Sedgwick county: block 126; and the following voting districts in Sedgwick county: (502640), (502660), (502690), (502700), (502710), (502720), (502730), (502740), (502750), (502760), (502770), (502780), (502790), (502800), (502810), (502820), (503170), (503260), (503270), (503280); and the following blocks in voting district (503590), tract 0054.00, block group 1, in Sedgwick county: block 113, block 116, block 117; and the following blocks in voting district (503590), tract 0055.01, block group 3, in Sedgwick county: block 006; and the following voting districts in Sedgwick county: (503670), (503710), (503760), (503770), (503780), (503930), (503940), (503950), (503960), (503970), (503990), (504000), (504010), (504020), (600190), (600440), (600460); and the following blocks in voting district (700260), tract 0105.00, block group 1, in Sedgwick county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090,

block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 125, block 126, block 131, block 133, block 134, block 135, block 139, block 140, block 141, block 142, block 143, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159; and the following blocks in voting district (700290), tract 0105.00, block group 1, in Sedgwick county: block 132, block 137, block 145, block 146, block 147; and the following voting districts in Sedgwick county: (700300), (700510), (700650), (700690), (700840), (700890), (700950), (700960), (900020), (900030), (900040), (900080), (900090), (900100), (900110), (900120).

Sec. 160. Senatorial district 27 shall consist of the following voting districts in Sedgwick county: (501340), (501380), (501390), (501400); and the following blocks in voting district (501410), tract 0092.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052; and the following blocks in voting district (501410), tract 0092.00, block group 2, in Sedgwick county: block 000, block 001, block 003, block 004, block 005, block 006, block 007, block 011, block 012, block 021, block 022, block 035, block 036; and the following voting districts in Sedgwick county: (501420), (501430), (501440), (501450), (501460), (501470), (501480), (501490), (501500), (501520), (501530), (501540), (501550), (501560), (501570), (501580), (501590), (501600), (501610), (501620), (501630), (501640), (501650), (501660), (501670); and the following blocks in voting district (501690), tract 0095.07, block group 1, in Sedgwick county: block 014, block 015, block 027; and the following voting districts in Sedgwick county: (501700), (501710); and the following blocks in voting district (501720), tract 0095.07, block group 1, in Sedgwick county: block 039, block 040, block 046, block 047; and the following blocks in voting district (501720), tract 0095.07, block group 2, in Sedgwick county: block 011, block 012, block 015, block 016, block 017, block 018, block 028, block 029, block 033; and the following voting districts in Sedgwick county: (501730), (501740), (501750), (501810); and the following blocks in voting district (501930), tract 0093.01, block group 3, in Sedgwick county: block 014, block 018, block 019, block 020, block 021, block 024; and the following blocks in voting district (501930), tract 0095.03, block group 1, in Sedgwick county: block 021; and the following blocks in voting district (501940), tract 0095.03, block group 1, in Sedgwick county: block 002; and the following blocks in voting district (502010), tract 0095.03, block group 1, in Sedgwick county: block 000, block 001; and the following blocks in voting district (502010), tract 0103.00, block group 4, in Sedgwick county: block 118, block 119; and the following blocks in voting district (502020), tract 0103.00, block group 4, in Sedgwick county: block 096, block 097, block 105, block 106, block 114, block 117; and the following blocks in voting district (502140), tract 0095.09, block group 1, in Sedgwick county:

block 042, block 043, block 044, block 045, block 046, block 080; and the following blocks in voting district (502140), tract 0095.10, block group 1, in Sedgwick county: block 009, block 010, block 016, block 017, block 018; and the following voting districts in Sedgwick county: (502160), (502170); and the following blocks in voting district (502180), tract 0095.07, block group 1, in Sedgwick county: block 013, block 031, block 034; and the following blocks in voting district (502180), tract 0095.07, block group 2, in Sedgwick county: block 009, block 010, block 014, block 034; and the following blocks in voting district (502200), tract 0095.09, block group 1, in Sedgwick county: block 000, block 001; and the following voting districts in Sedgwick county: (502410), (502420), (502430), (502440), (502460), (502470); and the following blocks in voting district (503290), tract 0103.00, block group 1, in Sedgwick county: block 089, block 090, block 091; and the following blocks in voting district (503290), tract 0103.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (503290), tract 0103.00, block group 3, in Sedgwick county: block 023, block 024, block 025, block 026, block 027, block 028, block 039, block 040, block 041, block 042, block 043, block 071, block 092, block 093, block 097, block 098, block 099, block 100; and the following blocks in voting district (503290), tract 0103.00, block group 5, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055; and the following voting districts in Sedgwick county: (503300), (503310), (503320), (600250), (600390); and the following blocks in voting district (700210), tract 0103.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 009, block 010, block 011, block 019, block 071, block 073, block 078, block 079, block 080, block 081; and the following blocks in voting district (700210), tract 0103.00, block group 4, in Sedgwick county: block 093, block 095, block 103, block 104, block 108, block 109, block 110, block 111, block 115, block 116, block 120, block 121, block 123; and the following voting districts in Sedgwick county: (700220), (700230), (700250); and the following blocks in voting district (700290), tract 0105.00, block group 1, in Sedgwick county: block 148; and the following voting districts in Sedgwick county: (700630).

Sec. 161. Senatorial district 28 shall consist of the following voting districts in Sedgwick county: (500390); and the following blocks in voting district (500780), tract 0063.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (500780), tract 0063.00, block group 2, in Sedgwick county: block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026; and the following blocks in voting district

(500780), tract 0064.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500780), tract 0064.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012, block 013, block 014; and the following blocks in voting district (500820), tract 0066.00, block group 1, in Sedgwick county: block 006; and the following blocks in voting district (500820), tract 0067.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 015, block 016; and the following blocks in voting district (500820), tract 0067.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500820), tract 0068.00, block group 4, in Sedgwick county: block 013, block 014, block 015, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (500820), tract 0068.00, block group 5, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following voting districts in Sedgwick county: (500830), (500840), (500850), (500870), (500880), (500890), (500900), (500910), (501170), (501180), (501190), (501200), (501210), (501320), (501330), (502260); and the following blocks in voting district (502270), tract 0100.04, block group 2, in Sedgwick county: block 067, block 070, block 071, block 072; and the following blocks in voting district (502270), tract 0100.04, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (502270), tract 0100.05, block group 1, in Sedgwick county: block 000, block 004, block 005, block 006, block 007, block 008, block 012, block 017; and the following blocks in voting district (502270), tract 0100.05, block group 2, in Sedgwick county: block 000, block 001, block 002; and the following voting districts in Sedgwick county: (502280), (502290), (502300), (502570), (502580), (502590), (502600), (502610); and the following blocks in voting district (502630), tract 0055.01, block group 3, in Sedgwick county: block 001; and the following voting districts in Sedgwick county: (502650), (502670), (502680); and the following blocks in voting district (503130), tract 0066.00, block group 1, in Sedgwick county: block 001, block 002, block 005; and the following blocks in voting district (503130), tract 0067.00, block group 1, in Sedgwick county: block 017, block 018; and the following blocks in voting district (503590), tract 0054.00, block group 1, in Sedgwick county: block 102, block 107, block 108, block 109, block 110, block 111, block 112, block 114; and the following blocks in voting district (503590), tract 0055.01, block group 3, in Sedgwick county: block 000; and the following blocks in voting district (503590), tract 0056.00, block group 3, in Sedgwick county: block 043, block 044; and the following voting districts in Sedgwick county: (503600), (503610), (503630), (503640), (503650), (503660), (600010), (600020), (600130), (600140), (600330), (600350), (600380), (600780), (700500), (700580), (700700), (700810), (700820), (700850), (700880).

Sec. 162. Senatorial district 29 shall consist of the following blocks in voting district (500050), tract 0023.00, block group 1, in Sedgwick county: block 002, block 003, block 006, block 007; and the following blocks in voting district (500050), tract 0023.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (500050), tract 0023.00, block group 3, in Sedgwick county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 022, block 023, block 026; and the following blocks in voting district (500050), tract 0024.00, block group 1, in Sedgwick county: block 000, block 016, block 017, block 026; and the following blocks in voting district (500050), tract 0035.00, block group 1, in Sedgwick county: block 002, block 003, block 004, block 005, block 006, block 007, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (500050), tract 0035.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044; and the following voting districts in Sedgwick county: (500060), (500070), (500080); and the following blocks in voting district (500090), tract 0010.00, block group 1, in Sedgwick county: block 012; and the following blocks in voting district (500090), tract 0010.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 013, block 014, block 015, block 016, block 017, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (500090), tract 0010.00, block group 3, in Sedgwick county: block 003, block 004, block 005, block 010, block 011, block 012; and the following blocks in voting district (500090), tract 0010.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (500090), tract 0075.00, block group 2, in Sedgwick county: block 017, block 018, block 019, block 020, block 029; and the following blocks in voting district (500090), tract 0076.00, block group 2, in Sedgwick county: block 024; and the following voting districts in Sedgwick county: (500120), (500130), (500140), (500150), (500160); and the following blocks in voting district (500170), tract 0007.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (500170), tract 0078.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030; and the

following blocks in voting district (500170), tract 0078.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500170), tract 0078.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500170), tract 0101.13, block group 2, in Sedgwick county: block 153, block 156, block 159, block 160, block 161, block 162, block 163, block 164; and the following blocks in voting district (500180), tract 0009.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 024; and the following blocks in voting district (500180), tract 0077.00, block group 1, in Sedgwick county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067; and the following blocks in voting district (500180), tract 0101.13, block group 2, in Sedgwick county: block 151, block 152; and the following voting districts in Sedgwick county: (500190), (500200); and the following blocks in voting district (500230), tract 0108.01, block group 1, in Sedgwick county: block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (500330), tract 0022.00, block group 2, in Sedgwick county: block 014; and the following blocks in voting district (500340), tract 0036.00, block group 1, in Sedgwick county: block 005, block 006, block 007; and the following blocks in voting district (500790), tract 0022.00, block group 1, in Sedgwick county: block 014, block 015; and the following blocks in voting district (500790), tract 0022.00, block group 2, in Sedgwick county: block 011, block 012, block 013, block 015, block 016, block 017; and the following blocks in voting district (500790), tract 0035.00, block group 1, in Sedgwick county: block 000, block 001, block 008, block 009, block 010, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (500790), tract 0036.00, block group 1, in Sedgwick county: block 003, block 004, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (500790), tract 0036.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (500790), tract 0036.00, block group 3, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500790), tract 0036.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005,

block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500790), tract 0063.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Sedgwick county: (500800), (501820), (501890), (501950), (501960); and the following blocks in voting district (501970), tract 0081.00, block group 2, in Sedgwick county: block 135, block 137, block 138, block 139, block 160, block 161, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 184, block 185, block 186, block 187, block 188, block 190, block 199, block 200, block 201, block 239, block 240, block 251; and the following blocks in voting district (501980), tract 0081.00, block group 2, in Sedgwick county: block 107, block 108, block 112, block 113; and the following blocks in voting district (501990), tract 0001.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (501990), tract 0001.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 012, block 013; and the following blocks in voting district (501990), tract 0081.00, block group 2, in Sedgwick county: block 140, block 141, block 142, block 143, block 144, block 146, block 147, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 162, block 163, block 172, block 193, block 194, block 195, block 197, block 198, block 207, block 212, block 213, block 234, block 235, block 236; and the following blocks in voting district (501990), tract 0082.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (501990), tract 0082.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 021, block 022, block 025; and the following blocks in voting district (502000), tract 0081.00, block group 2, in Sedgwick county: block 148, block 149; and the following blocks in voting district (502000), tract 0082.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (502010), tract 0083.00, block group 1, in Sedgwick county: block 027, block 028, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (502010), tract 0083.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (502010), tract 0083.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block

009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (502010), tract 0083.00, block group 4, in Sedgwick county: block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 023; and the following blocks in voting district (502020), tract 0083.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 029, block 030, block 031, block 032; and the following blocks in voting district (502020), tract 0083.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 021, block 022; and the following blocks in voting district (502950), tract 0081.00, block group 2, in Sedgwick county: block 109, block 114, block 115, block 116, block 136, block 237.

Sec. 163. Senatorial district 30 shall consist of the following blocks in voting district (500090), tract 0010.00, block group 2, in Sedgwick county: block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (500090), tract 0010.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 006, block 007, block 008, block 009; and the following blocks in voting district (500090), tract 0076.00, block group 2, in Sedgwick county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 016, block 017, block 023, block 025, block 026, block 027, block 028; and the following voting districts in Sedgwick county: (500100), (500110), (500210); and the following blocks in voting district (500220), tract 0108.01, block group 1, in Sedgwick county: block 003, block 004, block 005, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 033, block 034, block 035; and the following voting districts in Sedgwick county: (500320); and the following blocks in voting district (500330), tract 0022.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (500330), tract 0022.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (500330), tract 0022.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (500330), tract 0023.00, block group 1, in Sedgwick county: block 000, block 001, block 004, block 005, block 008, block 009, block 010, block 011; and the following blocks in voting district (500330), tract 0023.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 018, block 019, block 020, block 021, block 024, block 025; and the following blocks in voting district (500340), tract 0021.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032; and

the following blocks in voting district (500340), tract 0021.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (500340), tract 0036.00, block group 1, in Sedgwick county: block 000, block 001; and the following voting districts in Sedgwick county: (500350), (500360), (500370), (500380), (500400), (500410), (500420), (500430), (500440), (500450), (500460), (500470), (500480); and the following blocks in voting district (500490), tract 0108.01, block group 1, in Sedgwick county: block 000, block 001, block 002, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 036; and the following blocks in voting district (500530), tract 0101.15, block group 1, in Sedgwick county: block 035, block 036, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052; and the following blocks in voting district (500530), tract 0101.16, block group 1, in Sedgwick county: block 177, block 178, block 185, block 186; and the following blocks in voting district (500540), tract 0072.01, block group 2, in Sedgwick county: block 010, block 034, block 080; and the following blocks in voting district (500540), tract 0101.15, block group 1, in Sedgwick county: block 040, block 044, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 064, block 065, block 067, block 069, block 080, block 081, block 082, block 083, block 084, block 085, block 128, block 129, block 130, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 142; and the following blocks in voting district (500560), tract 0072.01, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003; and the following blocks in voting district (500560), tract 0072.01, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 016, block 017, block 018, block 020, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 066, block 087, block 090, block 091; and the following blocks in voting district (500560), tract 0100.02, block group 2, in Sedgwick county: block 019, block 020, block 021, block 022, block 023; and the following voting districts in Sedgwick county: (500570), (500580), (500590), (500650), (500660), (500670), (500690); and the following blocks in voting district (500790), tract 0022.00, block group 1, in Sedgwick county: block 013; and the following blocks in voting district (500790), tract 0022.00, block group 2, in Sedgwick county: block 010; and the following blocks in voting district (500790), tract 0036.00, block group 1, in Sedgwick county: block 002; and the following blocks in voting district (500790), tract 0036.00, block group 3, in Sedgwick county: block 000; and the following voting districts in Sedgwick county: (500810); and the following blocks in voting district (500820), tract 0070.00, block group 3, in Sedgwick county: block 017, block 021, block 022, block 025, block 028, block 029, block 030; and the following blocks in voting district (503020), tract 0100.01, block group 2, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 016, block 017, block 018, block 021, block 022, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 039, block

040, block 041, block 056, block 057, block 058, block 066; and the following blocks in voting district (503020), tract 0100.02, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 024, block 25, block 028, block 029, block 030, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 052, block 053, block 061, block 064, block 064, block 065, block 066, block 067, block 070, block 072, block 073, block 076, block 077, block 079, block 080, block 083, block 084, block 085; and the following voting districts in Sedgwick county: (503030), (503040), (503050), (503060), (503070), (503080); and the following blocks in voting district (503090), tract 0101.15, block group 1, in Sedgwick county: block 041, block 042, block 043; and the following voting districts in Sedgwick county: (503100), (503120); and the following blocks in voting district (503130), tract 0066.00, block group 1, in Sedgwick county: block 000; and the following blocks in voting district (503130), tract 0070.00, block group 3, in Sedgwick county: block 016, block 018, block 019, block 020; and the following blocks in voting district (503130), tract 0072.03, block group 1, in Sedgwick county: block 011; and the following voting districts in Sedgwick county: (503140), (503150); and the following blocks in voting district (503160), tract 0101.15, block group 1, in Sedgwick county: block 032, block 033, block 034; and the following blocks in voting district (503160), tract 0101.16, block group 1, in Sedgwick county: block 182, block 184; and the following voting districts in Sedgwick county: (600420), (600430); and the following blocks in voting district (700530), tract 0072.01, block group 2, in Sedgwick county: block 011, block 012, block 019, block 021, block 081, block 082, block 083, block 084, block 085, block 086; and the following blocks in voting district (700530), tract 0101.15, block group 1, in Sedgwick county: block 068, block 070, block 071, block 075, block 077, block 078, block 079; and the following voting districts in Sedgwick county: (700800), (900060).

Sec. 164. Senatorial district 31 shall consist of all of Harvey county; and the following blocks in voting district (500170), tract 0101.13, block group 2, in Sedgwick county: block 098, block 099, block 129, block 130, block 131, block 133, block 140, block 141, block 142, block 143, block 144, block 148, block 149, block 150, block 154, block 155; and the following blocks in voting district (500180), tract 0077.00, block group 1, in Sedgwick county: block 003, block 004; and the following blocks in voting district (500180), tract 0101.13, block group 2, in Sedgwick county: block 127; and the following blocks in voting district (500220), tract 0108.02, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 032, block 033, block 034, block 039, block 042; and the following blocks in voting district (500230), tract 0101.13, block group 2, in Sedgwick county: block 121; and the following blocks in voting district (500230), tract 0108.02, block group 1, in Sedgwick county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 027, block 028, block 029, block 030, block 031, block 043, block 044, block 045, block 049, block 054; and the following voting districts in Sedgwick county: (500240), (500250), (500260), (500270), (500280), (500310); and the following blocks in voting district (500490), tract 0101.06, block group 1, in Sedgwick county: block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block

027, block 028, block 029, block 030, block 031, block 033, block 034, block 035, block 036, block 039; and the following blocks in voting district (500490), tract 0101.11, block group 1, in Sedgwick county: block 042, block 043, block 044, block 045, block 046, block 047, block 048; and the following voting districts in Sedgwick county: (500720), (500730); and the following blocks in voting district (501970), tract 0081.00, block group 2, in Sedgwick county: block 133, block 134, block 181, block 182, block 183; and the following blocks in voting district (501980), tract 0081.00, block group 2, in Sedgwick county: block 078, block 085, block 089, block 090, block 099, block 100, block 241; and the following blocks in voting district (501990), tract 0081.00, block group 2, in Sedgwick county: block 074, block 081, block 082, block 083, block 084, block 088, block 145, block 242, block 243, block 244, block 245, block 247; and the following blocks in voting district (502000), tract 0081.00, block group 1, in Sedgwick county: block 029, block 030, block 031, block 032, block 035, block 036, block 037, block 038, block 039, block 040, block 043, block 044; and the following blocks in voting district (502000), tract 0081.00, block group 2, in Sedgwick county: block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 075, block 076, block 077, block 248, block 249; and the following blocks in voting district (502020), tract 0081.00, block group 2, in Sedgwick county: block 079, block 080; and the following blocks in voting district (502020), tract 0081.00, block group 3, in Sedgwick county: block 033, block 034, block 035, block 036, block 037, block 040, block 041, block 042, block 043, block 046, block 049; and the following blocks in voting district (502020), tract 0103.00, block group 4, in Sedgwick county: block 065, block 067, block 068, block 069, block 070, block 071, block 072, block 077, block 086, block 087, block 088, block 098, block 099, block 100, block 101, block 102, block 107; and the following voting districts in Sedgwick county: (502030), (502040), (502050), (502070), (502080), (502220), (502230); and the following blocks in voting district (502240), tract 0101.11, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025, block 026, block 027, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 049, block 050; and the following blocks in voting district (502240), tract 0101.11, block group 4, in Sedgwick county: block 000, block 003; and the following blocks in voting district (502240), tract 0101.16, block group 1, in Sedgwick county: block 218, block 219; and the following blocks in voting district (502480), tract 0104.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 013, block 014, block 015, block 016, block 017, block 018, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block

071, block 072, block 078, block 079, block 080, block 081; and the following blocks in voting district (502480), tract 0104.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 046, block 047, block 048, block 094, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 117, block 118, block 119, block 141; and the following blocks in voting district (502560), tract 0104.00, block group 1, in Sedgwick county: block 010, block 011, block 012, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 073, block 074, block 075, block 076, block 077; and the following blocks in voting district (502560), tract 0104.00, block group 2, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 028, block 029, block 030, block 039, block 041, block 042, block 050, block 051, block 142, block 143; and the following voting districts in Sedgwick county: (502830), (502840), (502850), (502860), (502870), (502880), (502890), (502900), (502910), (502930), (502940); and the following blocks in voting district (502950), tract 0081.00, block group 2, in Sedgwick county: block 043, block 044, block 086, block 087, block 091, block 094, block 101, block 102, block 110, block 111, block 117, block 118, block 119, block 120, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 238, block 246; and the following voting districts in Sedgwick county: (502960), (502970), (502980), (502990), (503000), (503010); and the following blocks in voting district (503290), tract 0103.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 065, block 066, block 067, block 068, block 069, block 070; and the following blocks in voting district (503290), tract 0103.00, block group 4, in Sedgwick county: block 002, block 003, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 028, block 037, block 038, block 039, block 041, block 074, block 075, block 078, block 122; and the following voting districts in Sedgwick county: (503370), (503380), (503390), (503400), (503410), (503450), (503460), (503470), (503480), (503490), (503500), (503510), (503520); and the following blocks in voting district (503530), tract 0101.16, block group 1, in Sedgwick county: block 066, block 069, block 074, block 075, block 079, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 099, block 112, block 221; and the following blocks in voting district (503550), tract 0101.16, block group 1, in Sedgwick county: block 080, block 100, block 101, block 102, block 103, block 104, block 204, block 205, block 206, block 212, block 213, block 214; and the following voting districts in Sedgwick county: (503800), (600030), (600090), (600150), (600360), (600400), (600470), (700010), (700020), (700030), (700040), (700050), (700060), (700070), (700080), (700090), (700110), (700120), (700130), (700140), (700150), (700160), (700170), (700180), (700200); and

the following blocks in voting district (700210), tract 0103.00, block group 3, in Sedgwick county: block 059, block 060, block 061, block 062, block 063, block 064, block 072, block 075, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 094; and the following blocks in voting district (700210), tract 0103.00, block group 4, in Sedgwick county: block 082, block 083, block 084, block 085, block 089, block 090, block 092, block 094; and the following blocks in voting district (700260), tract 0105.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 104, block 105, block 160, block 161; and the following voting districts in Sedgwick county: (700310), (700320), (700330), (700350), (700380), (700390), (700400), (700410), (700430), (700460), (700470), (700540), (700550), (700560), (700570), (700600), (700640), (700710), (700780), (700790), (700830), (700860), (700900), (700910), (700920), (700930), (700940), (900050).

Sec. 165. Senatorial district 32 shall consist of all of Cowley county; and the following voting districts in Sedgwick county: (502490), (503180), (503190), (503210), (503220), (503230), (503250), (503700), (503740), (503750), (503920), (600340), (600370), (700590); and all of Sumner county.

Sec. 166. Senatorial district 33 shall consist of all of Barber county; and the following voting districts in Barton county: (000070); and the following blocks in voting district (000200), tract 9718.00, block group 4, in Barton county: block 005, block 011; and the following voting districts in Barton county: (00022C), (00022D), (00022E), (00022F), (00023C), (000300), (000330), (000340); and all of Comanche county; and all of Edwards county; and the following voting districts in Ford county: (000010), (000020), (000030); and the following blocks in voting district (000040), tract 9617.00, block group 2, in Ford county: block 174, block 175, block 188, block 189, block 190, block 191, block 258, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 303, block 304, block 305, block 306, block 307, block 308, block 309, block 310, block 311, block 313, block 314, block 315, block 316, block 317, block 318, block 327; and the following voting districts in Ford county: (00005A), (00005B), (00005C), (000060), (000070); and the following blocks in voting district (00008A), tract 9618.00, block group 3, in Ford county: block 009, block 010, block 011, block 012, block 036, block 037, block 038, block 039, block 040, block 043, block 044; and the following blocks in voting district (00008A), tract 9618.00, block group 4, in Ford county: block 005, block 006, block 007, block 008, block 019, block 020, block 021, block 022, block 038, block 039, block 040, block 057, block 058; and the following blocks in voting district (00008A), tract 9619.00, block group 1, in Ford county: block 000, block 001, block 002, block 003, block 005, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050; and the following blocks in voting district (00008A), tract 9619.00, block group 4, in Ford county: block 028, block 029, block 030, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057; and the following blocks in voting district (00008A), tract 9619.00, block group 5, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019,

block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080; and the following blocks in voting district (00008A), tract 9619.00, block group 6, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042; and the following voting districts in Ford county: (00008B), (00008C), (00008D); and the following blocks in voting district (000090), tract 9619.00, block group 6, in Ford county: block 007; and the following blocks in voting district (000090), tract 9620.00, block group 3, in Ford county: block 001, block 002, block 003, block 004, block 020, block 061, block 069, block 070, block 071, block 072, block 075; and the following blocks in voting district (000100), tract 9618.00, block group 2, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044; and the following blocks in voting district (000100), tract 9618.00, block group 3, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 041, block 042; and the following blocks in voting district (000100), tract 9619.00, block group 4, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 058; and the following blocks in voting district (000190), tract 9620.00, block group 3, in Ford county: block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 062, block 064; and the following voting districts in Ford county: (000200), (000210), (000230), (000240); and the following blocks in voting district (000250), tract 9616.00, block group 1, in Ford county: block 206, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 232, block 233, block 234, block 235, block 236,

block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 261, block 262, block 294, block 295, block 296, block 301, block 302, block 303, block 304, block 305, block 306, block 307, block 308; and the following blocks in voting district (000250), tract 9618.00, block group 5, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 016, block 017, block 018, block 020, block 022, block 028, block 040, block 041, block 042, block 043, block 120, block 134; and the following voting districts in Ford county: (000260), (000280), (000290); and the following blocks in voting district (000310), tract 9616.00, block group 1, in Ford county: block 059, block 063, block 064, block 065, block 066, block 067, block 068, block 074, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 210, block 220, block 221, block 231, block 260, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 297, block 298, block 299, block 300, block 309, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 355, block 358, block 359, block 360, block 361, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 379, block 380, block 381, block 382, block 383, block 384, block 385, block 386, block 387, block 388, block 389, block 390, block 391, block 392, block 393, block 394, block 395, block 396, block 397, block 398, block 399, block 400, block 401, block 402, block 407, block 408, block 409, block 410, block 411, block 412, block 413, block 414, block 415, block 416, block 417; and the following blocks in voting district (000320), tract 9616.00, block group 1, in Ford county: block 022, block 025, block 026, block 027, block 028, block 029, block 030, block 033, block 034, block 035, block 036, block 038, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 144, block 145, block 155, block 156, block 157, block 158, block 159, block 160, block

161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 324, block 325, block 326, block 327, block 328, block 329, block 330, block 331, block 332, block 333, block 334, block 335, block 336, block 337, block 338, block 339, block 340; and the following blocks in voting district (000320), tract 9617.00, block group 2, in Ford county: block 000; and the following blocks in voting district (000330), tract 9617.00, block group 2, in Ford county: block 319, block 320, block 321, block 322, block 323, block 328, block 329, block 330, block 331, block 332, block 333, block 334, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 383, block 384, block 428, block 429, block 430, block 431, block 432, block 433, block 577, block 578; and all of Harper county; and all of Kingman county; and all of Kiowa county; and all of Pawnee county; and all of Pratt county; and all of Stafford county.

Sec. 167. Senatorial district 34 shall consist of all of Reno county; and the following voting districts in Rice county: (000010), (000020), (000030), (000040), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000160), (000170), (000180), (00019A), (00019B), (00019C), (000200), (000210), (000220), (000230), (000250), (000260).

Sec. 168. Senatorial district 35 shall consist of the following voting districts in Barton county: (000010), (000020), (000030), (000040), (000050), (000060), (000080), (000090), (000100), (00011A), (00011B), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (00019A), (00019B); and the following blocks in voting district (000200), tract 9716.00, block group 4, in Barton county: block 024, block 025, block 026, block 027, block 028, block 029, block 035, block 036, block 037; and the following blocks in voting district (000200), tract 9716.00, block group 5, in Barton county: block 000, block 001, block 002, block 027, block 028, block 029, block 030, block 031, block 032, block 050, block 051; and the following blocks in voting district (000200), tract 9717.00, block group 1, in Barton county: block 025, block 026, block 027, block 050, block 051, block 052, block 053, block 061, block 062, block 063; and the following blocks in voting district (000200), tract 9717.00, block group 2, in Barton county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034; and the following blocks in voting district (000200), tract 9717.00, block group 3, in Barton county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (000200), tract 9718.00, block group 4, in Barton county: block 000, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Barton county: (000210), (00022A), (00022B), (00023A), (00023B), (000240), (000250), (000260), (00027A), (00027B), (000280), (000290), (000310), (000320), (000350), (000360), (000370), (000380), (000390), (900010); and all of Ellsworth county; and all of Lincoln county; and all of McPherson county; and the following blocks in voting district (000010), tract 1766.00, block group 1, in Mitchell county: block 127, block 128, block 129, block 130, block 204, block 209, block 210, block 211, block 212, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 229, block 230, block 231, block 232, block 233, block 234, block

238, block 266, block 267, block 268, block 269, block 273, block 274, block 275, block 276, block 277, block 392, block 393, block 394, block 400; and the following blocks in voting district (00006A), tract 1766.00, block group 1, in Mitchell county: block 207, block 286, block 287, block 288, block 289, block 292, block 399; and the following blocks in voting district (00006A), tract 1767.00, block group 1, in Mitchell county: block 038, block 039, block 198, block 199, block 200; and the following voting districts in Mitchell county: (000070), (000080); and the following blocks in voting district (000090), tract 1767.00, block group 1, in Mitchell county: block 105, block 124, block 126, block 127, block 129, block 130, block 131, block 132, block 165, block 166, block 167; and the following voting districts in Mitchell county: (000120), (000130), (000140), (000170), (000180), (000190), (000210), (000230), (000240), (000260), (000280); and the following blocks in voting district (000290), tract 1767.00, block group 1, in Mitchell county: block 040, block 142, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 205, block 206; and the following blocks in voting district (000300), tract 1767.00, block group 1, in Mitchell county: block 120, block 121, block 122, block 123, block 128, block 133, block 136, block 137, block 138, block 139, block 140, block 141, block 145, block 146, block 147; and the following voting districts in Rice county: (000050), (000060), (000070), (000150), (000240); and all of Russell county.

Sec. 169. Senatorial district 36 shall consist of the following voting districts in Johnson county: (000430), (000440), (000450), (000460), (000510), (000520), (000530), (000540), (000550); and the following blocks in voting district (000580), tract 0524.19, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (000590), tract 0524.21, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (000590), tract 9800.02, block group 1, in Johnson county: block 003, block 004, block 005, block 006, block 007, block 009, block 010, block 011, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following voting districts in Johnson county: (000600), (000610), (000620), (000660); and the following blocks in voting district (001420), tract 0529.07, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (001420), tract 0529.07, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (001420), tract 0529.10, block group 2, in Johnson county: block 019, block 020; and the following blocks in voting district (001420), tract 9800.01, block group 1, in Johnson county: block 093, block 094; and the following voting districts in Johnson county: (001450), (00147B), (001500), (001510), (00217A), (00222A), (002930), (002940), (003030), (003090), (900360), (900370), (900380), (900400), (900410), (900430), (900440), (900450); and the following blocks in voting district (900460), tract 0524.05, block group 3, in Johnson county: block 009; and the following blocks in voting district (900460), tract 0524.17, block group 2, in Johnson county: block 015, block 018, block 019; and the following blocks in voting district (900460), tract 0529.10, block group 2,

in Johnson county: block 000; and the following blocks in voting district (900460), tract 0530.05, block group 1, in Johnson county: block 000, block 017, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (900460), tract 9800.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 095, block 096, block 097, block 098, block 099; and the following voting districts in Johnson county: (900470), (900480), (900710); and the following blocks in voting district (900870), tract 0529.10, block group 1, in Johnson county: block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following voting districts in Johnson county: (900880), (900890), (901030); and the following blocks in voting district (901050), tract 0530.08, block group 1, in Johnson county: block 009, block 016, block 017, block 018; and the following voting districts in Johnson county: (901410), (901420), (901430); and the following blocks in voting district (901650), tract 0528.02, block group 4, in Johnson county: block 003, block 004, block 005, block 006, block 030, block 031; and the following blocks in voting district (901700), tract 0529.10, block group 2, in Johnson county: block 017, block 018, block 021, block 022; and the following voting districts in Johnson county: (901710).

Sec. 170. Senatorial district 37 shall consist of the following voting districts in Johnson county: (000010), (000020), (000030), (000040), (001300), (001310), (001340), (001360), (001370), (00140B), (001410), (00147A), (001480), (00226A), (00226B), (002360), (00244A), (00244B), (002460), (002470), (00249A), (00249C), (00249E), (00249F), (004300), (900010), (900020); and the following blocks in voting district (900290), tract 0534.10, block group 1, in Johnson county: block 006, block 007, block 015, block 017, block 018, block 019, block 020, block 023; and the following voting districts in Johnson county: (900350), (900790), (900800), (900810), (900830), (900840), (901000), (901010), (901120), (901130), (901140), (901150); and the following blocks in voting district (901160), tract 0534.10, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 008, block 009, block 010, block 014, block 021, block 022, block 024; and the following blocks in voting district (901160), tract 0534.10, block group 5, in Johnson county: block 015, block 017, block 018, block 019, block 021, block 026, block 029, block 030, block 035, block 036, block 037, block 038, block 039, block 040; and the following blocks in voting district (901160), tract 0534.10, block group 6, in Johnson county: block 007, block 008, block 009, block 010, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Johnson county: (901170), (901180),

(901190), (901200), (901210), (901220), (901230), (901240), (901250), (901260), (901270), (901290), (901300), (901310), (901690).

Sec. 171. Senatorial district 38 shall consist of all of Clark county; and all of Ellis county; and the following voting districts in Finney county: (000220), (000280); and the following blocks in voting district (000040), tract 9617.00, block group 2, in Ford county: block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 312, block 325, block 326, block 382, block 394, block 395, block 396, block 397, block 398; and the following blocks in voting district (00008A), tract 9619.00, block group 3, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (000090), tract 9618.00, block group 1, in Ford county: block 038, block 058, block 059, block 060, block 062, block 070, block 073, block 076, block 077, block 079, block 080, block 081, block 082, block 083, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095; and the following blocks in voting district (000090), tract 9619.00, block group 1, in Ford county: block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 018, block 020, block 022, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 055, block 056, block 057, block 058, block 059, block 060; and the following blocks in voting district (000090), tract 9619.00, block group 2, in Ford county: block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 145; and the following blocks in voting district (000090), tract 9619.00, block group 3, in Ford county: block 006, block 007, block 008, block 026, block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (000090), tract 9620.00, block group 2, in Ford county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 027, block 028, block 029, block 030, block 031, block 032; and the following blocks in voting district (000090), tract 9620.00, block group 3, in Ford county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013,

block 014, block 015, block 016, block 017, block 018, block 019, block 060; and the following blocks in voting district (000100), tract 9618.00, block group 1, in Ford county: block 026, block 028, block 036, block 041, block 042, block 043, block 044, block 045, block 046, block 049, block 050, block 051, block 052, block 053, block 056, block 066, block 067, block 068, block 069, block 074, block 075, block 078, block 084, block 085, block 086, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 108; and the following blocks in voting district (000190), tract 9618.00, block group 1, in Ford county: block 008, block 009, block 011, block 012, block 013, block 025, block 027, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 037, block 040, block 047, block 048, block 054, block 055, block 064, block 065, block 106, block 107, block 109; and the following blocks in voting district (000190), tract 9619.00, block group 1, in Ford county: block 015, block 016, block 017, block 019, block 021, block 023, block 024, block 025, block 026, block 027, block 041, block 052, block 053, block 054, block 061; and the following blocks in voting district (000190), tract 9619.00, block group 2, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 114, block 115, block 134, block 135, block 137, block 139, block 140, block 141, block 142, block 143, block 146, block 147, block 148, block 149, block 150; and the following blocks in voting district (000190), tract 9620.00, block group 3, in Ford county: block 063, block 065, block 066, block 076; and the following voting districts in Ford county: (000220); and the following blocks in voting district (000250), tract 9616.00, block group 1, in Ford county: block 203, block 204, block 205, block 207, block 208, block 209, block 211, block 212; and the following blocks in voting district (000250), tract 9616.00, block group 2, in Ford county: block 006, block 007, block 008, block 009, block 010, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 020, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 169, block 170, block 259; and the following blocks in voting district (000250), tract 9618.00, block group 1, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 010, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 039, block 110, block 111, block 112, block 113, block 114, block 115; and the following voting districts in Ford county: (000270), (000300); and the following blocks in voting district (000310), tract 9616.00, block group 1, in Ford county: block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 041, block 060, block 061, block 062, block 069, block 070, block 071, block 072, block 073, block 125, block 135, block 136, block 201, block 202; and the following blocks in voting district (000310), tract 9616.00, block group 2, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 011, block 012, block 013, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134,

block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 171, block 176, block 178, block 185, block 186, block 193, block 194, block 195, block 256, block 257, block 265, block 266, block 267; and the following blocks in voting district (000320), tract 9616.00, block group 1, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 018, block 019, block 020, block 021, block 023, block 024, block 031, block 032, block 037, block 039, block 040; and the following blocks in voting district (000330), tract 9617.00, block group 2, in Ford county: block 324, block 379, block 380, block 381, block 385, block 386, block 387, block 388, block 389, block 390, block 391, block 392, block 393, block 399, block 400, block 401, block 402, block 403, block 404, block 405, block 406, block 407, block 408, block 409, block 410, block 411, block 412, block 413, block 414, block 415, block 416, block 417, block 418, block 419, block 420, block 421, block 422, block 423, block 424, block 425, block 426, block 427, block 579, block 580, block 581, block 582, block 583, block 584, block 585, block 598; and the following voting districts in Ford county: (600010), (800010); and all of Gray county; and the following blocks in voting district (000010), tract 4631.00, block group 1, in Haskell county: block 351, block 352, block 353, block 354, block 355; and the following voting districts in Haskell county: (000060); and the following blocks in voting district (000070), tract 4631.00, block group 1, in Haskell county: block 446, block 447, block 549, block 550, block 551, block 552, block 553, block 554, block 559, block 560, block 561, block 562, block 563, block 724, block 725, block 726, block 727, block 728, block 729, block 730, block 731, block 732, block 733, block 734, block 794, block 795, block 796, block 797, block 798, block 799, block 800, block 801, block 802, block 803, block 808, block 809, block 810, block 820, block 821, block 822, block 823, block 824, block 825, block 855, block 856, block 861, block 865, block 866, block 867, block 902, block 903; and the following blocks in voting district (000070), tract 4631.00, block group 2, in Haskell county: block 000, block 001, block 002, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (000070), tract 4631.00, block group 3, in Haskell county: block 000, block 001, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 116, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135; and the following voting districts in Haskell county: (000080); and all of Hodgeman county; and all of Meade county; and

all of Ness county; and all of Rush county; and the following voting districts in Seward county: (000010); and the following blocks in voting district (000020), tract 9656.00, block group 2, in Seward county: block 012, block 013, block 014, block 015, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 059, block 063, block 093, block 094, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 163, block 164, block 165, block 326, block 327, block 328, block 329, block 330, block 331, block 332, block 333, block 334, block 335, block 337, block 338; and the following blocks in voting district (000020), tract 9656.00, block group 3, in Seward county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 181, block 231, block 232, block 236, block 238; and the following voting districts in Seward county: (000030); and the following blocks in voting district (000040), tract 9656.00, block group 2, in Seward county: block 035, block 038, block 056, block 057, block 058, block 061, block 062, block 064, block 065, block 066, block 069, block 089, block 090, block 091, block 092, block 095, block 096, block 097, block 098, block 099, block 100, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 131, block 132, block 133, block 134, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 257, block 258, block 259, block 307, block 308,

block 336; and the following blocks in voting district (000070), tract 9656.00, block group 2, in Seward county: block 016, block 017, block 018, block 019, block 060, block 067, block 068, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 123, block 124, block 339; and the following voting districts in Seward county: (00008A), (00008B); and the following blocks in voting district (000090), tract 9656.00, block group 1, in Seward county: block 480, block 481, block 491; and the following blocks in voting district (000090), tract 9656.00, block group 2, in Seward county: block 289, block 290, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 309, block 310, block 311; and the following blocks in voting district (000090), tract 9659.00, block group 4, in Seward county: block 000, block 001, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 038, block 041, block 047, block 051, block 073, block 074, block 075, block 076, block 077, block 081, block 082, block 083, block 099, block 100, block 101; and the following blocks in voting district (000090), tract 9660.00, block group 3, in Seward county: block 019, block 020, block 021; and the following blocks in voting district (000100), tract 9659.00, block group 2, in Seward county: block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049; and the following blocks in voting district (000100), tract 9659.00, block group 3, in Seward county: block 012, block 013, block 014, block 017, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 037, block 043, block 044, block 045, block 046, block 047, block 050; and the following blocks in voting district (000110), tract 9659.00, block group 3, in Seward county: block 005, block 006, block 007, block 009, block 010, block 011, block 019, block 020, block 021, block 022, block 033, block 034, block 035, block 036, block 038, block 039, block 040, block 041, block 042, block 048, block 049; and the following blocks in voting district (000110), tract 9659.00, block group 4, in Seward county: block 002, block 003, block 004, block 005, block 012, block 019, block 020, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 096, block 097; and the following blocks in voting district (000110), tract 9660.00, block group 2, in Seward county: block 001, block 002, block 003, block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043; and the following blocks in voting district (000110), tract 9660.00, block group 3, in Seward county: block 003, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block

044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091; and the following voting districts in Seward county: (000120); and the following blocks in voting district (000140), tract 9656.00, block group 2, in Seward county: block 139, block 313, block 314, block 315, block 316, block 318, block 319, block 320, block 324, block 325; and the following blocks in voting district (000140), tract 9657.00, block group 1, in Seward county: block 000, block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 123; and the following blocks in voting district (000140), tract 9660.00, block group 1, in Seward county: block 000, block 001, block 002, block 003, block 004, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083; and the following blocks in voting district (000140), tract 9660.00, block group 2, in Seward county: block 000, block 005, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081; and the following blocks in voting district (000140), tract 9660.00, block group 3, in Seward county: block 002, block 092; and the following blocks in voting district (000160), tract 9659.00, block group 4, in Seward county: block 053, block 054; and the following blocks in voting district (000200), tract 9656.00, block group 1, in Seward county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 051, block 052, block 053, block 054, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169,

block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 189, block 190, block 191, block 192, block 193, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 234, block 235, block 236, block 240, block 241, block 242, block 244, block 245, block 246; and the following blocks in voting district (000200), tract 9656.00, block group 2, in Seward county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (000200), tract 9656.00, block group 3, in Seward county: block 003, block 004, block 005; and the following voting districts in Seward county: (000210); and all of Trego county.

Sec. 172. Senatorial district 39 shall consist of the following voting districts in Finney county: (000010), (00002A), (000030), (000040), (000060), (000070), (000080), (00009A), (00009B), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (00018A), (000190), (000200), (00021A), (000230), (000250), (000260), (200010), (200020), (200030), (200040), (200050), (200060); and all of Grant county; and the following voting districts in Hamilton county: (000010); and the following blocks in voting district (000020), tract 9586.00, block group 2, in Hamilton county: block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 245, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 285, block 300, block 301, block 302, block 303, block 309, block 321, block 322, block 323, block 326, block 327, block 328, block 332, block 335, block 336, block 337, block 338, block 339, block 340, block 351, block 352, block 353, block 354, block 355, block 356; and the following blocks in voting district (000030), tract 9586.00, block group 1, in Hamilton county: block 319, block 320, block 321, block 322, block 323, block 325, block 328, block 329, block 330, block 331, block 332, block 334, block 335, block 336, block 337, block 338, block 339, block 343, block 344, block 345, block 346, block 347, block 348, block 350, block 351, block 352, block 353, block 354, block 355; and the following voting districts in Hamilton county: (000040); and the following blocks in voting district (000060), tract 9586.00, block group 2, in Hamilton county: block 132, block 136, block 145, block 149, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 333, block 334, block 341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 349, block 350, block 559, block 560, block 561, block 562, block 563, block 564, block 565, block 575; and the following blocks in voting district (000080), tract 9586.00, block group 1, in Hamilton county: block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 282, block 283, block 295, block 296, block 297; and the following blocks in voting district (000080), tract 9586.00, block group 2, in Hamilton county: block 472, block 473, block 474, block 475, block 476, block 477; and the following voting districts in Hamilton county: (000100); and the following blocks in voting district (000010), tract 4631.00, block

group 1, in Haskell county: block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 086, block 087, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 126, block 127, block 128, block 129, block 130, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 327, block 328, block 329, block 330, block 331, block 332, block 335, block 336, block 337, block 338, block 339, block 340, block 341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 349, block 350, block 356, block 357, block 358, block 359, block 360, block 361, block 362, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 379, block 380, block 381, block 382, block 383, block 384, block 385, block 386, block 387, block 404, block 405, block 406, block 898, block 899, block 900, block 901, block 904, block 908, block 909, block 910, block 911, block 915, block 916, block 917, block 932; and the following voting districts in Haskell county: (000020), (000030), (000040), (000050); and the following blocks in voting district (000070), tract 4631.00, block group 1, in Haskell county: block 407, block 408, block 439, block 440, block 441, block 442, block 443, block 444, block 445, block 555, block 556, block 557, block 558, block 564, block 565, block 566, block 567, block 568, block 569, block 570, block 571, block 572, block 573, block 574, block 575, block 576, block 577, block 578, block 579, block 580, block 581, block 582, block 583, block 584, block 585, block 586, block 702, block 703, block 704, block 705, block 706, block 707, block 708, block 709, block 710, block 711, block 712, block 713, block 714, block 715, block 716, block 717, block 718, block 719, block 720, block 721, block 722, block 723, block 811, block 812, block 813, block 814, block 815, block 816, block 817, block 818, block 819, block 857, block 858, block 859, block 860, block 891; and the following blocks in voting district (000070), tract 4631.00, block group 3, in Haskell county: block 002, block 003, block 004, block 005, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 117, block 118; and the following voting districts in Kearny county: (000010), (000020); and the following blocks in voting district (000030), tract 9591.00, block group 1, in Kearny county: block 225, block 226, block 227, block 228, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 324, block 331, block 332, block 333, block 334, block 335, block 336, block 337, block 338, block 339, block 340, block

341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 349, block 350, block 351, block 352, block 353, block 354, block 355, block 356, block 357, block 358, block 359, block 360, block 361, block 362, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 379, block 380, block 381, block 382, block 383, block 388, block 389, block 390, block 391, block 392, block 393, block 394, block 395, block 396, block 397, block 398, block 399, block 400, block 401, block 695, block 696, block 697, block 698, block 699, block 700, block 701, block 702, block 703, block 704, block 705, block 706, block 707, block 708, block 709, block 710, block 711, block 712, block 713, block 931, block 975, block 979, block 980, block 982, block 998; and the following blocks in voting district (000030), tract 9591.00, block group 3, in Kearny county: block 157; and the following voting districts in Kearny county: (000040), (000050), (000060), (000070), (000080), (000090); and all of Morton county; and the following blocks in voting district (000020), tract 9656.00, block group 1, in Seward county: block 324; and the following blocks in voting district (000040), tract 9656.00, block group 1, in Seward county: block 323, block 329, block 330, block 331; and the following voting districts in Seward county: (00005A), (00005B), (000060); and the following blocks in voting district (000070), tract 9656.00, block group 1, in Seward county: block 254, block 255, block 266, block 267, block 268, block 269, block 309, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 325, block 326, block 327, block 328, block 332, block 362, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 374, block 379, block 380, block 424, block 425, block 451, block 452; and the following blocks in voting district (000070), tract 9657.00, block group 2, in Seward county: block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (000090), tract 9656.00, block group 1, in Seward county: block 473, block 475, block 476, block 477, block 478, block 479, block 483, block 484, block 486, block 487; and the following blocks in voting district (000090), tract 9659.00, block group 4, in Seward county: block 043, block 102, block 103, block 105; and the following blocks in voting district (000100), tract 9659.00, block group 1, in Seward county: block 017, block 018, block 019, block 020, block 021, block 030, block 031, block 032, block 033, block 046, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 066, block 067, block 068, block 069, block 070; and the following blocks in voting district (000100), tract 9659.00, block group 2, in Seward county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019; and the following blocks in voting district (000100), tract 9659.00, block group 3, in Seward county: block 002, block 003, block 004, block 015, block 016, block 018; and the following blocks in voting district (000110), tract 9659.00, block group 1, in Seward county: block 000, block 001, block 002, block 003, block 004, block 005, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047; and the following blocks in voting district (000110), tract 9659.00, block group 3, in Seward county: block 000, block 001, block 008; and the following voting districts in Seward

county: (000130); and the following blocks in voting district (000140), tract 9657.00, block group 1, in Seward county: block 023, block 026, block 060, block 061, block 062, block 063, block 064, block 065, block 101, block 102, block 120; and the following blocks in voting district (000140), tract 9658.00, block group 3, in Seward county: block 000, block 001, block 002, block 003, block 004, block 005, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055; and the following blocks in voting district (000140), tract 9658.00, block group 4, in Seward county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 048, block 049, block 050, block 051, block 052, block 063; and the following blocks in voting district (000140), tract 9660.00, block group 1, in Seward county: block 005, block 006, block 007, block 008, block 052, block 053, block 054, block 055; and the following blocks in voting district (000140), tract 9660.00, block group 2, in Seward county: block 044, block 045, block 046, block 047, block 082; and the following voting districts in Seward county: (000150); and the following blocks in voting district (000160), tract 9656.00, block group 1, in Seward county: block 459; and the following blocks in voting district (000160), tract 9658.00, block group 1, in Seward county: block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 050, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 105, block 106, block 114, block 117, block 119, block 120; and the following blocks in voting district (000160), tract 9658.00, block group 2, in Seward county: block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063; and the following blocks in voting district (000160), tract 9658.00, block group 3, in Seward county: block 070, block 071, block 076, block 077, block 078, block 079; and the following blocks in voting district (000160), tract 9658.00, block group 4, in Seward county: block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 055, block 056, block 057, block 058, block 064, block 065, block 066, block 067, block 068; and the following voting districts in Seward county: (000170), (000180), (000190); and the following blocks in voting district (000200), tract 9656.00, block group 1, in Seward county: block 020, block 021, block 022, block 039, block 040, block 041, block 047, block 048, block 049, block 050, block 121, block 122, block 123, block 124, block 125, block 178, block 179, block 180, block 183, block 184, block 185, block 186, block 187, block 188, block 194, block 195, block 196, block 197, block 198, block 199, block 200,

block 201, block 243, block 248, block 249, block 250, block 251, block 256, block 461; and all of Stanton county; and all of Stevens county.

Sec. 173. Senatorial district 40 shall consist of all of Cheyenne county; and all of Decatur county; and all of Gove county; and all of Graham county; and all of Greeley county; and the following blocks in voting district (000020), tract 9586.00, block group 2, in Hamilton county: block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 114, block 234, block 235, block 236, block 237, block 238, block 39, block 240, block 241, block 242, block 243, block 244, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 284, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 304, block 305, block 306, block 307, block 308, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 324, block 325, block 329, block 330, block 331, block 571, block 572, block 579, block 580, block 587; and the following blocks in voting district (000030), tract 9586.00, block group 1, in Hamilton county: block 036, block 037, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 324, block 326, block 327, block 333, block 420, block 422, block 423; and the following voting districts in Hamilton county: (000050); and the following blocks in voting district (000060), tract 9586.00, block group 2, in Hamilton county: block 056, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 080, block 081, block 082, block 083, block 084, block 085, block 112, block 113, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 133, block 134, block 135, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 146, block 147, block 148, block 150, block 151, block 152, block 153, block 576, block 585, block 586; and the following voting districts in Hamilton county: (000070); and the following blocks in voting district (000080), tract 9586.00, block group 1, in Hamilton county: block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 126, block 127, block 128, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 173, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 200, block 201, block 202, block 203, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 234, block 235, block 236, block 237, block 238, block 260, block 261, block 262, block

263, block 280, block 281, block 298, block 301, block 341, block 364, block 365, block 366, block 414, block 421; and the following blocks in voting district (000080), tract 9586.00, block group 2, in Hamilton county: block 434, block 435, block 436, block 437; and the following voting districts in Hamilton county: (000090); and all of Jewell county; and all of the following blocks in voting district (000030), tract 9591.00, block group 1, in Kearny county: block 999; and all of Lane county; and all of Logan county; and all of Norton county; and all of Osborne county; and all of Phillips county; and all of Rawlins county; and all of Rooks county; and all of Scott county; and all of Sheridan county; and all of Sherman county; and all of Smith county; and all of Thomas county; and all of Wallace county; and all of Wichita county.";

And renumbering sections accordingly;

Also on page 156, in line 22, by striking "and" and inserting a comma; also in line 22, after "4-3,858" by inserting ", 4-4,451, 4-4,452, 4-4,453, 4-4,454, 4-4,455, 4-4,456, 4-4,457, 4-4,458, 4-4,459, 4-4,460, 4-4,461, 4-4,462, 4-4,463, 4-4,464, 4-4,465, 4-4,466, 4-4,467, 4-4,468, 4-4,469, 4-4,470, 4-4,471, 4-4,472, 4-4,473, 4-4,474, 4-4,475, 4-4,476, 4-4,477, 4-4,478, 4-4,479, 4-4,480, 4-4,481, 4-4,482, 4-4,483, 4-4,484, 4-4,485, 4-4,486, 4-4,487, 4-4,488, 4-4,489, 4-4,490, 4-4,491, 4-4,492 and 4-4,493";

On page 1, in the title, in line 1, by striking "representative" and inserting "legislative"; in line 18, by striking "and" and inserting a comma; also in line 18, after "4-3,858" by inserting ", 4-4,451, 4-4,452, 4-4,453, 4-4,454, 4-4,455, 4-4,456, 4-4,457, 4-4,458, 4-4,459, 4-4,460, 4-4,461, 4-4,462, 4-4,463, 4-4,464, 4-4,465, 4-4,466, 4-4,467, 4-4,468, 4-4,469, 4-4,470, 4-4,471, 4-4,472, 4-4,473, 4-4,474, 4-4,475, 4-4,476, 4-4,477, 4-4,478, 4-4,479, 4-4,480, 4-4,481, 4-4,482, 4-4,483, 4-4,484, 4-4,485, 4-4,486, 4-4,487, 4-4,488, 4-4,489, 4-4,490, 4-4,491, 4-4,492 and 4-4,493"; and the bill be passed as amended.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2709**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2709 was thereupon introduced and read by title.

On motion of Senator Emler, the Senate adjourned until 9:00 a.m., Wednesday, March 21, 2012.

Journal of the Senate

FORTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 21, 2012, 9:00 a.m.

The Senate was called to order by President Stephen Morris.

The roll was called with forty senators present.

The President introduced Reverend Aaron Roberts, Colonial Church, Prairie Village, Kansas, who delivered the invocation:

Good morning – I spent last night volunteering in a family homeless shelter in Overland Park, and as we come together in prayer this morning, I ask that all of us join our prayers with those who are “longing for home” in this state of Kansas. If you are a person of prayer, will you join me?

God, you have made a great nation of us. In this room today, bless these leaders with wisdom. Reveal your righteousness to every person in this Senate, and make them agents of compassion to join together to be good news to the poor, care for the common good, and be just and civil and humble in their duties.

Place your Spirit of unity in this place. As each honorable Senator here is blessed to serve, may he or she be blessed to be a blessing to all the families in Kansas – inclusive of all. May your will be done on Earth as it is in heaven. Amen

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator Petersen rose on point of personal privilege to introduce his son, Zack, who was paging in the Senate.

Senator Schodorf rose on a point of personal privilege to introduce the members of the Junior League of Wichita who were visiting the Capitol.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following senate concurrent resolution was introduced and read by title:

Senators Morris, Emler and Hensley introduced the following concurrent resolution which was read by title and adopted by voice vote:

SENATE CONCURRENT RESOLUTION No. 1618—

By Senators Morris, Emler and Hensley

A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2012 regular session of the legislature.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on March 21, 2012, and shall reconvene on March 26, 2012, pursuant to adjournment of the daily session convened on March 21, 2012; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the *per diem* compensation and subsistence allowances provided for in subsections (a) and (b) of K.S.A. 46-137a, and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **HB 2018**.

Ethics and Elections: **HB 2425**.

Natural Resources: **Sub HB 2709**.

Ways and Means: **HB 2777**.

CHANGE OF REFERENCE

The President withdrew **HB 2562**, **HB 2629**, **HB 2647** from the Calendar under the heading of General Orders, and referred the bills to the Committee on **Ways and Means**.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 267, AN ACT concerning taxation; relating to income tax credits; certain contributions to community colleges, technical colleges and postsecondary educational institutions; restoration, preservation or operation of certain historic sites; amending K.S.A. 2011 Supp. 79-32,211a and 79-32,261 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Pilcher-Cook.

The bill passed, as amended.

SB 371, AN ACT concerning sales and use taxation; relating to nexus; amending K.S.A. 2011 Supp. 79-3702 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 33; Nays 6; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Huntington, Kelly, Kelsey, Kultala, Longbine, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Reitz, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Hensley, Holland, King, Pilcher-Cook, Pyle, A. Schmidt.

Present and Passing: Love.

The bill passed, as amended.

SB 415, AN ACT concerning motor vehicles; relating to competitive bidding; amending K.S.A. 2011 Supp. 75-3740 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Lynn, Marshall, Masterson, McGinn, Morris, Olson, Ostmeyer, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Bruce, Love, Merrick, Pilcher-Cook, Pyle.

The bill passed, as amended.

SB 421, AN ACT concerning property taxation; relating to motor vehicles, computation of amount of tax; local ad valorem tax reduction fund, distribution; amending K.S.A. 79-5105 and K.S.A. 2011 Supp. 79-2959 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 9; Nays 31; Present and Passing 0; Absent or Not Voting 0.

Yeas: Bruce, Donovan, Kelsey, Marshall, Masterson, Olson, Petersen, Schodorf, Wagle.

Nays: Abrams, Apple, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, McGinn, Merrick, Morris, Ostmeyer, Owens, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Steineger, Taddiken, Teichman, Umbarger, Vratil.

A constitutional majority having failed to vote in favor of the bill, **SB 421** did not pass.

S Sub for Sub HB 2004, AN ACT concerning the low-income family postsecondary savings account incentive program; amending K.S.A. 2011 Supp. 75-650 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed, as amended.

S Sub for HB 2117, AN ACT concerning taxation; relating to income tax, rate for individuals, credits, deductions and income determination; severance tax, exemptions; homestead property tax refunds; food sales tax refund; amending K.S.A. 39-7,132, 65-7107, 74-8206, 74-8304, 79-32,118, 79-32,128, 79-32,177, 79-32,190 and 79-32,200 and K.S.A. 2011 Supp. 40-2246, 74-50,173, 74-50,208, 74-8316, 74-8401, 79-32,110, 79-32,111, 79-32,117, 79-32,119, 79-32,138, 79-32,143, 79-32,143a, 79-32,182b, 79-32,201, 79-32,204, 79-32,207, 79-32,210, 79-32,212, 79-32,222, 79-32,266, 79-4217, 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections; also repealing K.S.A. 79-32,176 and 79-32,182 and K.S.A. 2011 Supp. 79-32,111a, 79-32,120, 79-32,202, 79-32,213, 79-32,242, 79-3633, 79-3634, 79-3635, 79-3636, 79-3637, 79-3638 and 79-3639, was considered on final action.

On roll call, the vote was: Yeas 20; Nays 20; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Donovan, King, Love, Lynn, Marshall, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, V. Schmidt, Schodorf, Steineger, Taddiken, Wagle.

Nays: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, McGinn, Morris, Owens, Reitz, A. Schmidt, Teichman, Umbarger, Vratil.

A constitutional majority having failed to vote in favor of the substitute bill, **S Sub for HB 2117** did not pass.

EXPLANATION OF VOTE

MR. PRESIDENT: Many of my colleagues oppose **S Sub for HB 2117** on the pretext it costs too much. Their No votes are cast after most of them supported amendments to deliberately increase its cost. Such absurdity is analogous to burning down your own house and then begging for charity on the grounds you're homeless.

Consistently, this body gives lip service to the desperate need for tax reform and its members continuously cry for fairness while claiming they are the champions of the downtrodden. To do so, and vote No, is a farce; the results of which not only lead to failure but serves as an insult to those who seek gainful employment, desire a prosperous state and truly believe the pursuit of happiness is not found in political rhetoric or government largess but is instead a natural right.

I vote Yes on **S Sub for HB 2117** because I want a prosperous state with a better future for all Kansans. To vote no is to embrace a philosophy of failure and creed of ignorance, the inherent virtue of which will lead to the equal sharing of misery. – TERRY BRUCE

Senators Abrams, Apple, Pilcher-Cook, Donovan, Love, Lynn, Marshall, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pyle and Wagle request the record to show they

concur with the “Explanation of Vote” offered by Senator Bruce on **S Sub for HB 2117**.

Senator Brungardt moved to reconsider the action on **S Sub for HB 2117** and the bill was returned to Final Action.

S Sub for HB 2117, AN ACT concerning taxation; relating to income tax, rate for individuals, credits, deductions and income determination; severance tax, exemptions; homestead property tax refunds; food sales tax refund; amending K.S.A. 39-7,132, 65-7107, 74-8206, 74-8304, 79-32,118, 79-32,128, 79-32,177, 79-32,190 and 79-32,200 and K.S.A. 2011 Supp. 40-2246, 74-50,173, 74-50,208, 74-8316, 74-8401, 79-32,110, 79-32,111, 79-32,117, 79-32,119, 79-32,138, 79-32,143, 79-32,143a, 79-32,182b, 79-32,201, 79-32,204, 79-32,207, 79-32,210, 79-32,212, 79-32,222, 79-32,266, 79-4217, 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections; also repealing K.S.A. 79-32,176 and 79-32,182 and K.S.A. 2011 Supp. 79-32,111a, 79-32,120, 79-32,202, 79-32,213, 79-32,242, 79-3633, 79-3634, 79-3635, 79-3636, 79-3637, 79-3638 and 79-3639, was considered on final action.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Huntington, Kelsey, King, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Petersen, Pilcher-Cook, Pyle, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Wagle.

Nays: Faust-Goudeau, Francisco, Haley, Hensley, Holland, Kelly, Kultala, Owens, Reitz, A. Schmidt, Vratil.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: After analysis and reconsideration, I still vote “NO” on the badly flawed tax bill **S Sub for HB 2117**.

Standing firm in my convictions is a hallmark of consistency which I strongly believe makes my constituents proud of my representation.

Voting one way one hour then, after political pressure and back room dealing, voting the exact opposite way in the next hour may be confusing to many of your constituents.

But proudly, Mr. President, that's something my constituents, when they read today's Senate Journal, don't have to worry about. – DAVID HALEY

S Sub for HB 2157, AN ACT concerning income taxation; relating to apportionment of business income by certain taxpayers; election thereof; requirements; credits; amending K.S.A. 79-32,141 and K.S.A. 2011 Supp. 79-3279 and 79-32,160a and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-32,160f, was considered on final action.

On roll call, the vote was: Yeas 23; Nays 17; Present and Passing 0; Absent or Not Voting 0.

Yeas: Apple, Brungardt, Donovan, Emler, Faust-Goudeau, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil.

Nays: Abrams, Bruce, Francisco, Kelsey, King, Love, Lynn, Marshall, Masterson, Merrick, Olson, Ostmeier, Petersen, Pilcher-Cook, Pyle, Taddiken, Wagle.

The substitute bill passed, as amended.

S Sub for HB 2200, AN ACT concerning school districts; relating to the amount of base state aid per pupil; relating to the local option budget; amending K.S.A. 2011 Supp. 72-6410 and 72-6433 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 31; Nays 9; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Marshall, McGinn, Morris, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil, Wagle.

Nays: Kelsey, Lynn, Masterson, Merrick, Olson, Ostmeyer, Pilcher-Cook, Pyle, Taddiken.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: I support **S Sub for HB 2200**, because our school districts have cut tens of millions from their budgets. While the cap was not lifted on the local option budget, this bill will provide much needed funding until such time as the Governor's education plan passes to provide for sustainable funding for all Kansas school districts.

— TERRIE HUNTINGTON

EXPLANATION OF VOTE

MR. PRESIDENT: **S Sub for HB 2200** takes a “status quo” approach to school finance. The Senate had an unprecedented opportunity to consider bold proposals put forth by our Governor to fundamentally fix a broken system, yet deliberately chose an unsustainable future for our children. Even though it's a step in the right direction to allow a public vote I must vote NO and will continue to support legislation that corrects the finance formula that penalizes our efforts to create quality public education. — JULIA

LYNN

EXPLANATION OF VOTE

MR. PRESIDENT: I am supportive of increasing the funding for our K-12 education system by increasing the state base aid per pupil. However, I cannot support increasing local property taxes by increasing the local option budget authority of local school boards.

Hopefully when this bill returns from the conference committee the increased LOB authority will be removed so that I too can vote to increase funding for our schools. Until such time, I vote no on **S Sub for HB 2200**. — MARK TADDIKEN

Senators Masterson, Ostmeyer and Pyle request the record to show they concur with the “Explanation of Vote” offered by Senator Taddiken on **S Sub for HB 2200**.

EXPLANATION OF VOTE

MR. PRESIDENT: I am pleased to once again vote in favor of additional, and much needed, funding for our K-12 schools and our children. Several of my Johnson County Senate colleagues join in that support. Contrary to the argument frequently made, this

vote shows that Johnson County legislators will support additional funding for schools even when the school districts receive additional local option budget authority. Education is the most important function of state government; we must give it first priority in our budgeting process. — JOHN VRATIL

Senators Huntington and Owens request the record to show they concur with the “Explanation of Vote” offered by Senator Vratil on **S Sub for HB 2200**.

S Sub for HB 2241, AN ACT concerning taxation; relating to the local ad valorem tax reduction fund; distribution to political subdivisions; amending K.S.A. 79-2961 and K.S.A. 2011 Supp. 79-2959 and repealing the existing sections, was considered on final action.

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

Yeas: Abrams, Apple, Bruce, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Donovan, Steineger.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: While I am pleased to support the reinstatement of the local ad valorem tax reduction fund, especially with my amendment that ensures these funds will be used to lower property taxes, the Senate missed an essential opportunity to provide \$28 million in new property-tax relief for low-income families, the disabled, and fixed-income seniors. The Senate defeated by one vote an amendment that would have more than doubled the property tax relief available to these poorest of Kansas taxpayers through the Homestead Property Tax Relief program. This amendment, which was unanimously endorsed by the Senate Taxation Committee, would have prevented fixed-income seniors from being taxed out of their homes, would have encouraged working families with children to remain in their Kansas homes instead of leaving for lower-tax states, and would have ensured that property taxes did not unfairly punish disabled taxpayers. Kansas taxpayers deserve better than a property tax system that punishes fixed-income retirees and working families. With yesterday's defeated amendment, we missed a golden opportunity to help these Kansas taxpayers.—JEFF KING

EXPLANATION OF VOTE

MR. PRESIDENT: It is a relief this body has given the people of Kansas the ability to vote for or against property taxes for education. In that regard, I would like to vote for this bill. However, when the Legislature is under threat of another lawsuit that is speeding down the tracks, **we simply cannot continue the status quo, so I have no alternative but to vote against this legislation. I regret the governor's education plan did not receive the priority and attention it deserved.**—MARY PILCHER-COOK

EXPLANATION OF VOTE

MR. PRESIDENT: I vote No on **S Sub for HB 2241**, state aid to municipal governments. Kansas is a bottom heavy state. Kansas taxpayers are forced to pay more for local government than almost any other state in the nation. This due to an excessive number of counties, cities, townships, an other local units of government. It makes no sense for state government to subsidize our outdated and inefficient system of local units, without working towards a modernization and consolidation of our local government structure. – CHRIS STEINEGER

Senator Donovan request the record to show he concurs with the “Explanation of Vote” offered by Senator Steineger on **S Sub for HB 2241**.

HB 2430, AN ACT concerning school districts; relating to the contingency reserve fund; amending K.S.A. 2011 Supp. 72-6426 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

HB 2435, AN ACT concerning postsecondary technical education; relating to career technical education programs and workforce grants; amending K.S.A. 72-4460, 72-4461, 72-4462, 72-4463, 72-4464 and 72-4465 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

Sub HB 2455, AN ACT concerning the motor fuel tax, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Marshall, Masterson, McGinn, Merrick, Morris, Ostmeyer, Owens, Petersen, Reitz, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Hensley, Lynn, Olson, Pilcher-Cook, Pyle, A. Schmidt.

The substitute bill passed.

Sub HB 2477, AN ACT concerning compulsory school attendance laws; relating to educational alternatives; amending K.S.A. 2011 Supp. 72-1111 and repealing the

existing section, was considered on final action.

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

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Merrick, Pyle.

The substitute bill passed.

HB 2769, AN ACT concerning property taxation; relating to exemptions; certain housing on military installations; amending K.S.A. 2011 Supp. 79-201a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Brungardt in the chair.

On motion of Senator Brungardt the following morning session was adopted:

Recommended:

SB 356, SB 400; HB 2568, HB 2684 be amended by the adoption of the committee amendments, and the bills passed as amended.

The committee report on **HB 2313** recommending a **S Sub for HB 2313** be adopted, and the substitute bill be passed.

The committee report on **HB 2390** recommending a **S Sub for HB 2390** be adopted, and be amended by motion of Senator Apple, on page 6, in line 11, after "(b)" by inserting "Broadband technology-based video communication" means a class of communications technologies which may include switched ethernet services, DSL, cable modem, private line service, multiprotocol label switching (MPLS) based networks, managed or dedicated internet technologies and other future technologies capable of supporting such applications.

(c)";

And by relettering remaining subsections accordingly;

Also on page 6, in line 18, by striking all after "act"; in line 19, by striking "Facilitating"; and inserting "to facilitate"; in line 21, by striking all after "telemedicine"; by striking all in line 22; in line 23, by striking all before the period; in line 31, by striking the first colon; in line 32 by striking "(1)"; in line 36, by striking "; and"; by striking all in lines 37 and 38; in line 39, by striking all before the period; in

line 41, by striking "such purposes" and inserting "the purpose of this act";

On page 7, in line 34, by striking "perform" and inserting "set the parameters for"; in line 38, by striking ": (A) A broadband internet connection; and (B)"; in line 40, by striking all after "(3)"; by striking all in line 41; in line 42, by striking all before the semicolon and inserting "contract with a private, independent third party to conduct the needs assessment. Such needs assessment shall include current and future broadband service and quality needs of each school, library and hospital and current connectivity and service quality of broadband for each entity connected to the KAN-ED network. Based on the results of the needs assessments, such third party contractor shall: (A) Compare the utilization, efficiency and effectiveness of KAN-ED to other similar programs in other states for schools, libraries and hospitals; (B) determine if the KAN-ED program is worth its cost in terms of price, service, quality, needed network upgrades and increased utilization of broadband by schools, libraries and hospitals; (C) determine if there are alternative models or opportunities for broadband procurement by a school, library or hospital; and (D) determine if the services and applications offered by KAN-ED lead to full utilization of broadband technology by schools, libraries and hospitals and their surrounding communities";

On page 8, in line 3, by striking all after "(A)"; by striking all in line 4; in line 5, by striking "(B)"; in line 6, by striking "(C)" and inserting "(B)";

On page 10, in line 9, by striking all after "(1)"; by striking all in line 10; in line 11, by striking "(2)";

And by renumbering remaining paragraphs accordingly and **S Sub for HB 2390** be passed as amended.

SB 271 be amended by the adoption of the committee amendments, be further amended by Senator Ostmeyer on page 1, by striking all in line 31; in line 32, by striking all before the comma;

On page 2, in line 19, by striking "by contract or"; in line 20, by striking "lease"; by striking all in lines 21 through 23 and **SB 271** be passed as further amended.

The committee report on **SB 433** recommending a **Sub SB 433** be adopted, be amended by motion of Senator Huntington, on page 198, following line 41, by inserting:

"Sec. 75. (a) Except as provided in subsection (b), except to the extent required by federal law, during the fiscal year ending June 30, 2013, no state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2013, from the state general fund or in any special revenue fund or funds for such state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, for health care services provided by any such state agency, or any employee of such state agency while acting within the scope of such employee's employment, which include abortion: *Provided, however,* That the provisions of this section shall not apply to an abortion which is necessary to preserve the life of the pregnant woman.

(b) Nothing in this section shall be construed to prevent a physician enrolled in a residency program and employed by the university of Kansas medical center from receiving experience with induced abortions, conducted at facilities other than those owned, leased or operated by the university of Kansas hospital authority or any other state entity: *Provided, however,* That for purposes of this section only, such physicians

shall be considered acting outside the scope of such physician's official employment in such actions.

(c) As used in this section "abortion" means an abortion as defined by K.S.A. 65-6701, and amendments thereto.";

And by renumbering sections accordingly

Senator McGinn moved to further amend **Sub SB 433**, on page 76, in line 34, by adding \$25,000 to the dollar amount and by adjusting the dollar amount in line 34 accordingly;

On page 149, by striking all in lines 40 through 42;

And by relettering subsections accordingly;

On page 196, following line 37, by inserting:

"Kansas Commission on Peace Officers' Standards and Training.....7.00"
and **Sub SB 433** be passed as amended.

S Sub for HB 2597 be amended by adoption of the committee report recommending a substitute bill, be amended by motion of Senator McGinn, on page 3, in line 3, after "department." by inserting "For any proposed land-spreading location that lies wholly or partially within a groundwater management district, prior to submission of an application to land-spread drilling waste on such location, the applicant shall receive approval of the board of directors of such groundwater management district and **S Sub for HB 2597** be passed as amended.

S Sub for HB 2318 be passed over and retain a place on the calendar.

FINAL ACTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Emler an emergency was declared by a 2/3 constitutional majority, and **SB 271, SB 356, SB 400; Sub SB 433; S Sub for HB 2313, S Sub for HB 2390; HB 2568; S Sub for HB 2597; HB 2684** were advanced to Final Action and roll call.

SB 271, AN ACT concerning property; relating to ownership of pore space.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 356, AN ACT concerning amusement rides; relating to regulation of home-owned amusement rides; amending K.S.A. 2011 Supp. 44-1601 , 44-1613 and 44-1614 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 400, AN ACT concerning municipalities; relating to landlords and tenants; amending K.S.A. 12-16,123 and repealing the existing section.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Haley, Pilcher-Cook, Pyle, Steineger.

The bill passed, as amended.

Sub SB 433, AN ACT making and concerning appropriations for fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, and June 30, 2015, for state agencies; authorizing certain transfers, capital improvement projects and fees imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2011 Supp. 12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i, 79-34,156, 79-34,171 and 82a-953a and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Steineger.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote aye on **Sub SB 433**. While I commend the effort to meet the 7.5% ending balance law, I have serious reservations and concerns about the KEES funding, especially with unanswered questions surrounding disclosure and contract legality still pending before the Attorney General. – DENNIS PYLE

Senators Abrams, Haley, Lynn, Masterson, Merrick, Olson and A. Schmidt request the record to show they concur with the “Explanation of Vote” offered by Senator Pyle on **Sub SB 433**

S Sub for HB 2313, AN ACT concerning juvenile offenders; relating to out-of-state juvenile offender registration.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed.

S Sub for HB 2390, AN ACT concerning KAN-ED; amending K.S.A. 2011 Supp. 66-2010, 72-9712, 75-2546, 75-7222, 75-7223, 75-7224 and 75-7226 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 75-7228.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Merrick.

The substitute bill passed, as amended.

HB 2568, AN ACT concerning the Kansas offender registration act; amending K.S.A. 2011 Supp. 22-4902, 22-4903, 22-4904, 22-4905, 22-4906, 22-4907, 22-4908 and 22-4909 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 22-4902a and 22-4906a.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

S Sub for HB 2597, AN ACT concerning solid waste; relating to permit exemptions; amending K.S.A. 2011 Supp. 65-3407c and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Schodorf.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote for **HB 2597** with full expectation that all parties (KDHE, KCC, the industry, and the landowner) will exercise responsible stewardship.

I understand that the 1st steward of the land is the landowner so it will be the explicit responsibility of the involved state agencies to keep the landowner properly informed. It is also the state agencies' responsibility to ensure safe industry practices are adhered to along with long-term monitoring for contamination. These responsibilities must be funded and kept in place. Thank you Mr. President. — ALLEN SCHMIDT

HB 2684, AN ACT concerning the ombudsman of corrections; amending K.S.A. 2011 Supp. 45-221 and repealing the existing section; also repealing K.S.A. 74-7402,

74-7403, 74-7404, 74-7406 and 74-7407.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

MESSAGES FROM THE GOVERNOR

SB 249, SB 264, SB 266, SB 270, SB 384, SB 406 approved on March 20, 2012.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator McGinn the Senate nonconcurring in the House amendments to **H Sub for SB 259** and requested a conference committee be appointed.

The President appointed Senators Morris, King and Kelly as a conference committee on the part of the Senate.

On motion of Senator Emler the Senate recessed until 2:00 p.m.

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

POINT OF PERSONAL PRIVILEGE

Senator Vratil rose on a Point of Personal Privilege to introduce his son K.C. Hobbs and grandson Joshua Hobbs who were visiting in the Capitol.

Senator Marshall rose on a Point of Personal Privilege to introduce Jacob Smirl and Stefanie Smirl who were paging in the Capitol.

Senator Schodorf rose on a Point of Personal Privilege to introduce her daughter Kelly who was visiting in the Capitol.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **Substitute for HB 2689** be amended on page 1, following line 5, by inserting:

"New Section 1. (a) A license for a public venue shall allow the licensee to:

(1) Offer for sale, sell and serve alcoholic liquor by the individual drink for consumption on the licensed premises;

(2) offer for sale, sell and serve unlimited drinks for a fixed price in designated areas of the licensed premises;

(3) offer for sale and sell all inclusive packages which include unlimited drinks in designated areas of the licensed premises;

(4) offer for sale, sell and serve alcoholic liquor in the original container for consumption on the licensed premises in private suites, which are enclosed or semi-enclosed seating areas, having controlled access and separated from the general admission areas by a permanent barrier;

(5) store, in each private suite, which are enclosed or semi-enclosed seating areas,

having controlled access and separated from the general admission areas by a permanent barrier, alcoholic liquor sold in the original container to a customer in that private suite; and

(6) with the approval of the retailer or distributor, return for a full refund of the original purchase price unopened containers of alcoholic liquor to the retailer or distributor from whom such items were purchased upon the conclusion of an event if the next scheduled event for that premises is more than 90 days from the date of the concluded event.

(b) An applicant or public venue licensee shall specify in the application for a license, or renewal of a license, the premises to be licensed, which may include all premises which are in close proximity and are under the control of the applicant or licensee. No public venue licensee may offer for sale, sell or serve any alcoholic liquor in any area not included in the licensed premises.

New Sec. 2. (a) A microdistillery license shall allow:

(1) The manufacture of not more than 50,000 gallons of spirits per year and the storage thereof;

(2) the sale to spirit distributors of spirits, manufactured by the licensee;

(3) the sale, on the licensed premises in the original unopened container to consumers for consumption off the licensed premises, of spirits manufactured by the licensee;

(4) the serving free of charge on the licensed premises and at special events, monitored and regulated by the division of alcoholic beverage control, of samples of spirits manufactured by the licensee, if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments;

(5) if the licensee is also licensed as a club or drinking establishment, the sale of spirits and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act; and

(6) if the licensee is also licensed as a caterer, the sale of spirits and other alcoholic liquor for consumption on unlicensed premises as authorized by the club and drinking establishment act.

(b) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a microdistillery licensee, the director may issue not to exceed one microdistillery packaging and warehousing facility license to the microdistillery licensee. A microdistillery packaging and warehousing facility license shall allow:

(1) The transfer, from the licensed premises of the microdistillery to the licensed premises of the microdistillery packaging and warehousing facility, of spirits manufactured by the licensee, for the purpose of packaging or storage, or both;

(2) the transfer, from the licensed premises of the microdistillery packaging and warehousing facility to the licensed premises of the microdistillery, of spirits manufactured by the licensee; or

(3) the removal from the licensed premises of the microdistillery packaging and warehousing facility of spirits manufactured by the licensee for the purpose of delivery to a licensed spirits wholesaler.

(c) A microdistillery may sell spirits in the original unopened container to consumers for consumption off the licensed premises at any time between 6 a.m. and 12 midnight on any day except Sunday and between 11 a.m. and 7 p.m. on Sunday. If authorized by subsection (a), a microdistillery may serve samples of spirits and serve

and sell spirits and other alcoholic liquor for consumption on the licensed premises at any time when a club or drinking establishment is authorized to serve and sell alcoholic liquor.

(d) The director may issue to the Kansas state fair or any *bona fide* group of distillers a permit to import into this state small quantities of spirits. Such spirits shall be used only for *bona fide* educational and scientific tasting programs and shall not be resold. Such spirits shall not be subject to the tax imposed by K.S.A. 41-501, and amendments thereto. The permit shall identify specifically the brand and type of spirit to be imported, the quantity to be imported, the tasting programs for which the spirit is to be used and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of spirits pursuant to this subsection and the conduct of tasting programs for which such spirits are imported.

(e) A microdistillery license or microdistillery packaging and warehousing facility license shall apply only to the premises described in the application and in the license issued and only one location shall be described in the license.

(f) No microdistillery shall:

(1) Employ any person under the age of 18 years in connection with the manufacture, sale or serving of any alcoholic liquor;

(2) permit any employee of the licensee who is under the age of 21 years to work on the licensed premises at any time when not under the on-premises supervision of either the licensee or an employee of the licensee who is 21 years of age or over;

(3) employ any person under 21 years of age in connection with mixing or dispensing alcoholic liquor; or

(4) employ any person in connection with the manufacture or sale of alcoholic liquor if the person has been convicted of a felony.

(g) Whenever a microdistillery licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and all fees paid for the license in accordance with the Kansas administrative procedure act.

New Sec. 3. (a) Notwithstanding any other provisions of the Kansas liquor control act to the contrary, any person or entity who is licensed to sell alcoholic liquor in the original package at retail may conduct wine, beer and distilled spirit tastings on the licensed premises, or adjacent premises, monitored and regulated by the division of alcoholic beverage control, as follows:

(1) Wine, beer and spirits for the tastings shall come from the inventory of the licensee. Except as provided by paragraph (2), a person other than the licensee or the licensee's agent or employee may not dispense or participate in the dispensing of alcoholic beverages under this section.

(2) The holder of a supplier's permit or such permit holder's agent or employee may participate in and conduct product tastings of alcoholic beverages at a retail licensee's premises, or adjacent premises, monitored and regulated by the division of alcoholic beverage control, and may open, touch, or pour alcoholic beverages, make a presentation, or answer questions at the tasting. Any alcoholic beverage tasted under this subsection must be purchased from the retailer on whose premises the tasting is held. The retailer may not require the purchase of more alcoholic beverages than are necessary for the tasting. This section does not authorize the supplier or its agent to withdraw or purchase an alcoholic beverage from the holder of a distributor's permit or provide an alcoholic beverage for tasting on a retailer's premises that is not purchased

from the retailer.

- (3) Sample portions at a product tasting shall be limited to no more than:
 - (A) One-half ounce for distilled spirits;
 - (B) one ounce for wine; and
 - (C) two ounces for beer and malt beverages.
 - (4) No charge of any sort may be made for a sample serving.
 - (5) A person may be served more than one sample. Samples may not be served to a minor. No samples may be removed from the licensed premises.
 - (6) The act of providing samples to consumers shall be exempt from the requirement of holding a Kansas food service dealer license from the department of agriculture under the provisions of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.
 - (b) Nothing in this section shall be construed to permit the licensee to sell wine, malt beverages or distilled spirits for on-premises consumption.
- Sec. 4. K.S.A. 2011 Supp. 41-102 is hereby amended to read as follows: 41-102. As used in this act, unless the context clearly requires otherwise:
- (a) "Alcohol" means the product of distillation of any fermented liquid, whether rectified or diluted, whatever its origin, and includes synthetic ethyl alcohol but does not include denatured alcohol or wood alcohol.
 - (b) "Alcoholic liquor" means alcohol, spirits, wine, beer and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed as a beverage by a human being, but shall not include any cereal malt beverage.
 - (c) "Beer" means a beverage, containing more than 3.2% alcohol by weight, obtained by alcoholic fermentation of an infusion or concoction of barley, or other grain, malt and hops in water and includes beer, ale, stout, lager beer, porter and similar beverages having such alcoholic content.
 - (d) "Caterer" has the meaning provided by K.S.A. 41-2601, and amendments thereto.
 - (e) "Cereal malt beverage" has the meaning provided by K.S.A. 41-2701, and amendments thereto.
 - (f) "Club" has the meaning provided by K.S.A. 41-2601, and amendments thereto.
 - (g) "Director" means the director of alcoholic beverage control of the department of revenue.
 - (h) "Distributor" means the person importing or causing to be imported into the state, or purchasing or causing to be purchased within the state, alcoholic liquor for sale or resale to retailers licensed under this act or cereal malt beverage for sale or resale to retailers licensed under K.S.A. 41-2702, and amendments thereto.
 - (i) "Domestic beer" means beer which contains not more than 10% alcohol by weight and which is manufactured in this state.
 - (j) "Domestic fortified wine" means wine which contains more than 14%, but not more than 20% alcohol by volume and which is manufactured in this state.
 - (k) "Domestic table wine" means wine which contains not more than 14% alcohol by volume and which is manufactured without rectification or fortification in this state.
 - (l) "Drinking establishment" has the meaning provided by K.S.A. 41-2601, and amendments thereto.
 - (m) "Farm winery" means a winery licensed by the director to manufacture, store and sell domestic table wine and domestic fortified wine.

(n) "Manufacture" means to distill, rectify, ferment, brew, make, mix, concoct, process, blend, bottle or fill an original package with any alcoholic liquor, beer or cereal malt beverage.

(o) (1) "Manufacturer" means every brewer, fermenter, distiller, rectifier, wine maker, blender, processor, bottler or person who fills or refills an original package and others engaged in brewing, fermenting, distilling, rectifying or bottling alcoholic liquor, beer or cereal malt beverage.

(2) "Manufacturer" does not include a microbrewery, microdistillery or a farm winery.

(p) "Microbrewery" means a brewery licensed by the director to manufacture, store and sell domestic beer.

(q) "Microdistillery" means a facility which produces spirits from any source or substance that is licensed by the director to manufacture, store and sell spirits.

~~(r)~~ "Minor" means any person under 21 years of age.

~~(s)~~ "Nonbeverage user" means any manufacturer of any of the products set forth and described in K.S.A. 41-501, and amendments thereto, when the products contain alcohol or wine, and all laboratories using alcohol for nonbeverage purposes.

~~(t)~~ "Original package" means any bottle, flask, jug, can, cask, barrel, keg, hogshead or other receptacle or container whatsoever, used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor, to contain and to convey any alcoholic liquor. Original container does not include a sleeve.

~~(u)~~ "Person" means any natural person, corporation, partnership, trust or association.

~~(v)~~ "Primary American source of supply" means the manufacturer, the owner of alcoholic liquor at the time it becomes a marketable product or the manufacturer's or owner's exclusive agent who, if the alcoholic liquor cannot be secured directly from such manufacturer or owner by American wholesalers, is the source closest to such manufacturer or owner in the channel of commerce from which the product can be secured by American wholesalers.

~~(w)~~ (1) "Retailer" means a person who sells at retail, or offers for sale at retail, alcoholic liquors.

(2) "Retailer" does not include a microbrewery, microdistillery or a farm winery.

~~(x)~~ "Sale" means any transfer, exchange or barter in any manner or by any means whatsoever for a consideration and includes all sales made by any person, whether principal, proprietor, agent, servant or employee.

~~(y)~~ "Salesperson" means any natural person who:

(1) Procures or seeks to procure an order, bargain, contract or agreement for the sale of alcoholic liquor or cereal malt beverage; or

(2) is engaged in promoting the sale of alcoholic liquor or cereal malt beverage, or in promoting the business of any person, firm or corporation engaged in the manufacturing and selling of alcoholic liquor or cereal malt beverage, whether the seller resides within the state of Kansas and sells to licensed buyers within the state of Kansas, or whether the seller resides without the state of Kansas and sells to licensed buyers within the state of Kansas.

~~(z)~~ "Secretary" means the secretary of revenue.

~~(aa)~~ (1) "Sell at retail" and "sale at retail" refer to and mean sales for use or consumption and not for resale in any form and sales to clubs, licensed drinking

establishments, licensed caterers or holders of temporary permits.

(2) "Sell at retail" and "sale at retail" do not refer to or mean sales by a distributor, a microbrewery, a farm winery, a licensed club, a licensed drinking establishment, a licensed caterer or a holder of a temporary permit.

~~(aa)~~(bb) "To sell" includes to solicit or receive an order for, to keep or expose for sale and to keep with intent to sell.

~~(bb)~~(cc) "Sleeve" means a package of two or more 50-milliliter (3.2-fluid-ounce) containers of spirits.

~~(ee)~~(dd) "Spirits" means any beverage which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whiskey, gin or other spirituous liquors, and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.

~~(dd)~~(ce) "Supplier" means a manufacturer of alcoholic liquor or cereal malt beverage or an agent of such manufacturer, other than a salesperson.

~~(ee)~~(ff) "Temporary permit" has the meaning provided by K.S.A. 41-2601, and amendments thereto.

~~(ff)~~(gg) "Wine" means any alcoholic beverage obtained by the normal alcoholic fermentation of the juice of sound, ripe grapes, fruits, berries or other agricultural products, including such beverages containing added alcohol or spirits or containing sugar added for the purpose of correcting natural deficiencies.

Sec. 5. K.S.A. 41-304 is hereby amended to read as follows: 41-304. Licenses issued by the director shall be of the following classes: (a) Manufacturer's license; (b) spirits distributor's license; (c) wine distributor's license; (d) beer distributor's license; (e) retailer's license; (f) microbrewery license; (g) microdistillery license; (h) farm winery license; and ~~(h)~~(i) nonbeverage user's license.

Sec. 6. K.S.A. 2011 Supp. 41-305 is hereby amended to read as follows: 41-305. (a) A manufacturer's license shall allow the manufacture and storage of alcoholic liquor and cereal malt beverage and the sale of alcoholic liquor and cereal malt beverage to distributors and nonbeverage users licensed in this state and to such persons outside this state as permitted by law.

(b) A manufacturer's license also shall allow the serving free of charge on the licensed premises of samples of alcoholic liquor manufactured by the licensee, provided the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments. Samples shall be served by the licensee, or an employee or agent thereof. No sample shall be served to an individual who is a minor. No individual shall remove all or any portion of a sample from the licensed premises. Nothing in this subsection shall be construed to permit the licensee to sell any alcoholic liquor for consumption on the premises.

(c) A person holding a farm winery license issued pursuant to K.S.A. 41-308a, and amendments thereto, may also be issued a manufacturer's license; provided, that no alcoholic liquor or cereal malt beverage manufactured by such licensee shall be sold by such licensee at its licensed premises or at any of such licensee's winery outlets.

Sec. 7. K.S.A. 41-306 is hereby amended to read as follows: 41-306. A spirits distributor's license, shall allow:

(a) The wholesale purchase, importation and storage of spirits, but all such spirits so purchased or imported which are manufactured in the United States shall be purchased from the primary American source of supply or from another licensed spirits

distributor, except that a licensed spirits distributor may purchase confiscated spirits at a sheriff's sale.

(b) The sale of spirits to:

- (1) Spirits distributors licensed in this state;
- (2) retailers licensed in this state, except that such distributor shall sell a brand of spirits only to those retailers whose licensed premises are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments thereto; and
- (3) such persons located outside such territory or outside this state as permitted by law.

(c) The purchase of spirits in barrels, casks or other bulk containers and the bottling thereof before resale, but all bottles or containers filled with such spirits shall be sealed, labeled and otherwise made to comply with all laws and rules and regulations governing the preparation and bottling of spirits by manufacturers and with all federal rules, regulations and laws.

(d) The storage and delivery to a retailer licensed under the Kansas liquor control act or a retailer licensed under K.S.A. 41-2702, and amendments thereto, on the distributor's licensed premises, of alcoholic liquor or cereal malt beverage of another licensed distributor authorized by law to sell such alcoholic liquor or cereal malt beverage to such retailer, in accordance with an agreement entered into with such other distributor and approved by the director.

(e) The storage and delivery to a public venue licensed under the club and drinking establishment act of alcoholic liquor purchased by the public venue licensee from a retailer authorized by law to sell such alcoholic liquor to such public venue licensee.

Sec. 8. K.S.A. 41-306a is hereby amended to read as follows: 41-306a. A wine distributor's license shall allow:

(a) The wholesale purchase, importation and storage of wine, but all wine so purchased or imported which is manufactured in the United States shall be purchased from the primary American source of supply or from another licensed wine distributor, except that a licensed wine distributor may purchase confiscated wine at a sheriff's sale.

(b) The sale of wine to:

- (1) Wine distributors licensed in this state;
- (2) retailers licensed in this state, except that such distributor shall sell a brand of wine only to those retailers whose licensed premises are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments thereto; and
- (3) such persons located outside such territory or outside this state as permitted by law.

(c) The sale of wine, but only in barrels, casks and other bulk containers, to:

- (1) Licensed caterers; and
- (2) public venues, clubs and drinking establishments licensed in this state, except that such distributor shall sell a brand of wine only to such public venues, clubs and drinking establishments the licensed premises of which are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments

thereto.

(d) The purchase of wine in barrels, casks or other bulk containers and the bottling thereof before resale, but all bottles or containers filled with such wine shall be sealed, labeled and otherwise made to comply with all laws and rules and regulations governing the preparation and bottling of wine by manufacturers and with all federal rules, regulations and laws.

(e) The storage and delivery to a retailer licensed under the Kansas liquor control act or a retailer licensed under K.S.A. 41-2702, and amendments thereto, on the distributor's licensed premises, of alcoholic liquor or cereal malt beverage of another licensed distributor authorized by law to sell such alcoholic liquor or cereal malt beverage to such retailer, in accordance with an agreement entered into with such other distributor and approved by the director.

(f) This section shall be part of and supplemental to the Kansas liquor control act.

Sec. 9. K.S.A. 41-307 is hereby amended to read as follows: 41-307. A beer distributor's license shall allow:

(a) The wholesale purchase, importation and storage of beer.

(b) The sale of beer to:

(1) Licensed caterers;

(2) beer distributors licensed in this state;

(3) retailers, public venues, clubs and drinking establishments, licensed in this state, except that such distributor shall sell a brand of beer only to those retailers, public venues, clubs and drinking establishments of which the licensed premises are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments thereto; and

(4) such persons located outside such territory or outside this state as permitted by law.

(c) The sale of cereal malt beverage to:

(1) Beer distributors licensed in this state;

(2) clubs and drinking establishments, licensed in this state, and retailers licensed under K.S.A. 41-2702, and amendments thereto, except that such distributor shall sell a brand of cereal malt beverage only to those such clubs, drinking establishments and retailers of which the licensed premises are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments thereto; and

(3) such persons located outside such territory or outside this state as permitted by law.

(d) The purchase of cereal malt beverage in kegs or other bulk containers and the bottling or canning thereof in accordance with law.

(e) The storage and delivery to a retailer licensed under the Kansas liquor control act or a retailer licensed under K.S.A. 41-2702, and amendments thereto, on the distributor's licensed premises, of alcoholic liquor or cereal malt beverage of another licensed distributor authorized by law to sell such alcoholic liquor or cereal malt beverage to such retailer, in accordance with an agreement entered into with such other distributor and approved by the director.

(f) The storage and delivery, with proper invoicing in accordance with rules and regulations adopted by the secretary, on the premises of a public venue licensee, of beer

sold to or available for purchase by the public venue during an event.

Sec. 10. K.S.A. 41-308 is hereby amended to read as follows: 41-308. (a) Except as provided in section 3, and amendments thereto, a retailer's license shall allow the licensee to sell and offer for sale at retail and deliver in the original package, as therein prescribed, alcoholic liquor for use or consumption off of and away from the premises specified in such license. A retailer's license shall permit sale and delivery of alcoholic liquor only on the licensed premises and shall not permit sale of alcoholic liquor for resale in any form, except that a licensed retailer may:

(1) Sell alcoholic liquor to a temporary permit holder for resale by such permit holder; and

(2) sell and deliver alcoholic liquor to a caterer or to the licensed premises of a public venue, club or drinking establishment, if such premises are in the county where the retailer's premises are located or in an adjacent county, for resale by such public venue, club, establishment or caterer.

(b) The holder of a retailer's license shall not sell, offer for sale, give away or permit to be sold, offered for sale or given away in or from the premises specified in such license any service or thing of value whatsoever except alcoholic liquor in the original package, except that a licensed retailer may:

(1) Charge a delivery fee for delivery to a public venue, club, drinking establishment or caterer pursuant to subsection (a);

(2) sell lottery tickets and shares to the public in accordance with the Kansas lottery act, if the retailer is selected as a lottery retailer;

(3) include in the sale of alcoholic liquor any goods included by the manufacturer in packaging with the alcoholic liquor, subject to the approval of the director; and

(4) distribute to the public, without charge, consumer advertising specialties bearing advertising matter, subject to rules and regulations of the secretary limiting the form and distribution of such specialties so that they are not conditioned on or an inducement to the purchase of alcoholic liquor.

(c) No licensed retailer shall furnish any entertainment in such premises or permit any pinball machine or game of skill or chance to be located in or on such premises.

(d) A retailer's license shall allow the licensee to store alcoholic liquor in refrigerators, cold storage units, ice boxes or other cooling devices, and the licensee may sell such alcoholic liquor to consumers in a chilled condition.

Sec. 11. K.S.A. 2011 Supp. 41-308a is hereby amended to read as follows: 41-308a.

(a) A farm winery license shall allow:

(1) The manufacture of domestic table wine and domestic fortified wine in a quantity not exceeding 100,000 gallons per year and the storage thereof;

(2) the sale of wine, manufactured by the licensee, to licensed wine distributors, retailers, public venues, clubs, drinking establishments, holders of temporary permits as authorized by K.S.A. 41-2645, and amendments thereto, and caterers;

(3) the sale, on the licensed premises in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

(4) the serving free of charge on the licensed premises and at special events, monitored and regulated by the division of alcoholic beverage control, of samples of wine manufactured by the licensee or imported under subsection ~~(4)(c)~~, if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed

drinking establishments;

(5) if the licensee is also licensed as a club or drinking establishment, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act;

(6) if the licensee is also licensed as a caterer, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the unlicensed premises as authorized by the club and drinking establishment act;

(7) the sale and shipping, in the original unopened container, to consumers outside this state of wine manufactured by the licensee, provided that the licensee complies with applicable laws and rules and regulations of the jurisdiction to which the wine is shipped; and

(8) the sale and shipping of wine within this state pursuant to a permit issued pursuant to K.S.A. 2011 Supp. 41-350, and amendments thereto.

(b) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a farm winery licensee, the director may issue not to exceed three winery outlet licenses to the farm winery licensee. A winery outlet license shall allow:

(1) The sale, on the licensed premises in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

(2) the serving on the licensed premises of samples of wine manufactured by the licensee or imported under subsection (f), if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments; and

(3) the manufacture of domestic table wine and domestic fortified wine and the storage thereof; provided, that the aggregate quantity of wine produced by the farm winery licensee, including all winery outlets, shall not exceed 100,000 gallons per year.

(c) Not less than 60% of the products utilized in the manufacture of domestic table wine and domestic fortified wine by a farm winery shall be grown in Kansas except when a lesser proportion is authorized by the director based upon the director's findings and judgment. The label of domestic wine and domestic fortified wine shall indicate that a majority of the products utilized in the manufacture of the wine at such winery were grown in Kansas.

(d) A farm winery or winery outlet may sell domestic wine and domestic fortified wine in the original unopened container to consumers for consumption off the licensed premises at any time between 6 a.m. and 12 midnight on any day except Sunday and between 12 noon and 6 p.m. on Sunday. If authorized by subsection (a), a farm winery may serve samples of domestic wine, domestic fortified wine and wine imported under subsection (e) and serve and sell domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises at any time when a club or drinking establishment is authorized to serve and sell alcoholic liquor. If authorized by subsection (b), a winery outlet may serve samples of domestic wine, domestic fortified wine and wine imported under subsection (e) at any time when the winery outlet is authorized to sell domestic wine and domestic fortified wine.

(e) The director may issue to the Kansas state fair or any *bona fide* group of grape growers or wine makers a permit to import into this state small quantities of wines. Such wine shall be used only for bona fide educational and scientific tasting programs and shall not be resold. Such wine shall not be subject to the tax imposed by K.S.A. 41-

501, and amendments thereto. The permit shall identify specifically the brand and type of wine to be imported, the quantity to be imported, the tasting programs for which the wine is to be used and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of wine pursuant to this subsection and the conduct of tasting programs for which such wine is imported.

(f) A farm winery license or winery outlet license shall apply only to the premises described in the application and in the license issued and only one location shall be described in the license.

(g) No farm winery or winery outlet shall:

(1) Employ any person under the age of 18 years in connection with the manufacture, sale or serving of any alcoholic liquor;

(2) permit any employee of the licensee who is under the age of 21 years to work on the licensed premises at any time when not under the on-premise supervision of either the licensee or an employee of the licensee who is 21 years of age or over;

(3) employ any person under 21 years of age in connection with mixing or dispensing alcoholic liquor; or

(4) employ any person in connection with the manufacture or sale of alcoholic liquor if the person has been convicted of a felony.

(h) Whenever a farm winery or winery outlet licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and order forfeiture of all fees paid for the license, after a hearing before the director for that purpose in accordance with the provisions of the Kansas administrative procedure act.

(i) This section shall be part of and supplemental to the Kansas liquor control act.

Sec. 12. K.S.A. 2011 Supp. 41-310 is hereby amended to read as follows: 41-310.

(a) At the time application is made to the director for a license of any class, the applicant shall pay the fee provided by this section.

(b) The fee for a manufacturer's license to manufacture alcohol and spirits shall be \$5,000.

(c) The fee for a manufacturer's license to manufacture beer and cereal malt beverage shall be:

(1) For 1 to 100 barrel daily capacity or any part thereof, \$400.

(2) For 100 to 150 barrel daily capacity, \$800.

(3) For 150 to 200 barrel daily capacity, \$1,400.

(4) For 200 to 300 barrel daily capacity, \$2,000.

(5) For 300 to 400 barrel daily capacity, \$2,600.

(6) For 400 to 500 barrel daily capacity, \$2,800.

(7) For 500 or more barrel daily capacity, \$3,200.

As used in this subsection, "daily capacity" means the average daily barrel production for the previous 12 months of manufacturing operation. If no basis for comparison exists, the licensee shall pay in advance for operation during the first term of the license a fee of \$2,000.

(d) The fee for a manufacturer's license to manufacture wine shall be \$1,000.

(e) (1) The fee for a microbrewery license, a microdistillery license or a farm winery license shall be \$500.

(2) The fee for a winery outlet license shall be \$100.

(3) The fee for a microbrewery packaging and warehousing facility license shall be \$200.

(4) The fee for a microdistillery packaging and warehousing facility license shall be \$200.

(f) The fee for a spirits distributor's license for the first and each additional distributing place of business operated in this state by the licensee and wholesaling and jobbing spirits shall be \$2,000.

(g) The fee for a wine distributor's license for the first and each additional distributing place of business operated in this state by the licensee and wholesaling and jobbing wine shall be \$2,000.

(h) The fee for a beer distributor's license, for the first and each additional wholesale distributing place of business operated in this state by the licensee and wholesaling or jobbing beer and cereal malt beverage shall be \$2,000.

(i) The fee for a nonbeverage user's license shall be:

(1) For class 1, \$20.

(2) For class 2, \$100.

(3) For class 3, \$200.

(4) For class 4, \$400.

(5) For class 5, \$1,000.

(j) In addition to the license fees prescribed by subsections (b), (c), (d), (f), (g), (h) and (i):

(1) Any city in which the licensed premises are located may levy and collect a biennial occupation or license tax on the licensee in an amount not exceeding the amount of the license fee required to be paid under this act to obtain the license, but no city shall impose an occupation or privilege tax on the licensee in excess of that amount; and

(2) any township in which the licensed premises are located may levy and collect a biennial occupation or license tax on the licensee in an amount not exceeding the amount of the license fee required to be paid under this act to obtain the license, but no township shall impose an occupation or privilege tax on the licensee in excess of that amount; the township board of the township is authorized to fix and impose the tax and the tax shall be paid by the licensee to the township treasurer, who shall issue a receipt therefor to the licensee and shall cause the tax paid to be placed in the general fund of the township.

(k) The fee for a retailer's license shall be \$500.

(l) In addition to the license fee prescribed by subsection (k):

(1) Any city in which the licensed premises are located may levy and collect a biennial occupation or license tax on the licensee in an amount not less than \$200 nor more than \$600, but no other occupation or excise tax or license fee shall be levied by any city against or collected from the licensee; and

(2) any township in which the licensed premises are located may levy and collect a biennial occupation or license tax on the licensee in an amount not less than \$200 nor more than \$600; the township board of the township is authorized to fix and impose the tax and the tax shall be paid by the licensee to the township treasurer, who shall issue a receipt therefor to the licensee and shall cause the tax paid to be placed in the general fund of the township.

(m) The license term for a license shall commence on the date the license is issued by the director and shall end two years after that date. The director may, at the director's sole discretion and after examination of the circumstances, extend the license term of

any license for not more than 30 days beyond the date such license would expire pursuant to this section. Any extension of the license term by the director pursuant to this section shall automatically extend the due date for payment by the licensee of any occupation or license tax levied by a city or township pursuant to this section by the same number of days the director has extended the license term.

Sec. 13. K.S.A. 41-316 is hereby amended to read as follows: 41-316. Licenses to manufacturers, distributors, microbreweries, microdistilleries, farm wineries and nonbeverage users of alcoholic liquors shall be issued and renewed by the director to qualified applicants upon written application, receipt of bond properly executed and payment in advance of the state registration fee and the license fee.

Sec. 14. K.S.A. 2011 Supp. 41-317 is hereby amended to read as follows: 41-317. (a) Applications for all licenses under this act shall be completed and submitted to the director in a manner prescribed by the director. Each applicant shall submit an application fee of \$50 for each initial application and \$10 for each renewal application to defray the cost of processing the application.

(b) Each applicant shall submit to the division of alcoholic beverage control the full amount of the application fee and:

(1) The full amount of the license fee required to be paid for the kind of license specified in the application; or

(2) one-half of the full amount of the license fee required to be paid for the kind of license specified in the application.

(c) If the applicant elects to pay only one-half of the license fee pursuant to subsection (b)(2), the remaining one-half of the license fee plus 10% of such remaining balance shall be due and payable one year from the date of issuance of the license. Notwithstanding any other provision of law, failure to pay the full amount due under this paragraph on the date it is due shall result in the automatic cancellation of such license for the remainder of the license term. The director may, at the director's sole discretion and after examination of the circumstances, extend the date payment is due pursuant to this paragraph for not more than 30 days beyond the date such payment is originally due.

(d) Any license fee paid by an applicant shall be returned to the applicant if the application is denied.

(e) Payment of all fees required to be paid pursuant to this section may be made by personal, certified or cashier's check, United States post office money order, debit or credit card or cash, or by electronic payment authorized by the applicant in a manner prescribed by the director.

(f) All fees received by the director pursuant to this section shall be remitted by the director to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(g) Every applicant for a manufacturer's, distributor's, nonbeverage user's, microbrewery, microdistillery, farm winery, retailer's or special order shipping license shall file with the application a joint and several bond on a form prescribed by the director and executed by good and sufficient corporate sureties licensed to do business within the state of Kansas to the director, in the following amounts:

(1) For a manufacturer, \$25,000;

(2) for a spirits distributor, \$15,000 or an amount equal to the highest monthly

liability of the distributor for taxes imposed by the Kansas liquor control act for any of the 12 months immediately prior to renewal of the distributor's license, whichever amount is greater;

(3) for a beer or wine distributor, \$5,000 or an amount equal to the highest monthly liability of the distributor for taxes imposed by the Kansas liquor control act for any of the 12 months immediately prior to renewal of the distributor's license, whichever amount is greater;

(4) for a retailer, \$2,000;

(5) for nonbeverage users, \$200 for class 1, \$500 for class 2, \$1,000 for class 3, \$5,000 for class 4 and \$10,000 for class 5;

(6) for a microbrewery, microdistillery or a farm winery, \$2,000; and

(7) for a winery holding a special order shipping license, \$750, unless the winery has already complied with subsection (g)(6).

If a distributor holds or applies for more than one distributor's license, only one bond for all such licenses shall be required, which bond shall be in an amount equal to the highest applicable bond.

(h) All bonds required by this section shall be conditioned on the licensee's compliance with the provisions of this act and payment of all taxes, fees, fines and forfeitures which may be assessed against the licensee.

Sec. 15. K.S.A. 2011 Supp. 41-319 is hereby amended to read as follows: 41-319.

(a) Except as provided by subsection (b), within 30 days after an application is filed for a retailer's, microbrewery, microdistillery or farm winery license and within 20 days after an application is filed for a manufacturer's, distributor's or nonbeverage user's license, the director shall enter an order either refusing or granting the license. If the director does not enter an order within the time prescribed, the license applied for shall be deemed to have been refused. The director, with the written consent of the applicant for a license, may delay entering an order on an application for an additional period of not to exceed 30 days.

(b) In order to complete any national criminal history record check of an applicant who submitted any application after January 31, 2001, and if the applicant is not a resident of the state of Kansas on the date of submission of such application or has not been a resident for at least one year immediately preceding the date of submission of such application the director shall enter an order either refusing or granting the license within 90 days after such application is filed. If the director does not enter an order within the time prescribed, the license applied for shall be deemed to have been refused. The director, with the written consent of the applicant for a license, may delay entering an order on an application for an additional period of not to exceed 30 days.

Sec. 16. K.S.A. 41-320 is hereby amended to read as follows: 41-320. (a) All proceedings for the suspension and revocation of licenses of manufacturers, distributors, retailers, microbreweries, microdistilleries, farm wineries and nonbeverage users shall be before the director, and the proceedings shall be in accordance with the provisions of the Kansas administrative procedure act. Except as provided in subsection (b), no license shall be suspended or revoked except after a hearing by the director.

(b) When proceedings for the suspension or revocation of a distributor's license are filed and the distributor has been issued more than one license for distributing places of business in this state, any order of the director suspending or revoking the license at any one place of business shall suspend or revoke all licenses issued to the distributor. When

one person is the holder of stock in two or more corporations licensed as distributors under the provisions of this act, any order of the director suspending or revoking the license of any such corporation shall operate as a suspension or revocation of the license of all corporations licensed as distributors in which the person is a stockholder.

Sec. 17. K.S.A. 41-701 is hereby amended to read as follows: 41-701. (a) Except as provided in subsection (d), no spirits distributor shall sell or attempt to sell any spirits within this state except to:

(1) A licensed manufacturer, licensed nonbeverage user or licensed spirits distributor; or

(2) a licensed retailer, as authorized by K.S.A. 41-306, and amendments thereto.

(b) Except as provided in subsection (d), no wine distributor shall sell or attempt to sell any wine within this state except to:

(1) A licensed manufacturer, licensed nonbeverage user or licensed wine distributor;

(2) a licensed caterer; or

(3) a retailer, public venue, club or drinking establishment, licensed in this state, as authorized by K.S.A. 41-306a, and amendments thereto.

(c) Except as provided by subsection (d), no beer distributor shall sell or attempt to sell any beer or cereal malt beverage within this state except to:

(1) A licensed manufacturer, licensed nonbeverage user or licensed beer distributor;

(2) a licensed caterer; or

(3) a retailer licensed under the Kansas liquor control act or under K.S.A. 41-2702, and amendments thereto, or a club or drinking establishment, licensed in this state, as authorized by K.S.A. 41-307, and amendments thereto.

(d) (1) If any spirits distributor refuses to sell spirits which such distributor is authorized to sell or refuses to provide any service in connection therewith to any licensed retailer as authorized by K.S.A. 41-306, and amendments thereto, it shall be lawful for any other licensed spirits distributor to sell such spirits to such retailer.

(2) If any wine distributor refuses to sell wine which such distributor is authorized to sell or refuses to furnish service in connection therewith to any licensed retailer, as authorized by K.S.A. 41-306a, and amendments thereto, it shall be lawful for any other licensed wine distributor to sell such wine to such retailer.

(3) If any beer distributor refuses to sell beer or cereal malt beverage which such distributor is authorized to sell or provide service in connection therewith to any retailer licensed under this act or under K.S.A. 41-2702, and amendments thereto, as authorized by K.S.A. 41-307, and amendments thereto, it shall be lawful for any other licensed beer distributor to sell such beer or cereal malt beverage to such retailer.

(e) No manufacturer of alcoholic liquor or cereal malt beverage shall sell or attempt to sell any alcoholic liquor or cereal malt beverage within this state except to a licensed manufacturer, licensed distributor or licensed nonbeverage user.

(f) No supplier, wholesaler, distributor, manufacturer or importer shall by oral or written contract or agreement, expressly or impliedly fix, maintain, coerce or control the resale price of alcoholic liquor, beer or cereal malt beverage to be resold by such wholesaler, distributor, manufacturer or importer.

(g) Any supplier, wholesaler, distributor or manufacturer violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$500 and not more than \$1,000, to which may be

added not to exceed six months' imprisonment. In addition, any supplier, wholesaler, distributor, manufacturer or importer violating the provisions of this section relating to fixing, maintaining or controlling the resale price of alcoholic liquor, beer or cereal malt beverage shall be liable in a civil action to treble the amount of any damages awarded plus reasonable attorney fees for the damaged party.

Sec. 18. From and after January 1, 2013, K.S.A. 2011 Supp. 41-719 is hereby amended to read as follows: 41-719. (a) (1) Except as otherwise provided herein and in K.S.A. 8-1599, and amendments thereto, no person shall drink or consume alcoholic liquor on the public streets, alleys, roads or highways or inside vehicles while on the public streets, alleys, roads or highways.

(2) Alcoholic liquor may be consumed at a special event held on public streets, alleys, roads, sidewalks or highways when a temporary permit has been issued pursuant to K.S.A 41-2645, and amendments thereto, for such special event. Such special event must be approved, by ordinance or resolution, by the local governing body of any city, county or township where such special event is being held. No alcoholic liquor may be consumed inside vehicles while on public streets, alleys, roads or highways at any such special event.

(3) No person shall remove any alcoholic liquor from inside the boundaries of a special event as designated by the governing body of any city, county or township. The boundaries of such special event shall be clearly marked by signs, a posted map or other means which reasonably identify the area in which alcoholic liquor may be possessed or consumed at such special event.

(4) No person shall possess or consume alcoholic liquor inside the premises licensed as a special event that was not sold or provided by the licensee holding the temporary permit for such special event.

(b) No person shall drink or consume alcoholic liquor on private property except:

(1) On premises where the sale of liquor by the individual drink is authorized by the club and drinking establishment act;

(2) upon private property by a person occupying such property as an owner or lessee of an owner and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(3) in a lodging room of any hotel, motel or boarding house by the person occupying such room and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(4) in a private dining room of a hotel, motel or restaurant, if the dining room is rented or made available on a special occasion to an individual or organization for a private party and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place; or

(5) on the premises of a microbrewery or farm winery, if authorized by K.S.A. 41-308a or 41-308b, and amendments thereto.

(c) No person shall drink or consume alcoholic liquor on public property except:

(1) On real property leased by a city to others under the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, if such real property is actually being

used for hotel or motel purposes or purposes incidental thereto.

(2) In any state-owned or operated building or structure, and on the surrounding premises, which is furnished to and occupied by any state officer or employee as a residence.

(3) On premises licensed as a club or drinking establishment and located on property owned or operated by an airport authority created pursuant to chapter 27 of the Kansas Statutes Annotated, and amendments thereto, or established by a city.

(4) On the state fair grounds on the day of any race held thereon pursuant to the Kansas parimutuel racing act.

(5) On the state fairgrounds, if: (A) The alcoholic liquor is domestic beer or wine or wine imported under subsection (e) of K.S.A. 41-308a, and amendments thereto, and is consumed only for purposes of judging competitions; (B) the alcoholic liquor is wine or beer and is sold and consumed during the days of the Kansas state fair on premises leased by the state fair board to a person who holds a temporary permit issued pursuant to K.S.A. 41-2645, and amendments thereto, authorizing the sale and serving of such wine or beer, or both; or (C) the alcoholic liquor is consumed on nonfair days in conjunction with bona fide scheduled events involving not less than 75 invited guests and the state fair board, in its discretion, authorizes the consumption of the alcoholic liquor, subject to any conditions or restrictions the board may require.

(6) In the state historical museum provided for by K.S.A. 76-2036, and amendments thereto, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(7) On the premises of any state-owned historic site under the jurisdiction and supervision of the state historical society, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(8) In a lake resort within the meaning of K.S.A. 32-867, and amendments thereto, on state-owned or leased property.

(9) In the Hiram Price Dillon house or on its surrounding premises, subject to limitations established in policies adopted by the legislative coordinating council, as provided by K.S.A. 75-3682, and amendments thereto.

(10) On the premises of any Kansas national guard regional training center or armory, and any building on such premises, as authorized by rules and regulations of the adjutant general and upon approval of the Kansas military board.

(11) On the premises of any land or waters owned or managed by the department of wildlife, parks and tourism, except as otherwise prohibited by rules and regulations of the department adopted by the secretary pursuant to K.S.A. 32-805, and amendments thereto.

(12) On property exempted from this subsection (c) pursuant to subsection (d), (e), (f), (g) or (h).

(d) Any city may exempt, by ordinance, from the provisions of subsection (c) specified property the title of which is vested in such city.

(e) The board of county commissioners of any county may exempt, by resolution, from the provisions of subsection (c) specified property the title of which is vested in such county.

(f) The state board of regents may exempt from the provisions of subsection (c) the Sternberg museum on the campus of Fort Hays state university, or other specified

property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(g) The board of regents of Washburn university may exempt from the provisions of subsection (c) the Mulvane art center and the Bradbury Thompson alumni center on the campus of Washburn university, and other specified property the title of which is vested in such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(h) The board of trustees of a community college may exempt from the provisions of subsection (c) specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(i) Violation of any provision of this section is a misdemeanor punishable by a fine of not less than \$50 or more than \$200 or by imprisonment for not more than six months, or both.

(j) For the purposes of this section, "special event" means a picnic, bazaar, festival or other similar community gathering, which has been approved by the local governing body of any city, county or township.";

And renumbering sections accordingly;

Also on page 1, by striking all in lines 32 through 35;

On page 2, following line 9, by inserting:

"(l) "Individual drink" means a beverage containing alcoholic liquor or cereal malt beverage served to an individual for consumption by such individual or another individual, but which is not intended to be consumed by two or more individuals. The term "individual drink" includes beverages containing not more than: (1) Eight ounces of wine; (2) thirty-two ounces of beer or cereal malt beverage; or (3) four ounces of a single spirit or a combination of spirits.

(m) "Minibar" means a closed cabinet, whether nonrefrigerated or wholly or partially refrigerated, access to the interior of which is restricted by means of a locking device which requires the use of a key, magnetic card or similar device.";

Also on page 2, following line 17, by inserting:

"(q) "Public venue" means an arena, stadium, hall or theater, used primarily for athletic or sporting events, live concerts, live theatrical productions or similar seasonal entertainment events, not operated on a daily basis, and containing:

(1) Not less than 4,000 permanent seats; and

(2) not less than two private suites, which are enclosed or semi-enclosed seating areas, having controlled access and separated from the general admission areas by a permanent barrier.";

And by redesignating subsections accordingly;

Also on page 2, following line 43, by inserting:

"Sec. 20. K.S.A. 41-2608 is hereby amended to read as follows: 41-2608. (a) Any public venue, club or drinking establishment license issued pursuant to this act shall be for one particular premises which shall be stated in the application and in the license. Not more than one premises licensed under the club and drinking establishment act shall exist at a single legal address.

(b) No license shall be issued for a public venue, club or drinking establishment unless the city, township or county zoning code allows a club or drinking establishment

at that location.

Sec. 21. K.S.A. 41-2610 is hereby amended to read as follows: 41-2610. It shall be unlawful for any licensee or holder of a temporary permit under this act to:

(a) Employ any person under the age of 18 years in connection with the serving of alcoholic liquor.

~~(b) Employ knowingly or continue in employment any person in connection with the dispensing or serving of alcoholic liquor or the mixing of drinks containing alcoholic liquor who has been adjudged guilty of a felony or of any crime involving a morals charge in this or any other state, or of the United States.~~

~~(c) Employ knowingly or to continue in employment any person in connection with the dispensing or serving of alcoholic liquor or mixing of drinks containing alcoholic liquor who has been adjudged guilty of a violation of any intoxicating liquor law of this or any other state, or of the United States, during the two year period immediately following such adjudging.~~

~~(d)~~(b) In the case of a club, fail to maintain at the licensed premises a current list of all members and their residence addresses or refuse to allow the director, any of the director's authorized agents or any law enforcement officer to inspect such list.

~~(e)~~(c) Purchase alcoholic liquor from any person except from a person authorized by law to sell such alcoholic liquor to such licensee or permit holder.

~~(f)~~(d) Permit any employee of the licensee or permit holder who is under the age of 21 years to work on premises where alcoholic liquor is sold by such licensee or permit holder at any time when not under the on-premises supervision of either the licensee or permit holder, or an employee who is 21 years of age or over.

~~(g)~~(e) Employ any person under 21 years of age in connection with the mixing or dispensing of drinks containing alcoholic liquor.";

And renumbering sections accordingly;

On page 3, following line 5, by inserting:

"Sec. 23. K.S.A. 41-2613 is hereby amended to read as follows: 41-2613. The right of immediate entry to and inspection of any premises licensed as a public venue, club or drinking establishment or any premises where alcoholic liquor is sold by a holder of a temporary permit, or any premises subject to the control of any licensee or temporary permit holder, by any duly authorized officer or agent of the director, or by any law enforcement officer, shall be a condition on which every license or temporary permit is issued, and the application for, and acceptance of, any license or temporary permit shall conclusively be deemed to be the consent of the applicant and licensee or permit holder to such immediate entry and inspection. Such right of immediate entry and inspection shall be at any time when the premises are occupied and is not limited to hours when the club or drinking establishment is open for business. Such consent shall not be revocable during the term of the license or temporary permit. Refusal of such entry shall be grounds for revocation of the license or temporary permit.

Sec. 24. K.S.A. 41-2614 is hereby amended to read as follows: 41-2614. (a) Except as provided by subsection (c), no public venue, club or drinking establishment shall allow the serving, mixing or consumption of alcoholic liquor on its premises between the hours of 2:00 a.m. and 9:00 a.m. on any day.

(b) No caterer shall allow the serving, mixing or consumption of alcoholic liquor between the hours of 2:00 a.m. and 6:00 a.m. on any day at an event catered by such caterer.

(c) A hotel of which the entire premises are licensed as a drinking establishment or as a drinking establishment/caterer may allow at any time the serving, mixing and consumption of alcoholic liquor and cereal malt beverage from a minibar in a guest room by guests registered to stay in such room, and guests of guests registered to stay in such room.

Sec. 25. K.S.A. 2011 Supp. 41-2622 is hereby amended to read as follows: 41-2622. (a) At the time application is made to the director for a license pursuant to the club and drinking establishment act, the applicant shall pay the following license fee in the manner provided by K.S.A. 41-2606, and amendments thereto:

(1) For a class A club which is a bona fide nonprofit fraternal or war veterans' club, as defined by rules and regulations of the secretary, \$500;

(2) for a class A club which is a bona fide nonprofit social club, as defined by rules and regulations of the secretary, and which has not more than 500 members, \$1,000;

(3) for a class A club which is a bona fide nonprofit social club, as defined by rules and regulations of the secretary, and which has more than 500 members, \$2,000;

(4) for a class B club, \$2,000;

~~(5) for a drinking establishment, \$1,000;~~

~~(6) for a hotel of which the entire premises are licensed as a drinking establishment, \$3,000;~~

~~(7)(5) for a caterer, \$1,000;~~

~~(8) for a drinking establishment/caterer, \$1,500; and~~

~~(9) for a drinking establishment/caterer, if the drinking establishment is a hotel of which the entire premises are licensed as a drinking establishment, \$3,500.~~

~~(b) On and after July 1, 2011, at the time an application is submitted to the director for a drinking establishment license pursuant to the club and drinking establishment act, the applicant shall pay the following license fee in the manner provided by K.S.A. 41-2606, and amendments thereto:~~

~~(1)(6) For a drinking establishment, \$2,000;~~

~~(2)(7) for a hotel of which the entire premises are licensed as a drinking establishment, \$6,000;~~

~~(3)(8) for a drinking establishment/caterer, \$3,000; and~~

~~(4)(9) for a drinking establishment/caterer, if the drinking establishment is a hotel of which the entire premises are licensed as a drinking establishment, \$7,000;~~

~~(10) for a public venue with a maximum capacity of not more than 10,000 persons, \$5,000;~~

~~(11) for a public venue with a maximum capacity of not more than 25,000 persons, \$7,500; and~~

~~(12) for a public venue with a maximum capacity exceeding 25,000 persons, \$10,000.~~

~~(e)(b) In addition to the fee provided by subsections (a) and (b) subsection (a), any city where the licensed premises of a club or drinking establishment are located or, if such licensed premises are not located in a city, the board of county commissioners of the county where the licensed premises are located may levy and collect a biennial occupation or license tax from the licensee in an amount equal to not less than \$200 nor more than \$500.~~

(c) In addition to the fee provided by subsection (a), any city where the licensed premises of a public venue is located or, if such licensed premises is not located in a

city, the board of county commissioners of the county where the licensed premises is located may levy and collect a biennial occupation or license tax from the licensee in an amount not less than \$200.

(d) No occupational or excise tax or license fee other than that authorized by subsection (b) or (c) shall be levied by any city or county against or collected from a licensed public venue, club or drinking establishment.

(e) The director shall remit all moneys received under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Of each such deposit, 50% shall be credited to the state general fund, and the remaining 50% shall be credited to the other state fees fund of the department of social and rehabilitation services. In addition to other purposes for which expenditures may be made from the other state fees fund of the department of social and rehabilitation services, expenditures may be made by the secretary of social and rehabilitation services for the purpose of implementing the powers and duties of the secretary under the provisions of K.S.A. 65-4006 and 65-4007, and amendments thereto.

Sec. 26. K.S.A. 2011 Supp. 41-2629 is hereby amended to read as follows: 41-2629. (a) A class B club ~~license, drinking establishment, public venue~~ or caterer's license shall be issued for a term not to exceed two years after issuance, except as otherwise provided by law, unless sooner suspended or revoked as provided in this act.

~~(b) Prior to July 1, 2011, a drinking establishment license shall be issued for a term not to exceed one year after issuance, except as otherwise provided by law, unless sooner suspended or revoked as provided by this act. On and after July 1, 2011, a drinking establishment license shall be issued for a term not to exceed two years after issuance, except as otherwise provided by law, unless sooner suspended or revoked as provided by this act.~~

~~(e)(b)~~ The director may, at the director's sole discretion and after examination of the circumstances, extend the license term of any license for not more than 30 days beyond such date the license would expire pursuant to this section. Any extension of the license term by the director pursuant to this section shall automatically extend the due date for payment by the licensee of any occupation or license tax levied by a city or township pursuant to K.S.A. 41-2622, and amendments thereto, by the same number of days the director has extended the license term.

~~(d)(c)~~ A class B ~~license, club, drinking establishment license, public venue~~ or caterer's license shall be purely a personal privilege and shall not constitute property, nor shall it be subject to attachment, garnishment or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered or hypothecated. A class B club ~~license, drinking establishment license, public venue~~ or caterer's license shall not descend by the laws of testate or intestate devolution but shall cease or expire upon the death of the licensee subject to ~~the following provision: subsection (d).~~

~~(e)(d)~~ An executor, administrator or representative of the estate of any deceased holder of a class B club, drinking establishment, public venue or caterer's license, or the trustee of any insolvent or bankrupt class B club, drinking establishment, public venue or caterer's license may continue the licensee's business under order of the appropriate court and may exercise the privilege of the deceased, insolvent or bankrupt licensee

after the death of such licensee or after such insolvency or bankruptcy until the expiration of such license, but in no case longer than one year after the death, insolvency or bankruptcy of such licensee.

~~(f)~~(e) When the licensee pays the full amount of the license fee upon application and is prevented from operating under such license in accordance with the provisions of this act for the entire second year of the license term, a refund shall be made of one-half of the license fee paid by such licensee. The secretary shall adopt, in accordance with K.S.A. 41-210, and amendments thereto, rules and regulations providing for the authorization of refunds of one-half of the license fee paid when the licensee does not use such license for the entire second year of the license term as a result of the cancellation of the license upon the request of the licensee for voluntary reasons.

Sec. 27. K.S.A. 41-2640 is hereby amended to read as follows: 41-2640. (a) No club, drinking establishment, caterer or holder of a temporary permit, nor any person acting as an employee or agent thereof, shall:

(1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person;

(2) offer or serve to any person ~~a~~ an individual drink at a price that is less than the acquisition cost of the individual drink to the licensee or permit holder;

(3) sell, offer to sell or serve to any person an unlimited number of individual drinks during any set period of time for a fixed price, except at private functions not open to the general public or to the general membership of a club;

~~(4) sell, offer to sell or serve any drink to any person at any time at a price less than that charged all other purchasers of drinks on that day;~~

~~(5) increase the volume of alcoholic liquor contained in a drink or the size of a drink of cereal malt beverage without increasing proportionately the price regularly charged for the drink on that day;~~

~~(6)~~(4) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of individual drinks as prizes; or

~~(7)~~(5) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (a)(1) through ~~(6)~~(4).

(b) No public venue, nor any person acting as an employee or agent thereof, shall:

(1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person;

(2) offer or serve to any person a drink or original container of alcoholic liquor or cereal malt beverage at a price that is less than the acquisition cost of the drink or original container of alcoholic liquor or cereal malt beverage to the licensee;

(3) sell or serve alcoholic liquor in glass containers to customers in the general admission area;

(4) sell or serve more than two drinks per customer at any one time in the general admission area;

(5) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of drinks as prizes; or

(6) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (b)(1) through (5).

~~(b)(c) Nothing in subsection (a) shall be construed to prohibit A public venue club,~~

drinking establishment, caterer or holder of a temporary permit ~~from~~ may:

- (1) ~~Offering~~Offer free food or entertainment at any time; ~~or~~
- (2) ~~selling or delivering~~sell or deliver wine by the bottle or carafe;
- (3) sell, offer to sell and serve individual drinks at different prices throughout any day; or
- (4) sell or serve beer or cereal malt beverage in a pitcher capable of containing not more than 64 fluid ounces.

~~(e)~~(d) Violation of any provision of this section is a misdemeanor punishable as provided by K.S.A. 41-2633, and amendments thereto.

~~(f)~~(c) Violation of any provision of this section shall be grounds for suspension or revocation of the licensee's license as provided by K.S.A. 41-2609, and amendments thereto, and for imposition of a civil fine on the licensee or temporary permit holder as provided by K.S.A. 41-2633a, and amendments thereto.

~~(g)~~(f) Every licensed club and drinking establishment shall make available at any time upon request a price list showing the club's or drinking establishment's current prices per individual drink for all individual drinks.

~~(h)~~ As used in this section, "drink" means ~~an individual serving of any beverage containing alcoholic liquor or an individual serving of cereal malt beverage.~~

Sec. 28. K.S.A. 2011 Supp. 41-2645 is hereby amended to read as follows: 41-2645. (a) A temporary permit shall allow the permit holder to offer for sale, sell and serve alcoholic liquor for consumption on unlicensed premises, which may be open to the public, subject to the terms of such permit.

(b) The director may issue a temporary permit to any one or more persons or organizations applying for such a permit, in accordance with rules and regulations of the secretary. The permit shall be issued in the names of the persons or organizations to which it is issued.

(c) Applications for temporary permits shall be required to be filed with the director not less than 14 days before the event for which the permit is sought unless the director waives such requirement for good cause. Each application shall state the purposes for which the proceeds of the event will be used. The application shall be upon a form prescribed and furnished by the director and shall be filed with the director in duplicate. Each application shall be accompanied by a permit fee of \$25 for each day for which the permit is issued, which fee shall be paid by a certified or cashier's check of a bank within this state, United States post office money order or cash in the full amount thereof. All permit fees collected by the director pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(d) Temporary permits shall specify the premises for which they are issued and shall be issued only for premises where the city, county or township zoning code allows use for which the permit is issued. No temporary permit shall be issued for premises which are not located in a county where the qualified electors of the county:

(1) (A) Approved, by a majority vote of those voting thereon, to adopt the proposition amending section 10 of article 15 of the constitution of the state of Kansas at the general election in November, 1986; or (B) have approved a proposition to allow the sale of liquor by the individual drink in public places within the county at an election pursuant to K.S.A. 41-2646, and amendments thereto; and

(2) have not approved a proposition to prohibit such sales of alcoholic liquor in such places at a subsequent election pursuant to K.S.A. 41-2646, and amendments thereto.

(e) (1) A temporary permit may be issued for the consumption of alcoholic liquor on a city, county or township street, alley, road, sidewalk or highway for a special event; provided, that such street, alley, road, sidewalk or highway is closed to motor vehicle traffic by the governing body of such city, county or township for such special event, a written request for such consumption and possession of such alcoholic liquor has been made to the local governing body and the special event is approved by the governing body of such city, county or township by ordinance or resolution. The boundaries of such special event shall be clearly marked by signs, a posted map or other means which reasonably identify the area in which alcoholic liquor may be possessed or consumed at such special event.

(2) Drinking establishments that are immediately adjacent to, or located within the licensed premises of a special event, for which a temporary permit has been issued and the consumption of alcoholic liquor on public property has been approved, may request that the drinking establishment's licensed premises be extended into and made a part of the licensed premises of the special event for the duration of the temporary permit issued for such special event.

(3) Each licensee selling alcoholic liquor for consumption on the premises of a special event for which a temporary permit has been issued shall be liable for violations of all laws governing the sale and consumption of alcoholic liquor.

(4) For the purposes of this section, "special event" shall have the same meaning given that term in K.S.A. 41-719, and amendments thereto.

~~(f) (1) Except as otherwise provided in this subsection, a temporary permit shall be issued for a period of time not to exceed three consecutive days, the dates and hours of which shall be specified in the permit, except that the director may issue one temporary permit, valid for the entire period of time of the Kansas state fair, which authorizes the sale of wine in its original, unopened container and the serving by the drink of only wine or beer, or both, on the state fairgrounds on premises specified in the temporary permit, by a person who has entered into an agreement with the state fair board for that purpose. Not more than four temporary permits may be issued to any one applicant in a calendar year.~~

~~(2) The director may issue one temporary permit, valid for the entire period of time of the Kansas state fair, which authorizes the sale of wine in its original, unopened container and the serving by the drink of only wine or beer, or both, on the state fairgrounds on premises specified in the temporary permit, by a person who has entered into an agreement with the state fair board for that purpose.~~

~~(3) The director may issue a temporary permit for a special event approved by the governing body of a city, county or township pursuant to subsection (e)(1), which may, at the director's discretion, be valid for the entire period of such special event, but in no event shall such permit be issued for a period of time that exceeds 30 consecutive days.~~

(g) All proceeds from an event for which a temporary permit is issued shall be used only for the purposes stated in the application for such permit.

~~(h) Upon written permission from the director and within three business days after the end of an event conducted pursuant to a temporary permit, the holder of a temporary permit may sell back to the licensee from whom alcoholic liquor was purchased any~~

alcoholic liquor sold to the holder of the temporary permit for such event.

~~(h)~~(i) A temporary permit shall not be transferable or assignable.

~~(h)~~(i) The director may refuse to issue a temporary permit to any person or organization which has violated any provision of the Kansas liquor control act, the drinking establishment act or K.S.A. 79-41a01 *et seq.*, and amendments thereto.

Sec. 29. K.S.A. 41-2722 is hereby amended to read as follows: 41-2722. (a) No retailer, or employee or agent of a retailer, licensed to sell cereal malt beverage for consumption on the licensed premises shall:

(1) Offer or serve any free cereal malt beverage to any person;
 (2) offer or serve to any person a drink at a price that is less than the acquisition cost of the drink to the licensee;

(3) sell, offer to sell or serve to any person an unlimited number of drinks during any set period of time for a fixed price, except at private functions not open to the general public;

~~(4) sell, offer to sell or serve any drink to any person at any time at a price less than that charged the general public on that day, except at private functions not open to the general public;~~

~~(5) increase the size of a drink of cereal malt beverage without increasing proportionately the price regularly charged for the drink on that day;~~

~~(6) encourage or permit, on the licensed premises, any game or contest which involves drinking cereal malt beverage or the awarding of drinks as prizes; or~~

~~(7)~~(5) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (a)(1) through ~~(6)~~(4).

~~(b) Nothing in subsection (a) shall be construed to prohibit A retailer from offering may:~~

~~(1) Offer free food or entertainment at any time;~~

~~(2) sell, offer to sell and serve individual drinks at different prices throughout any day; or~~

~~(3) sell or serve cereal malt beverage in a pitcher capable of containing not more than 64 fluid ounces.~~

(c) Violation of any provisions of this section is a misdemeanor punishable as provided by K.S.A. 41-2711, and amendments thereto.

(d) Violation of any provision of this act shall be grounds for suspension or revocation of the retailer's license as provided by K.S.A. 41-2708, and amendments thereto.

(e) Every licensee subject to the provisions of this section shall make available at any time upon request a price list showing the licensee's current prices for all cereal malt beverages.

~~(f) As used in this section, "drink" means an individual serving of cereal malt beverage.~~

~~(g)~~—This section shall be part of and supplemental to K.S.A. 41-2701 through 41-2721, and amendments thereto.

Sec. 30. K.S.A. 79-4101 is hereby amended to read as follows: 79-4101. (a) For the purpose of providing revenue which may be used by the state, counties and cities in the enforcement of the provisions of this act, from and after the effective date of this act, for the privilege of engaging in the business of selling alcoholic liquor by retailers or farm wineries to consumers in this state or selling alcoholic liquor or cereal malt beverage by

distributors to clubs, drinking establishments, public venues or caterers in this state, there is hereby levied and there shall be collected and paid a tax at the rate of 8% upon the gross receipts received from: (1) The sale of alcoholic liquor by retailers, microbreweries or farm wineries to consumers within this state; and (2) the sale of alcoholic liquor or cereal malt beverage by distributors to clubs, drinking establishments, public venues or caterers in this state.

(b) The tax imposed by this section shall be in addition to the license fee imposed on distributors, retailers, microbreweries and farm wineries by K.S.A. 41-310, and amendments thereto.

Sec. 31. K.S.A. 79-4102 is hereby amended to read as follows: 79-4102. The tax levied under K.S.A. 79-4101, and amendments thereto, shall be paid by the consumer or user to the retailer, microbrewery or farm winery or by the club, drinking establishment, public venue or caterer to the distributor. It shall be the duty of each retailer, microbrewery, farm winery or distributor in this state to collect from the purchaser the full amount of the tax imposed by this act, or an amount equal as nearly as possible or practicable, to the average equivalent thereof.

Sec. 32. K.S.A. 79-4103 is hereby amended to read as follows: 79-4103. On or before the 25th day of each calendar month, every person engaged in the business of selling alcoholic liquor at retail, every microbrewery selling beer to consumers, every farm winery selling wine to consumers in this state and every distributor selling alcoholic liquor or cereal malt beverage to clubs, drinking establishments, public venues or caterers in this state during the preceding calendar month shall make a return to the director of taxation upon forms prescribed and furnished by the director, stating: (a) The name and address of the seller; (b) the total amount of gross sales subject to the tax imposed by K.S.A. 79-4101, and amendments thereto, during the preceding calendar month; and (c) any other pertinent information the director requires. The person making the return shall, at the time of making the return, pay to the director of taxation the amount of tax imposed by K.S.A. 79-4101, and amendments thereto. The director of taxation may extend the time for making returns and paying the tax for any period not to exceed 60 days, under rules and regulations adopted by the secretary of revenue.";

And renumbering sections accordingly;

Also on page 3, in line 12, after "establishment," by inserting "public venue,"; following line 19, by inserting:

"Sec. 34. K.S.A. 79-41a02 is hereby amended to read as follows: 79-41a02. (a) There is hereby imposed, for the privilege of selling alcoholic liquor, a tax at the rate of 10% upon the gross receipts derived from the sale of alcoholic liquor by any club, caterer, drinking establishment, public venue or temporary permit holder.

(b) The tax imposed by this section shall be paid by the consumer to the club, caterer, drinking establishment, public venue or temporary permit holder and it shall be the duty of each and every club, caterer, drinking establishment, public venue or temporary permit holder subject to this section to collect from the consumer the full amount of such tax, or an amount equal as nearly as possible or practicable to the average equivalent thereto. Each club, caterer, drinking establishment, public venue or temporary permit holder collecting the tax imposed hereunder shall be responsible for paying over the same to the state department of revenue in the manner prescribed by K.S.A. 79-41a03, and amendments thereto, and the state department of revenue shall administer and enforce the collection of such tax.

Sec. 35. K.S.A. 2011 Supp. 79-41a03 is hereby amended to read as follows: 79-41a03. (a) The tax levied and collected pursuant to K.S.A. 79-41a02, and amendments thereto, shall become due and payable by the club, caterer, drinking establishment, public venue or temporary permit holder monthly, or on or before the 25th day of the month immediately succeeding the month in which it is collected, but any club, caterer, drinking establishment, public venue or temporary permit holder filing an annual or quarterly return under the Kansas retailers' sales tax act, as prescribed in K.S.A. 79-3607, and amendments thereto, shall, upon such conditions as the secretary of revenue may prescribe, pay the tax required by this act on the same basis and at the same time the club, caterer, drinking establishment, public venue or temporary permit holder pays such retailers' sales tax. Each club, caterer, drinking establishment, public venue or temporary permit holder shall make a true report to the department of revenue, on a form prescribed by the secretary of revenue, providing such information as may be necessary to determine the amounts to which any such tax shall apply for all gross receipts derived from the sale of alcoholic liquor by the club, caterer, drinking establishment, public venue or temporary permit holder for the applicable month or months, which report shall be accompanied by the tax disclosed thereby. Records of gross receipts derived from the sale of alcoholic liquor shall be kept separate and apart from the records of other retail sales made by a club, caterer, drinking establishment, public venue or temporary permit holder in order to facilitate the examination of books and records as provided herein.

(b) The secretary of revenue or the secretary's authorized representative shall have the right at all reasonable times during business hours to make such examination and inspection of the books and records of a club, caterer, drinking establishment, public venue or temporary permit holder as may be necessary to determine the accuracy of such reports required hereunder.

(c) The secretary of revenue is hereby authorized to administer and collect the tax imposed hereunder and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement of the collection thereof. Whenever any club, caterer, drinking establishment, public venue or temporary permit holder liable to pay the tax imposed hereunder refuses or neglects to pay the same, the amount, including any penalty, shall be collected in the manner prescribed for the collection of the retailers' sales tax by K.S.A. 79-3617, and amendments thereto.

(d) The secretary of revenue shall remit all revenue collected under the provisions of this act to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Subject to the maintenance requirements of the local alcoholic liquor refund fund created under K.S.A. 79-41a09, and amendments thereto, 25% of the remittance shall be credited to the state general fund, 5% shall be credited to the community alcoholism and intoxication programs fund created by K.S.A. 41-1126, and amendments thereto, and the balance shall be credited to the local alcoholic liquor fund created by K.S.A. 79-41a04, and amendments thereto.

(e) Whenever, in the judgment of the secretary of revenue, it is necessary, in order to secure the collection of any tax, penalties or interest due, or to become due, under the provisions of this act, the secretary may require any person subject to such tax to file a bond with the director of taxation under conditions established by and in such form and amount as prescribed by rules and regulations adopted by the secretary.

(f) The amount of tax imposed by this act shall be assessed within three years after the return is filed, and no proceedings in court for the collection of such taxes shall be begun after the expiration of such period except in the cases of fraud. In the case of a false or fraudulent return with intent to evade tax, the tax may be assessed or a proceeding in court for collection of such tax may be begun at any time, within two years from the discovery of such fraud. No refund or credit shall be allowed by the director after three years from the date of payment of the tax as provided in this act unless before the expiration of such period a claim therefor is filed by the taxpayer, and no suit or action to recover on any claim for refund shall be commenced until after the expiration of six months from the date of filing a claim therefor with the director. Before the expiration of time prescribed in this section for the assessment of additional tax or the filing of a claim for refund, the director is hereby authorized to enter into an agreement in writing with the taxpayer consenting to the extension of the periods of limitations for the assessment of tax or for the filing of a claim for refund, at any time prior to the expiration of the periods of limitations. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.";

And renumbering sections accordingly;

Also on page 3, in line 29, after "clubs" by inserting ", public venues"; in line 35, after "clubs" by inserting ", public venues"; in line 41, after "clubs" by inserting ", public venues";

On page 4, in line 3, after "clubs" by inserting ", public venues";

On page 6, following line 21, by inserting:

"Sec. 37. K.S.A. 79-41a06 is hereby amended to read as follows: 79-41a06. No club, drinking establishment, caterer, public venue or temporary permit holder shall sell any alcoholic liquor without a registration certificate from the secretary of revenue. Application for such certificate shall be made to the secretary upon forms provided by the secretary and shall contain such information as the secretary deems necessary for the purposes of administering the provisions of this act. The registration certificate shall be conspicuously displayed in the licensed premises or permitted for which it is issued.

Upon violation of any of the provisions of K.S.A. 79-41a01 *et seq.*, and amendments thereto, or any of the terms of this act, and upon due notice and opportunity for hearing in accordance with the provisions of the Kansas administrative procedure act, the secretary may revoke such registration certificate.

Sec. 38. K.S.A. 79-41a07 is hereby amended to read as follows: 79-41a07. (a) The director of taxation or the director of alcoholic beverage control may enjoin any person from engaging in business as a club, drinking establishment, caterer, public venue or temporary permit holder when the club, drinking establishment, caterer, public venue or temporary permit holder is in violation of any of the provisions of K.S.A. 79-41a01 *et seq.*, and amendments thereto, or any of the terms of this act and shall be entitled in any proceeding brought for that purpose to have an order restraining the person from engaging in business as a club, drinking establishment, caterer, public venue or temporary permit holder. No bond shall be required for any such restraining order or for any temporary or permanent injunction issued in that proceeding.

(b) If a club, drinking establishment, public venue or caterer licensed by the director of alcoholic beverage control or a temporary permit holder violates any of the

provisions of K.S.A. 79-41a01 *et seq.*, and amendments thereto, or any of the terms of this act, the director of alcoholic beverage control may suspend or revoke the license of such club, drinking establishment, public venue or caterer in accordance with K.S.A. 41-2609, and amendments thereto, or may impose a civil fine on the licensee or permit holder in the manner provided by K.S.A. 41-2633a, and amendments thereto.

Sec. 39. K.S.A. 79-41a08 is hereby amended to read as follows: 79-41a08. The tax imposed by this act shall be a lien upon the business and any property of the club, drinking establishment, caterer, public venue or permit holder which may be sold. The person acquiring such business or property shall withhold a sufficient amount of the purchase price thereof to cover the amount of any taxes due and unpaid by the seller, until the seller shall furnish the purchaser with a receipt from the secretary of revenue, as herein provided, showing that such taxes have been paid. The purchaser shall be personally liable for the payment of any unpaid taxes of the seller, to the extent of the value of the business or property received by the purchaser, and if a receipt is not furnished by such seller within 20 days from the date of sale of such business or property, the purchaser shall remit the amount of such unpaid taxes to the secretary on or before the 20th day of the month succeeding that in which such purchaser acquired such business or property.

Sec. 40. From and after January 1, 2013, K.S.A. 2011 Supp. 41-719 is hereby repealed.":

And renumbering sections accordingly;

Also on page 6, in line 22, by striking all after "K.S.A."; in line 23 by striking "Supp. 41-2601" and inserting "41-304, 41-306, 41-306a, 41-307, 41-308, 41-316, 41-320, 41-333, 41-334, 41-335, 41-336, 41-337, 41-338, 41-339, 41-340, 41-341, 41-701, 41-2608, 41-2610, 41-2612, 41-2613, 41-2614, 41-2640, 41-2722, 79-4101, 79-4102, 79-4103, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08 and K.S.A. 2011 Supp. 41-102, 41-305, 41-308a, 41-310, 41-317, 41-319, 41-2601, 41-2622, 41-2629, 41-2645 and 79-41a03"; in line 25, by striking "Kansas register" and inserting "statute book";

On page 1, in the title, in line 1, by striking "41-2612, 79-"; in line 2, by striking "41a01 and 79-41a04 and K.S.A. 2011 Supp. 41-2601" and inserting "41-304, 41-306, 41-306a, 41-307, 41-308, 41-316, 41-320, 41-701, 41-2608, 41-2610, 41-2612, 41-2613, 41-2614, 41-2640, 41-2722, 79-4101, 79-4102, 79-4103, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08, and K.S.A. 2011 Supp. 41-102, 41-305, 41-308a, 41-310, 41-317, 41-319, 41-719, 41-2601, 41-2622, 41-2629, 41-2645 and 79-41a03"; in line 3, after "sections" by inserting "; also repealing K.S.A. 41-333, 41-334, 41-335, 41-336, 41-337, 41-338, 41-339, 41-340 and 41-341"; and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Faust-Goudeau introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1843—

A RESOLUTION encouraging cities in this state to organize local chapters of the African American Council of Elders.

WHEREAS, The African American Council of Elders for Wichita/Sedgwick county was officially established in the year 2001 in the city of Wichita, Kansas; and

WHEREAS, The African American Council of Elders represents over 2,000 years of knowledge and experience held by the 33 elders; and

WHEREAS, The African American Council of Elders protects, promotes and incorporates the wisdom of our ancestors in order to help the entire community grow stronger; and

WHEREAS, The African American Council of Elders acts as an advisory board offering guidance and leadership on issues affecting the community and members of the council instruct and advise, guide, assist and correct when needed; and

WHEREAS, The African American Council of Elders acknowledges the deep and painful struggle of our ancestors and the necessity to take steps to remember, embrace and include all who suffered; and

WHEREAS, The African American Council of Elders believes that it is important to create substantial relationships with many cultural traditions in order to further learn and share ancestral wisdom for the benefit of the present and next generations: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the senate encourages other cities in the state of Kansas to organize local chapters of the African American Council of Elders; and

Be it further resolved: That the Secretary of the Senate shall provide an enrolled copy of this resolution to Senator Faust-Goudeau.

On emergency motion of Senator Faust-Goudeau **SR 1843** was adopted unanimously.

Senator Faust-Goudeau welcomed and recognized the following members of the African American Council of Elders: Elder Geneva Holloway, Elder Beverly Mason, Elder Mark Criner, Elder Dea Sears, Elder Frances Jackson Calloway, Elder Janet Diggs, Elder Frances Jackson, Elder Eula Ward, Elder Edith Knox, Elder Wakeelah Mutazammil-Martinez, Elder Askia Muhammad Toure, Elder Dr. Elvies Cranford, Scribe Tasleem Muqtasid. Also in attendance were the following guests: Dr. Jessie Williams, Dr. Mildred Edwards and Maren Turner. The Senate acknowledged the guests with a standing ovation.

COMMITTEE OF THE WHOLE

The Senate returned to Committee of the Whole for further consideration of bills on the calendar under the heading of General Orders with Senator Brungardt in the chair.

Recommended the following:

S Sub for HB 2318 be amended by adoption of the committee report recommending a substitute bill, be amended by motion of Senator V. Schmidt, on page 78, following line 9, by inserting:

"Sec. 32. K.S.A. 2011 Supp. 65-1626 is hereby amended to read as follows: 65-1626. For the purposes of this act:

(a) "Administer" means the direct application of a drug, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

(1) A practitioner or pursuant to the lawful direction of a practitioner;

(2) the patient or research subject at the direction and in the presence of the practitioner; or

(3) a pharmacist as authorized in K.S.A. 65-1635a, and amendments thereto.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser but shall not include a common carrier, public warehouseman or employee of the carrier or warehouseman when acting in the usual and lawful course of the carrier's or warehouseman's business.

(c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

(d) "Authorized distributor of record" means a wholesale distributor with whom a manufacturer has established an ongoing relationship to distribute the manufacturer's prescription drug. An ongoing relationship is deemed to exist between such wholesale distributor and a manufacturer when the wholesale distributor, including any affiliated group of the wholesale distributor, as defined in section 1504 of the internal revenue code, complies with any one of the following: (1) The wholesale distributor has a written agreement currently in effect with the manufacturer evidencing such ongoing relationship; and (2) the wholesale distributor is listed on the manufacturer's current list of authorized distributors of record, which is updated by the manufacturer on no less than a monthly basis.

~~(d)~~(e) "Board" means the state board of pharmacy created by K.S.A. 74-1603, and amendments thereto.

~~(e)~~(f) "Brand exchange" means the dispensing of a different drug product of the same dosage form and strength and of the same generic name as the brand name drug product prescribed.

~~(f)~~(g) "Brand name" means the registered trademark name given to a drug product by its manufacturer, labeler or distributor.

~~(g)~~(h) "Chain pharmacy warehouse" means a permanent physical location for drugs or devices, or both, that acts as a central warehouse and performs intracompany sales or transfers of prescription drugs or devices to chain pharmacies that have the same ownership or control. Chain pharmacy warehouses must be registered as wholesale distributors.

~~(h)~~(i) "Co-licensee" means a pharmaceutical manufacturer that has entered into an agreement with another pharmaceutical manufacturer to engage in a business activity or occupation related to the manufacture or distribution of a prescription drug and the national drug code on the drug product label shall be used to determine the identity of the drug manufacturer.

(j) "DEA" means the U.S. department of justice, drug enforcement administration.

~~(j)~~(k) "Deliver" or "delivery" means the actual, constructive or attempted transfer from one person to another of any drug whether or not an agency relationship exists.

~~(k)~~(l) "Direct supervision" means the process by which the responsible pharmacist shall observe and direct the activities of a pharmacy student or pharmacy technician to a sufficient degree to assure that all such activities are performed accurately, safely and without risk or harm to patients, and complete the final check before dispensing.

~~(l)~~(m) "Dispense" means to deliver prescription medication to the ultimate user or research subject by or pursuant to the lawful order of a practitioner or pursuant to the prescription of a mid-level practitioner.

~~(m)~~(n) "Dispenser" means a practitioner or pharmacist who dispenses prescription medication.

~~(m)~~(o) "Distribute" means to deliver, other than by administering or dispensing, any drug.

~~(n)~~(p) "Distributor" means a person who distributes a drug.

~~(o)~~(q) "Drop shipment" means the sale, by a manufacturer, that manufacturer's co-licensuree, that manufacturer's third party logistics provider, or that manufacturer's exclusive distributor, of the manufacturer's prescription drug, to a wholesale distributor whereby the wholesale distributor takes title but not possession of such prescription drug and the wholesale distributor invoices the pharmacy, the chain pharmacy warehouse, or other designated person authorized by law to dispense or administer such prescription drug, and the pharmacy, the chain pharmacy warehouse, or other designated person authorized by law to dispense or administer such prescription drug receives delivery of the prescription drug directly from the manufacturer, that manufacturer's co-licensuree, that manufacturer's third party logistics provider, or that manufacturer's exclusive distributor, of such prescription drug. Drop shipment shall be part of the "normal distribution channel."

~~(p)~~(r) "Drug" means: (1) Articles recognized in the official United States pharmacopoeia, or other such official compendiums of the United States, or official national formulary, or any supplement of any of them; (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals; (3) articles, other than food, intended to affect the structure or any function of the body of man or other animals; and (4) articles intended for use as a component of any articles specified in clause (1), (2) or (3) of this subsection; but does not include devices or their components, parts or accessories, except that the term "drug" shall not include amygdalin (laetrile) or any livestock remedy, if such livestock remedy had been registered in accordance with the provisions of article 5 of chapter 47 of the Kansas Statutes Annotated, prior to its repeal.

~~(q)~~(s) "Durable medical equipment" means technologically sophisticated medical devices that may be used in a residence, including the following: (1) Oxygen and oxygen delivery system; (2) ventilators; (3) respiratory disease management devices; (4) continuous positive airway pressure (CPAP) devices; (5) electronic and computerized wheelchairs and seating systems; (6) apnea monitors; (7) transcutaneous electrical nerve stimulator (TENS) units; (8) low air loss cutaneous pressure management devices; (9) sequential compression devices; (10) feeding pumps; (11) home phototherapy devices; (12) infusion delivery devices; (13) distribution of medical gases to end users for human consumption; (14) hospital beds; (15) nebulizers; or (16) other similar equipment determined by the board in rules and regulations adopted by the board.

(t) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(u) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

(v) "Electronic signature" means a confidential personalized digital key, code, number or other method for secure electronic data transmissions which identified a particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the

transmission.

(w) "Electronic transmission" means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(x) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(y) "Exclusive distributor" means any entity that: (1) Contracts with a manufacturer to provide or coordinate warehousing, wholesale distribution or other services on behalf of a manufacturer and who takes title to that manufacturer's prescription drug, but who does not have general responsibility to direct the sale or disposition of the manufacturer's prescription drug; (2) is registered as a wholesale distributor under the pharmacy act of the state of Kansas; and (3) to be considered part of the normal distribution channel, must be an authorized distributor of record.

(s) "Electronic transmission" means transmission of information in electronic form or the transmission of the exact visual image of a document by way of electronic equipment.

(z) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes, but is not limited to, transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

(aa) "Generic name" means the established chemical name or official name of a drug or drug product.

(bb)(1) "Institutional drug room" means any location where prescription-only drugs are stored and from which prescription-only drugs are administered or dispensed and which is maintained or operated for the purpose of providing the drug needs of:

- (A) Inmates of a jail or correctional institution or facility;
- (B) residents of a juvenile detention facility, as defined by the revised Kansas code for care of children and the revised Kansas juvenile justice code;
- (C) students of a public or private university or college, a community college or any other institution of higher learning which is located in Kansas;
- (D) employees of a business or other employer; or
- (E) persons receiving inpatient hospice services.

(2) "Institutional drug room" does not include:

- (A) Any registered pharmacy;
- (B) any office of a practitioner; or
- (C) a location where no prescription-only drugs are dispensed and no prescription-only drugs other than individual prescriptions are stored or administered.

(cc) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

(dd) "Intracompany transaction" means any transaction or transfer between any division, subsidiary, parent or affiliated or related company under common ownership or control of a corporate entity, or any transaction or transfer between co-licensees of a

co-licensed product.

~~(w)~~(ee) "Medical care facility" shall have the meaning provided in K.S.A. 65-425, and amendments thereto, except that the term shall also include facilities licensed under the provisions of K.S.A. 75-3307b, and amendments thereto, except community mental health centers and facilities for the mentally retarded.

~~(x)~~(ff) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a drug either directly or indirectly by extraction from substances of natural origin, independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the drug or labeling or relabeling of its container, except that this term shall not include the preparation or compounding of a drug by an individual for the individual's own use or the preparation, compounding, packaging or labeling of a drug by:

(1) A practitioner or a practitioner's authorized agent incident to such practitioner's administering or dispensing of a drug in the course of the practitioner's professional practice;

(2) a practitioner, by a practitioner's authorized agent or under a practitioner's supervision for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale; or

(3) a pharmacist or the pharmacist's authorized agent acting under the direct supervision of the pharmacist for the purpose of, or incident to, the dispensing of a drug by the pharmacist.

~~(y)~~(gg) "Manufacturer" means a person licensed or approved by the FDA to engage in the manufacture of drugs and devices.

~~(z)~~(hh) "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed pursuant to the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

~~(ii)~~ "Normal distribution channel" means a chain of custody for a prescription-only drug that goes from a manufacturer of the prescription-only drug, from that manufacturer to that manufacturer's co-licensed partner, from that manufacturer to that manufacturer's third-party logistics provider, or from that manufacturer to that manufacturer's exclusive distributor, directly or by drop shipment, to:

(1) A pharmacy to a patient or to other designated persons authorized by law to dispense or administer such drug to a patient;

(2) a wholesale distributor to a pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient;

(3) a wholesale distributor to a chain pharmacy warehouse to that chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient; or

(4) a chain pharmacy warehouse to the chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient.

~~(aa)~~(jj) "Person" means individual, corporation, government, governmental

subdivision or agency, partnership, association or any other legal entity.

~~(bb)~~(kk) "Pharmacist" means any natural person licensed under this act to practice pharmacy.

(ee)(ll) "Pharmacist-in-charge" means the pharmacist who is responsible to the board for a registered establishment's compliance with the laws and regulations of this state pertaining to the practice of pharmacy, manufacturing of drugs and the distribution of drugs. The pharmacist-in-charge shall supervise such establishment on a full-time or a part-time basis and perform such other duties relating to supervision of a registered establishment as may be prescribed by the board by rules and regulations. Nothing in this definition shall relieve other pharmacists or persons from their responsibility to comply with state and federal laws and regulations.

(mm) "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving an internship; or (3) a graduate of a pharmacy program located outside of the United States which is not accredited and who has successfully passed equivalency examinations approved by the board.

~~(dd)~~(nn) "Pharmacy," "drug store" or "apothecary" means premises, laboratory, area or other place: (1) Where drugs are offered for sale where the profession of pharmacy is practiced and where prescriptions are compounded and dispensed; or (2) which has displayed upon it or within it the words "pharmacist," "pharmaceutical chemist," "pharmacy," "apothecary," "drugstore," "druggist," "drugs," "drug sundries" or any of these words or combinations of these words or words of similar import either in English or any sign containing any of these words; or (3) where the characteristic symbols of pharmacy or the characteristic prescription sign "Rx" may be exhibited. As used in this subsection, premises refers only to the portion of any building or structure leased, used or controlled by the licensee in the conduct of the business registered by the board at the address for which the registration was issued.

(ee) "Pharmacy student" means an individual, registered with the board of pharmacy, enrolled in a accredited school of pharmacy.

(oo) "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers or servers, and is controlled by the pharmacy.

~~(ff)~~(pp) "Pharmacy technician" means an individual who, under the direct supervision and control of a pharmacist, may perform packaging, manipulative, repetitive or other nondiscretionary tasks related to the processing of a prescription or medication order and who assists the pharmacist in the performance of pharmacy related duties, but who does not perform duties restricted to a pharmacist.

~~(gg)~~(qq) "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist or scientific investigator or other person authorized by law to use a prescription-only drug in teaching or chemical analysis or to conduct research with respect to a prescription-only drug.

~~(hh)~~(rr) "Preceptor" means a licensed pharmacist who possesses at least two years' experience as a pharmacist and who supervises students obtaining the pharmaceutical experience required by law as a condition to taking the examination for licensure as a pharmacist.

(ii) "Prescription" means, according to the context, either a prescription order or a prescription medication.

(ss) "Prescriber" means a practitioner or a mid-level practitioner.

~~(jj)~~(tt) "Prescription" or "prescription order" means: (1) An order to be filled by a pharmacist for prescription medication issued and signed by a prescriber in the authorized course of such prescriber's professional practice; or (2) an order transmitted to a pharmacist through word of mouth, note, telephone or other means of communication directed by such prescriber, regardless of whether the communication is oral, electronic, facsimile or in printed form.

(uu) "Prescription medication" means any drug, including label and container according to context, which is dispensed pursuant to a prescription order.

~~(kk)~~(vv) "Prescription-only drug" means any drug whether intended for use by man or animal, required by federal or state law (including 21 U.S.C. § 353, ~~as amended~~), to be dispensed only pursuant to a written or oral prescription or order of a practitioner or is restricted to use by practitioners only.

(ll) "Prescription order" means: (1) An order to be filled by a pharmacist for prescription medication issued and signed by a practitioner or a mid-level practitioner in the authorized course of professional practice; or (2) an order transmitted to a pharmacist through word of mouth, note, telephone or other means of communication directed by such practitioner or mid-level practitioner.

~~(mm)~~(ww) "Probation" means the practice or operation under a temporary license, registration or permit or a conditional license, registration or permit of a business or profession for which a license, registration or permit is granted by the board under the provisions of the pharmacy act of the state of Kansas requiring certain actions to be accomplished or certain actions not to occur before a regular license, registration or permit is issued.

~~(nn)~~(xx) "Professional incompetency" means:

(1) One or more instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree which constitutes gross negligence, as determined by the board;

(2) repeated instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree which constitutes ordinary negligence, as determined by the board; or

(3) a pattern of pharmacy practice or other behavior which demonstrates a manifest incapacity or incompetence to practice pharmacy.

~~(oo)~~(yy) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized record-keeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

(zz) "Retail dealer" means a person selling at retail nonprescription drugs which are prepackaged, fully prepared by the manufacturer or distributor for use by the consumer and labeled in accordance with the requirements of the state and federal food, drug and cosmetic acts. Such nonprescription drugs shall not include: (1) A controlled substance; (2) a prescription-only drug; or (3) a drug intended for human use by hypodermic injection.

~~(pp)~~(aaa) "Secretary" means the executive secretary of the board.

~~(qq)~~(bbb) "Third party logistics provider" means an entity that: (1) Provides or

coordinates warehousing, distribution or other services on behalf of a manufacturer, but does not take title to the prescription drug or have general responsibility to direct the prescription drug's sale or disposition; (2) is registered as a wholesale distributor under the pharmacy act of the state of Kansas; and (3) to be considered part of the normal distribution channel, must also be an authorized distributor of record.

~~(#)~~(ccc) "Unprofessional conduct" means:

- (1) Fraud in securing a registration or permit;
- (2) intentional adulteration or mislabeling of any drug, medicine, chemical or poison;
- (3) causing any drug, medicine, chemical or poison to be adulterated or mislabeled, knowing the same to be adulterated or mislabeled;
- (4) intentionally falsifying or altering records or prescriptions;
- (5) unlawful possession of drugs and unlawful diversion of drugs to others;
- (6) willful betrayal of confidential information under K.S.A. 65-1654, and amendments thereto;
- (7) conduct likely to deceive, defraud or harm the public;
- (8) making a false or misleading statement regarding the licensee's professional practice or the efficacy or value of a drug;
- (9) commission of any act of sexual abuse, misconduct or exploitation related to the licensee's professional practice; or
- (10) performing unnecessary tests, examinations or services which have no legitimate pharmaceutical purpose.

(ss) "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed pursuant to the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

~~(#)~~(ddd) "Vaccination protocol" means a written protocol, agreed to by a pharmacist and a person licensed to practice medicine and surgery by the state board of healing arts, which establishes procedures and recordkeeping and reporting requirements for administering a vaccine by the pharmacist for a period of time specified therein, not to exceed two years.

(eee) "Valid prescription order" means a prescription that is issued for a legitimate medical purpose by an individual prescriber licensed by law to administer and prescribe drugs and acting in the usual course of such prescriber's professional practice. A prescription issued solely on the basis of an internet-based questionnaire or consultation without an appropriate prescriber-patient relationship is not a valid prescription order.

~~(#)~~(fff) "Veterinary medical teaching hospital pharmacy" means any location where prescription-only drugs are stored as part of an accredited college of veterinary medicine and from which prescription-only drugs are distributed for use in treatment of or administration to a nonhuman.

~~(#)~~(ggg) "Wholesale distributor" means any person engaged in wholesale distribution of prescription drugs or devices in or into the state, including, but not limited to, manufacturers, repackagers, own-label distributors, private-label distributors, jobbers, brokers, warehouses, including manufacturers' and distributors' warehouses,

co-licensees, exclusive distributors, third party logistics providers, chain pharmacy warehouses that conduct wholesale distributions, and wholesale drug warehouses, independent wholesale drug traders and retail pharmacies that conduct wholesale distributions. Wholesale distributor shall not include persons engaged in the sale of durable medical equipment to consumers or patients.

~~(www)~~(hhh) "Wholesale distribution" means the distribution of prescription drugs or devices by wholesale distributors to persons other than consumers or patients, and includes the transfer of prescription drugs by a pharmacy to another pharmacy if the total number of units of transferred drugs during a twelve-month period does not exceed 5% of the total number of all units dispensed by the pharmacy during the immediately preceding twelve-month period. Wholesale distribution does not include:

(1) The sale, purchase or trade of a prescription drug or device, an offer to sell, purchase or trade a prescription drug or device or the dispensing of a prescription drug or device pursuant to a prescription;

(2) the sale, purchase or trade of a prescription drug or device or an offer to sell, purchase or trade a prescription drug or device for emergency medical reasons;

(3) intracompany transactions, as defined in this section, unless in violation of own use provisions;

(4) the sale, purchase or trade of a prescription drug or device or an offer to sell, purchase or trade a prescription drug or device among hospitals, chain pharmacy warehouses, pharmacies or other health care entities that are under common control;

(5) the sale, purchase or trade of a prescription drug or device or the offer to sell, purchase or trade a prescription drug or device by a charitable organization described in 503(c)(3) of the internal revenue code of 1954 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

(6) the purchase or other acquisition by a hospital or other similar health care entity that is a member of a group purchasing organization of a prescription drug or device for its own use from the group purchasing organization or from other hospitals or similar health care entities that are members of these organizations;

(7) the transfer of prescription drugs or devices between pharmacies pursuant to a centralized prescription processing agreement;

(8) the sale, purchase or trade of blood and blood components intended for transfusion;

(9) the return of recalled, expired, damaged or otherwise non-salable prescription drugs, when conducted by a hospital, health care entity, pharmacy, chain pharmacy warehouse or charitable institution in accordance with the board's rules and regulations;

(10) the sale, transfer, merger or consolidation of all or part of the business of a retail pharmacy or pharmacies from or with another retail pharmacy or pharmacies, whether accomplished as a purchase and sale of stock or business assets, in accordance with the board's rules and regulations;

(11) the distribution of drug samples by manufacturers' and authorized distributors' representatives;

(12) the sale of minimal quantities of drugs by retail pharmacies to licensed practitioners for office use; or

(13) the sale or transfer from a retail pharmacy or chain pharmacy warehouse of expired, damaged, returned or recalled prescription drugs to the original manufacturer, originating wholesale distributor or to a third party returns processor in accordance with

the board's rules and regulations.

Sec. 33. K.S.A. 2011 Supp. 65-1637 is hereby amended to read as follows: 65-1637. (a) In every store, shop or other place defined in this act as a "pharmacy" there shall be a pharmacist-in-charge and, except as otherwise provided by law, the compounding and dispensing of prescriptions shall be limited to pharmacists only. ~~Except as otherwise provided by the pharmacy act of this state, when a pharmacist is not in attendance at a pharmacy, the premises shall be enclosed and secured. Prescription orders may be written, oral, telephonic or by electronic transmission unless prohibited by law. Blank forms for written prescription orders may have two signature lines. If there are two lines, one signature line shall state: "Dispense as written" and the other signature line shall state: "Brand exchange permissible." Prescriptions shall only be filled or refilled in accordance with the following requirements:~~

(a) All prescriptions shall be filled in strict conformity with any directions of the prescriber, except that a pharmacist who receives a prescription order for a brand name drug product may exercise brand exchange with a view toward achieving a lesser cost to the purchaser unless:

(1) The prescriber, in the case of a prescription signed by the prescriber and written on a blank form containing two signature lines, signs the signature line following the statement "dispense as written," or

(2) the prescriber, in the case of a prescription signed by the prescriber, writes in the prescriber's own handwriting "dispense as written" on the prescription, or

(3) the prescriber, in the case of a prescription other than one in writing signed by the prescriber, expressly indicates the prescription is to be dispensed as communicated, or

(4) the federal food and drug administration has determined that a drug product of the same generic name is not bioequivalent to the prescribed brand name prescription medication.

(b) Prescription orders shall be recorded in writing by the pharmacist and the record so made by the pharmacist shall constitute the original prescription to be dispensed by the pharmacist. This record, if telephoned by other than the physician shall bear the name of the person so telephoning. Nothing in this paragraph shall be construed as altering or affecting in any way laws of this state or any federal act requiring a written prescription order.

(c) (1) Except as provided in paragraph (2), no prescription shall be refilled unless authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filled by the pharmacist.

(2) A pharmacist may refill a prescription order issued on or after the effective date of this act for any prescription drug except a drug listed on schedule II of the uniform controlled substances act or a narcotic drug listed on any schedule of the uniform controlled substances act without the prescriber's authorization when all reasonable efforts to contact the prescriber have failed and when, in the pharmacist's professional judgment, continuation of the medication is necessary for the patient's health, safety and welfare. Such prescription refill shall only be in an amount judged by the pharmacist to be sufficient to maintain the patient until the prescriber can be contacted, but in no event shall a refill under this paragraph be more than a seven day supply or one package of the drug. However, if the prescriber states on a prescription that there shall be no emergency refilling of that prescription, then the pharmacist shall not dispense any

emergency medication pursuant to that prescription. A pharmacist who refills a prescription order under this subsection (c)(2) shall contact the prescriber of the prescription order on the next business day subsequent to the refill or as soon thereafter as possible. No pharmacist shall be required to refill any prescription order under this subsection (c)(2). A prescriber shall not be subject to liability for any damages resulting from the refilling of a prescription order by a pharmacist under this subsection (c)(2) unless such damages are occasioned by the gross negligence or willful or wanton acts or omissions by the prescriber.

(d) If any prescription order contains a provision that the prescription may be refilled a specific number of times within or during any particular period, such prescription shall not be refilled except in strict conformity with such requirements.

(e) If a prescription order contains a statement that during any particular time the prescription may be refilled at will, there shall be no limitation as to the number of times that such prescription may be refilled except that it may not be refilled after the expiration of the time specified or one year after the prescription was originally issued, whichever occurs first.

(f) Any pharmacist who exercises brand exchange and dispenses a less expensive drug product shall not charge the purchaser more than the regular and customary retail price for the dispensed drug.

Nothing contained in this section shall be construed as preventing a pharmacist from refusing to fill or refill any prescription if in the pharmacist's professional judgment and discretion such pharmacist is of the opinion that it should not be filled or refilled

(b) Except as otherwise provided by the pharmacy act of this state, when a pharmacist is not in attendance at a pharmacy, the premises shall be enclosed and secured.

New Sec. 34. (a) The pharmacist shall exercise professional judgment regarding the accuracy, validity and authenticity of any prescription order consistent with federal and state laws and rules and regulations. A pharmacist shall not dispense a prescription drug if the pharmacist, in the exercise of professional judgment, determines that the prescription is not a valid prescription order.

(b) The prescriber may authorize an agent to transmit to the pharmacy a prescription order orally, by facsimile transmission or by electronic transmission provided that the first and last names of the transmitting agent are included in the order.

(c) (1) A new written or electronically prepared and transmitted prescription order shall be manually or electronically signed by the prescriber. If transmitted by the prescriber's agent, the first and last names of the transmitting agent shall be included in the order.

(2) If the prescription is for a controlled substance and is written or printed from an electronic prescription application, the prescription shall be manually signed by the prescriber prior to delivery of the prescription to the patient or prior to facsimile transmission of the prescription to the pharmacy.

(3) An electronically prepared prescription shall not be electronically transmitted to the pharmacy if the prescription has been printed prior to electronic transmission. An electronically prepared and transmitted prescription which is printed following electronic transmission shall be clearly labeled as a copy, not valid for dispensing.

(4) The state board of pharmacy shall conduct a study on the issues of electronic transmission of prior authorizations and step therapy protocols. The report on the results

of such study shall be completed and submitted to the legislature no later than January 15, 2013. The board is hereby authorized to conduct pilot projects related to any new technology implementation when deemed necessary and practicable.

(d) An authorization to refill a prescription order or to renew or continue an existing drug therapy may be transmitted to a pharmacist through oral communication, in writing, by facsimile transmission or by electronic transmission initiated by or directed by the prescriber.

(1) If the transmission is completed by the prescriber's agent, and the first and last names of the transmitting agent are included in the order, the prescriber's signature is not required on the fax or alternate electronic transmission.

(2) If the refill order or renewal order differs in any manner from the original order, such as a change of the drug strength, dosage form or directions for use, the prescriber shall sign the order as provided by paragraph (1).

(e) Regardless of the means of transmission to a pharmacy, only a pharmacist or a pharmacist intern shall be authorized to receive a new prescription order from a prescriber or transmitting agent. A pharmacist, a pharmacist intern or a registered pharmacy technician may receive a refill or renewal order from a prescriber or transmitting agent if such registered pharmacy technician's supervising pharmacist has authorized that function.

(f) A refill is one or more dispensings of a prescription drug or device that results in the patient's receipt of the quantity authorized by the prescriber for a single fill as indicated on the prescription order.

(1) A prescription for a prescription drug or device that is not a controlled substance may authorize no more than 12 refills within 18 months following the date on which the prescription is issued.

(2) A prescription for a schedule III, IV or V controlled substance may authorize no more than five refills within six months following the date on which the prescription is issued.

(g) Prescriptions shall only be filled or refilled in accordance with the following requirements:

(1) All prescriptions shall be filled in strict conformity with any directions of the prescriber, except that a pharmacist who receives a prescription order for a brand name drug product may exercise brand exchange with a view toward achieving a lesser cost to the purchaser unless:

(A) The prescriber, in the case of a prescription manually or electronically signed by the prescriber and prepared on a form containing two signature lines, signs the signature line following the statement "dispense as written";

(B) the prescriber, in the case of a written prescription signed by the prescriber, writes in the prescriber's own handwriting "dispense as written" on the prescription;

(C) the prescriber, in the case of a prescription other than one in writing signed by the prescriber, expressly indicates the prescription is to be dispensed as communicated; or

(D) the federal food and drug administration has determined that a drug product of the same generic name is not bioequivalent to the prescribed brand name prescription medication.

(h) If a prescription order contains a statement that during any particular time the prescription may be refilled at will, there shall be no limitation as to the number of

times that such prescription may be refilled except that it may not be refilled after the expiration of the time specified or one year after the prescription was originally issued, whichever occurs first.

(i) Prescription orders shall be recorded in writing by the pharmacist and the record so made by the pharmacist shall constitute the original prescription to be dispensed by the pharmacist. This record, if telephoned by other than the prescriber, shall bear the name of the person so telephoning. Nothing in this section shall be construed as altering or affecting in any way laws of this state or any federal act requiring a written prescription order.

(j) (1) Except as provided in paragraph (2), no prescription shall be refilled unless authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filled by the pharmacist.

(2) A pharmacist may refill a prescription order issued on or after the effective date of this act for any prescription drug except a drug listed on schedule II of the uniform controlled substances act or a narcotic drug listed on any schedule of the uniform controlled substances act without the prescriber's authorization when all reasonable efforts to contact the prescriber have failed and when, in the pharmacist's professional judgment, continuation of the medication is necessary for the patient's health, safety and welfare. Such prescription refill shall only be in an amount judged by the pharmacist to be sufficient to maintain the patient until the prescriber can be contacted, but in no event shall a refill under this paragraph be more than a seven day supply or one package of the drug. However, if the prescriber states on a prescription that there shall be no emergency refilling of that prescription, then the pharmacist shall not dispense any emergency medication pursuant to that prescription. A pharmacist who refills a prescription order under this subsection (j)(2) shall contact the prescriber of the prescription order on the next business day subsequent to the refill or as soon thereafter as possible. No pharmacist shall be required to refill any prescription order under this subsection (j)(2). A prescriber shall not be subject to liability for any damages resulting from the refilling of a prescription order by a pharmacist under this subsection (j)(2) unless such damages are occasioned by the gross negligence or willful or wanton acts or omissions by the prescriber.

(k) If any prescription order contains a provision that the prescription may be refilled a specific number of times within or during any particular period, such prescription shall not be refilled except in strict conformity with such requirements.

(l) Any pharmacist who exercises brand exchange and dispenses a less expensive drug product shall not charge the purchaser more than the regular and customary retail price for the dispensed drug.

(m) Nothing contained in this section shall be construed as preventing a pharmacist from refusing to fill or refill any prescription if in the pharmacist's professional judgment and discretion such pharmacist is of the opinion that it should not be filled or refilled.

Sec. 35. K.S.A. 2011 Supp. 65-1683 is hereby amended to read as follows: 65-1683. (a) The board shall establish and maintain a prescription monitoring program for the monitoring of scheduled substances and drugs of concern dispensed in this state or dispensed to an address in this state.

(b) Each dispenser shall submit to the board by electronic means information required by the board regarding each prescription dispensed for a substance included

under subsection (a). The board shall promulgate rules and regulations specifying the nationally recognized telecommunications format to be used for submission of information that each dispenser shall submit to the board. Such information may include, but not be limited to:

- (1) The dispenser identification number;
- (2) the date the prescription is filled;
- (3) the prescription number;
- (4) whether the prescription is new or is a refill;
- (5) the national drug code for the drug dispensed;
- (6) the quantity dispensed;
- (7) the number of days supply of the drug;
- (8) the patient identification number;
- (9) the patient's name;
- (10) the patient's address;
- (11) the patient's date of birth;
- (12) the prescriber identification number;
- (13) the date the prescription was issued by the prescriber; and
- (14) the source of payment for the prescription.

(c) The board shall promulgate rules and regulations specifying the transmission methods and frequency of the dispenser submissions required under subsection (b).

(d) The board may issue a waiver to a dispenser that is unable to submit prescription information by electronic means. Such waiver may permit the dispenser to submit prescription information by paper form or other means, provided that all information required by rules and regulations is submitted in this alternative format.

(e) The board is hereby authorized to apply for and to accept grants and may accept any donation, gift or bequest made to the board for furthering any phase of the prescription monitoring program.

(f) The board shall remit all moneys received by it under subsection (e) to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the board or a person designated by the president.

Sec. 36. K.S.A. 2011 Supp. 65-1685 is hereby amended to read as follows: 65-1685. (a) The prescription monitoring program database, all information contained therein and any records maintained by the board, or by any entity contracting with the board, submitted to, maintained or stored as a part of the database, shall be privileged and confidential, shall not be subject to subpoena or discovery in civil proceedings and may only be used for investigatory or evidentiary purposes related to violations of state or federal law and regulatory activities of entities charged with administrative oversight of those persons engaged in the prescribing or dispensing of scheduled substances and drugs of concern, shall not be a public record and shall not be subject to the Kansas open records act, K.S.A. 45-215 *et seq.*, and amendments thereto, except as provided in subsections (c) and (d).

(b) The board shall maintain procedures to ensure that the privacy and confidentiality of patients and patient information collected, recorded, transmitted and

maintained is not disclosed to persons except as provided in subsections (c) and (d).

(c) The board is hereby authorized to provide data in the prescription monitoring program to the following persons:

(1) Persons authorized to prescribe or dispense scheduled substances and drugs of concern, for the purpose of providing medical or pharmaceutical care for their patients;

(2) an individual who requests the individual's own prescription monitoring information in accordance with procedures established by the board;

(3) designated representatives from the professional licensing, certification or regulatory agencies charged with administrative oversight of those persons engaged in the prescribing or dispensing of scheduled substances and drugs of concern;

(4) local, state and federal law enforcement or prosecutorial officials engaged in the administration, investigation or enforcement of the laws governing scheduled substances and drugs of concern subject to the requirements in K.S.A. 22-2502, and amendments thereto;

(5) designated representatives from the ~~Kansas health policy authority~~ department of health and environment regarding authorized medicaid program recipients;

(6) persons authorized by a grand jury subpoena, inquisition subpoena or court order in a criminal action;

(7) personnel of the prescription monitoring program advisory committee for the purpose of operation of the program; ~~and~~

(8) personnel of the board for purposes of administration and enforcement of this act or the uniform controlled substances act, K.S.A. 65-4101 *et seq.*, and amendments thereto;

(9) persons authorized to prescribe or dispense scheduled substances and drugs of concern, when an individual is obtaining prescriptions in a manner that appears to be misuse, abuse or diversion of scheduled substances or drugs of concern; and

(10) medical examiners, coroners or other persons authorized under law to investigate or determine causes of death.

(d) The prescription monitoring program advisory committee established pursuant to K.S.A. 65-1689, and amendments thereto, is authorized to review and analyze the data for purposes of identifying patterns and activity of concern.

(1) If a review of information appears to indicate a person may be obtaining prescriptions in a manner that may represent misuse or abuse of controlled substances and drugs of concern, the advisory committee is authorized to notify the prescribers and dispensers who prescribed or dispensed the prescriptions. If the review identifies patterns or other evidence sufficient to create a reasonable suspicion of criminal activity, the advisory committee is authorized to notify the appropriate law enforcement agency.

(2) If a review of information appears to indicate that a violation of state or federal law relating to prescribing controlled substances and drugs of concern may have occurred, or that a prescriber or dispenser has knowingly prescribed, dispensed or obtained controlled substances and drugs of concern in a manner that is inconsistent with recognized standards of care for the profession, the advisory committee shall determine whether a report to the professional licensing, certification or regulatory agencies charged with administrative oversight of those persons engaged in prescribing or dispensing of controlled substances and drugs of concern or to the appropriate law enforcement agency is warranted.

(A) For purposes of such determination the advisory committee may, in consultation with the appropriate regulatory agencies and professional organizations, establish criteria regarding appropriate standards and utilize volunteer peer review committees of professionals with expertise in the particular practice to create such standards and review individual cases.

(B) The peer review committee or committees appointed herein shall have authority to request and receive information in the prescription monitoring program database from the director of the prescription monitoring program.

(C) If the determination is made that a referral to a regulatory or law enforcement agency is not warranted but educational or professional advising might be appropriate, the advisory committee may refer the prescribers or dispensers to other such resources.

(e) The board is hereby authorized to provide data in the prescription monitoring program to public or private entities for statistical, research or educational purposes after removing information that could be used to identify individual practitioners, dispensers, patients or persons who received prescriptions from dispensers.

Sec. 37. K.S.A. 2011 Supp. 65-1693 is hereby amended to read as follows: 65-1693. (a) A dispenser who knowingly fails to submit prescription monitoring information to the board as required by this act or knowingly submits incorrect prescription monitoring information shall be guilty of a severity level 10, nonperson felony.

(b) A person authorized to have prescription monitoring information pursuant to this act who knowingly discloses such information in violation of this act shall be guilty of a severity level 10, nonperson felony.

(c) A person authorized to have prescription monitoring information pursuant to this act who knowingly uses such information in a manner or for a purpose in violation of this act shall be guilty of a severity level 10, nonperson felony.

(d) A person who knowingly and without authorization, obtains or attempts to obtain prescription monitoring information shall be guilty of a severity level 10, nonperson felony.

(e) It shall not be a violation of this act for a practitioner or dispenser to disclose or use information obtained pursuant to this act when such information is disclosed or used solely in the course of such practitioner's or dispenser's care of the patient who is the subject of the information.

Sec. 38. K.S.A. 2011 Supp. 65-4101 is hereby amended to read as follows: 65-4101. As used in this act: (a) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by: (1) A practitioner or pursuant to the lawful direction of a practitioner; or (2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser. It does not include a common carrier, public warehouseman or employee of the carrier or warehouseman.

(c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

~~(e)~~(d) "Board" means the state board of pharmacy.

~~(d)~~(e) "Bureau" means the bureau of narcotics and dangerous drugs, United States

department of justice, or its successor agency.

~~(e)~~(f) "Controlled substance" means any drug, substance or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113, and amendments thereto.

(g) (1) "Controlled substance analog" means a substance that is intended for human consumption, and:

(A) The chemical structure of which is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;

(B) which has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto; or

(C) with respect to a particular individual, which such individual represents or intends to have a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.

(2) "Controlled substance analog" does not include:

(A) A controlled substance;

(B) a substance for which there is an approved new drug application; or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug and cosmetic act, 21 U.S.C. § 355, to the extent conduct with respect to the substance is permitted by the exemption.

~~(h)~~(h) "Counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization bears the trademark, trade name or other identifying mark, imprint, number or device or any likeness thereof of a manufacturer, distributor or dispenser other than the person who in fact manufactured, distributed or dispensed the substance.

~~(g)~~(i) "Cultivate" means the planting or promotion of growth of five or more plants which contain or can produce controlled substances.

(j) "DEA" mean the U.S. department of justice, drug enforcement administration.

(k) "Deliver" or "delivery" means the actual, constructive or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

~~(h)~~(l) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the packaging, labeling or compounding necessary to prepare the substance for that delivery, or pursuant to the prescription of a mid-level practitioner.

~~(i)~~(m) "Dispenser" means a practitioner or pharmacist who dispenses.

~~(j)~~(n) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

~~(k)~~(o) "Distributor" means a person who distributes.

~~(h)~~(p) "Drug" means:

(1) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary

or any supplement to any of them;

(2) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or animals;

(3) substances, (other than food), intended to affect the structure or any function of the body of man or animals; and

(4) substances intended for use as a component of any article specified in clause (1), (2) or (3) of this subsection. It does not include devices or their components, parts or accessories.

~~(m)~~(q) "Immediate precursor" means a substance which the board has found to be and by rule and regulation designates as being the principal compound commonly used or produced primarily for use and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

~~(n)~~(r) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(s) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

(t) "Electronic signature" means a confidential personalized digital key, code, number or other method for secure electronic data transmissions which identifies a particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the transmission.

(u) "Electronic transmission" means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(v) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(w) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes, but is not limited to, transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

(x) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

(y) "Isomer" means all enantiomers and diastereomers.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly or by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled

substance by an individual for the individual's own lawful use or the preparation, compounding, packaging or labeling of a controlled substance:

(1) By a practitioner or the practitioner's agent pursuant to a lawful order of a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner or by the practitioner's authorized agent under such practitioner's supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or medical care facility as an incident to dispensing of a controlled substance.

~~(aa)~~ "Marijuana" means all parts of all varieties of the plant *Cannabis* whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination.

~~(bb)~~ "Medical care facility" shall have the meaning ascribed to that term in K.S.A. 65-425, and amendments thereto.

(cc) "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed under the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

~~(dd)~~ "Narcotic drug" means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis:

(1) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate;

(2) any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (1) but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salt, compound, derivative or preparation of coca leaves, and any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

~~(ee)~~ "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under K.S.A. 65-4102, and amendments thereto, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.

~~(ff)~~ "Opium poppy" means the plant of the species *Papaver somniferum l.* except its seeds.

~~(gg)~~ "Person" means individual, corporation, government, or governmental

subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.

~~(h)~~(hh) "Pharmacist" means any natural person licensed under K.S.A. 65-1625 et seq., to practice pharmacy.

(ii) "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving such person's internship; or (3) a graduate of a pharmacy program located outside of the United States which is not accredited and who had successfully passed equivalency examinations approved by the board.

(jj) "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers and servers, and is controlled by the pharmacy.

(kk) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(u) "Pharmacist" means an individual currently licensed by the board to practice the profession of pharmacy in this state.

~~(v)~~(ll) "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist licensed under the optometry law as a therapeutic licensee or diagnostic and therapeutic licensee, or scientific investigator or other person authorized by law to use a controlled substance in teaching or chemical analysis or to conduct research with respect to a controlled substance.

~~(w)~~(mm) "Prescriber" means a practitioner or a mid-level practitioner.

(nn) "Production" includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

~~(x)~~(oo) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized record-keeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

(pp) "Ultimate user" means a person who lawfully possesses a controlled substance for such person's own use or for the use of a member of such person's household or for administering to an animal owned by such person or by a member of such person's household.

(y) "Isomer" means all enantiomers and diastereomers.

(z) "Medical care facility" shall have the meaning ascribed to that term in K.S.A. 65-425, and amendments thereto.

(aa) "Cultivate" means the planting or promotion of growth of five or more plants which contain or can produce controlled substances.

(bb) (1) "Controlled substance analog" means a substance that is intended for human consumption, and:

(A) The chemical structure of which is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;

(B) which has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules

designated in K.S.A. 65-4105 or 65-4107, and amendments thereto; or

(C) with respect to a particular individual, which the individual represents or intends to have a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.

(2) "Controlled substance analog" does not include:

(A) A controlled substance;

(B) a substance for which there is an approved new drug application; or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug, and cosmetic act (21 U.S.C. § 355) to the extent conduct with respect to the substance is permitted by the exemption.

~~(cc) "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed under the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.~~

Sec. 39. K.S.A. 65-4123 is hereby amended to read as follows: 65-4123. (a) Except as otherwise provided in K.S.A. 65-4117, and amendments thereto, or in this subsection (a), no schedule I controlled substance may be dispensed. The board by rules and regulations may designate in accordance with the provisions of this subsection (a) a schedule I controlled substance as a schedule I designated prescription substance. ~~A schedule I controlled substance designated as a schedule I designated prescription substance may be dispensed only upon the written prescription of a practitioner. Prior to designating a schedule I controlled substance as a schedule I designated prescription substance, the board shall find: (1) That the schedule I controlled substance has an accepted medical use in treatment in the United States; (2) that the public health will benefit by the designation of the substance as a schedule I designated prescription substance; and (3) that the substance may be sold lawfully under federal law pursuant to a prescription. No prescription for a schedule I designated prescription substance may be refilled.~~

(b) Except when dispensed by a practitioner, other than a pharmacy, to an ultimate user, no controlled substance in schedule II may be dispensed without the written or electronic prescription of a ~~practitioner or a mid-level practitioner prescriber~~. In emergency situations, as defined by rules and regulations of the board, schedule II drugs may be dispensed upon oral prescription of a ~~practitioner or a mid-level practitioner prescriber~~ reduced promptly to writing or transmitted electronically and filed by the pharmacy. No prescription for a schedule II substance may be refilled.

(c) Except when dispensed by a practitioner, other than a pharmacy, to an ultimate user, a controlled substance included in schedule III, ~~or IV or V~~ which is a prescription drug shall not be dispensed without ~~a written or oral prescription of a practitioner or a mid-level practitioner~~ either a paper prescription manually signed by a prescriber, a facsimile of a manually signed paper prescription transmitted by the prescriber or the prescriber's agent to the pharmacy, an electronic prescription that has been digitally signed by a prescriber with a digital certificate, or an oral prescription made by an

individual prescriber and promptly reduced to writing. The prescription shall not be filled or refilled more than six months after the date thereof or be refilled more than five times.

(d) ~~A controlled substance shall not be distributed or dispensed other than for a medical purpose. Prescriptions shall be retained in conformity with the requirements of K.S.A. 65-4121 and amendments thereto. except by a valid prescription order as defined in K.S.A. 65-1626, and amendments thereto. Electronic prescriptions shall be retained electronically for five years from the date of their creation or receipt. The records must be readily retrievable from all other records and easily rendered into a format a person can read. Paper, oral and facsimile prescriptions shall be maintained as a hard copy for five years at the registered location.~~";

And by renumbering sections accordingly;

Also on page 78, in line 10, before "K.S.A." by inserting "K.S.A. 65-4123 and"; in line 14, after "38-2376" by inserting "65-1626, 65-1637, 65-1683, 65-1685, 65-1693, 65-4101,";

On page 1, in the title, in line 1, by striking "crimes, punishment and criminal procedure"; and inserting "drugs"; in line 3, after "offenders" by inserting "; electronic prescription and prescription monitoring program"; in line 4, after "amending" by inserting "K.S.A. 65-4123 and"; in line 8, after "38-2376," by inserting "65-1626, 65-1637, 65-1683, 65-1685, 65-1693, 65-4101,"

S Sub for HB 2318 be further amended by motion of Senator King, on page 1, following line 12, by inserting:

"New Section 1. (a) Endangerment is recklessly exposing another person to a danger of great bodily harm or death.

(b) Endangerment is a class A person misdemeanor.

(c) This section shall be part of and supplemental to the Kansas criminal code.

Sec. 2. K.S.A. 2011 Supp. 21-5109 is hereby amended to read as follows: 21-5109.

(a) When the same conduct of a defendant may establish the commission of more than one crime under the laws of this state, the defendant may be prosecuted for each of such crimes. Each of such crimes may be alleged as a separate count in a single complaint, information or indictment.

(b) Upon prosecution for a crime, the defendant may be convicted of either the crime charged or a lesser included crime, but not both. A lesser included crime is:

(1) A lesser degree of the same crime;

(2) a crime where all elements of the lesser crime are identical to some of the elements of the crime charged;

(3) an attempt to commit the crime charged; or

(4) an attempt to commit a crime defined under paragraph (1) or (2).

(c) Whenever charges are filed against a person, accusing the person of a crime which includes another crime of which the person has been convicted, the conviction of the lesser included crime shall not bar prosecution or conviction of the crime charged if the crime charged was not consummated at the time of conviction of the lesser included crime, but the conviction of the lesser included crime shall be annulled upon the filing of such charges. Evidence of the person's plea or any admission or statement made by the person in connection therewith in any of the proceedings which resulted in the person's conviction of the lesser included crime shall not be admissible at the trial of the crime charged. If the person is convicted of the crime charged, or of a lesser included

crime, the person so convicted shall receive credit against any prison sentence imposed or fine to be paid for the period of confinement actually served or the amount of any fine actually paid under the sentence imposed for the annulled conviction.

(d) Unless otherwise provided by law, when crimes differ only in that one is defined to prohibit a designated kind of conduct generally and the other to prohibit a specific instance of such conduct, the defendant:

- (1) May not be convicted of the two crimes based upon the same conduct; and
- (2) shall be sentenced according to the terms of the more specific crime.

(e) A defendant may not be convicted of identical offenses based upon the same conduct. The prosecution may choose which such offense to charge and, upon conviction, the defendant shall be sentenced according to the terms of that offense.

Sec. 3. K.S.A. 2011 Supp. 21-5302 is hereby amended to read as follows: 21-5302.

(a) A conspiracy is an agreement with another person to commit a crime or to assist in committing a crime. No person may be convicted of a conspiracy unless an overt act in furtherance of such conspiracy is alleged and proved to have been committed by such person or by a co-conspirator.

(b) It is immaterial to the criminal liability of a person charged with conspiracy that any other person with whom the defendant conspired lacked the actual intent to commit the underlying crime provided that the defendant believed the other person did have the actual intent to commit the underlying crime.

~~(c)~~ (c) It shall be a defense to a charge of conspiracy that the accused voluntarily and in good faith withdrew from the conspiracy, and communicated the fact of such withdrawal to one or more of the accused person's co-conspirators, before any overt act in furtherance of the conspiracy was committed by the accused or by a co-conspirator.

~~(d)~~ (d) (1) Conspiracy to commit an off-grid felony shall be ranked at nondrug severity level 2. Conspiracy to commit any other nondrug felony shall be ranked on the nondrug scale at two severity levels below the appropriate level for the underlying or completed crime. The lowest severity level for conspiracy to commit a nondrug felony shall be a severity level 10.

(2) The provisions of this subsection shall not apply to a violation of conspiracy to commit the crime of:

(A) Aggravated human trafficking, as defined in subsection (b) of K.S.A. 2011 Supp. 21-5426, and amendments thereto, if the offender is 18 years of age or older and the victim is less than 14 years of age;

(B) terrorism as defined in K.S.A. 2011 Supp. 21-5421, and amendments thereto;

(C) illegal use of weapons of mass destruction as defined in K.S.A. 2011 Supp. 21-5422, and amendments thereto;

(D) rape, as defined in subsection (a)(3) of K.S.A. 2011 Supp. 21-5503, and amendments thereto, if the offender is 18 years of age or older;

(E) aggravated indecent liberties with a child, as defined in subsection (b)(3) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, if the offender is 18 years of age or older;

(F) aggravated criminal sodomy, as defined in subsection (b)(1) or (b)(2) of K.S.A. 2011 Supp. 21-5504, and amendments thereto, if the offender is 18 years of age or older;

(G) promoting prostitution, as defined in K.S.A. 2011 Supp. 21-6420, and amendments thereto, if the offender is 18 years of age or older and the prostitute is less

than 14 years of age; or

(H) sexual exploitation of a child, as defined in subsection (a)(1) or (a)(4) of K.S.A. 2011 Supp. 21-5510, and amendments thereto, if the offender is 18 years of age or older and the child is less than 14 years of age.

~~(d)~~ (e) Conspiracy to commit a felony which prescribes a sentence on the drug grid shall reduce the prison term prescribed in the drug grid block for an underlying or completed crime by six months.

~~(e)~~ (f) A conspiracy to commit a misdemeanor is a class C misdemeanor.

Sec. 4. K.S.A. 2011 Supp. 21-5402 is hereby amended to read as follows: 21-5402.

(a) Murder in the first degree is the killing of a human being committed:

(1) Intentionally, and with premeditation; or

(2) in the commission of, attempt to commit, or flight from any inherently dangerous felony.

(b) Murder in the first degree is an off-grid person felony.

(c) As used in this section, an "inherently dangerous felony" means:

(1) Any of the following felonies, whether such felony is so distinct from the homicide alleged to be a violation of subsection (a)(2) as not to be an ingredient of the homicide alleged to be a violation of subsection (a)(2):

(A) Kidnapping, as defined in subsection (a) of K.S.A. 2011 Supp. 21-5408, and amendments thereto;

(B) aggravated kidnapping, as defined in subsection (b) of K.S.A. 2011 Supp. 21-5408, and amendments thereto;

(C) robbery, as defined in subsection (a) of K.S.A. 2011 Supp. 21-5420, and amendments thereto;

(D) aggravated robbery, as defined in subsection (b) of K.S.A. 2011 Supp. 21-5420, and amendments thereto;

(E) rape, as defined in K.S.A. 2011 Supp. 21-5503, and amendments thereto;

(F) aggravated criminal sodomy, as defined in subsection (b) of K.S.A. 2011 Supp. 21-5504, and amendments thereto;

(G) abuse of a child, as defined in K.S.A. 2011 Supp. 21-5602, and amendments thereto;

(H) felony theft of property as defined in subsection (a)(1) or (a)(3) of K.S.A. 2011 Supp. 21-5801, and amendments thereto;

(I) burglary, as defined in subsection (a) of K.S.A. 2011 Supp. 21-5807, and amendments thereto;

(J) aggravated burglary, as defined in subsection (b) of K.S.A. 2011 Supp. 21-5807, and amendments thereto;

(K) arson, as defined in subsection (a) of K.S.A. 2011 Supp. 21-5812, and amendments thereto;

(L) aggravated arson, as defined in subsection (b) of K.S.A. 2011 Supp. 21-5812, and amendments thereto;

(M) treason, as defined in K.S.A. 2011 Supp. 21-5901, and amendments thereto;

(N) any felony offense as provided in K.S.A. 2011 Supp. 21-5703, 21-5705 or 21-5706, and amendments thereto;

(O) any felony offense as provided in subsection (a) or (b) of K.S.A. 2011 Supp. 21-6308, and amendments thereto;

(P) endangering the food supply, as defined in subsection (a) of K.S.A. 2011 Supp.

21-6317, and amendments thereto;

(Q) aggravated endangering the food supply, as defined in subsection (b) of K.S.A. 2011 Supp. 21-6317, and amendments thereto;

(R) fleeing or attempting to elude a police officer, as defined in subsection (b) of K.S.A. 8-1568, and amendments thereto; ~~or~~

(S) aggravated endangering a child, as defined in subsection (b)(1) of K.S.A. 2011 Supp. 21-5601, and amendments thereto;

(T) abandonment of a child, as defined in subsection (a) of K.S.A. 2011 Supp. 21-5605, and amendments thereto; or

(U) aggravated abandonment of a child, as defined in subsection (b) of K.S.A. 2011 Supp. 21-5605, and amendments thereto; and

(2) any of the following felonies, only when such felony is so distinct from the homicide alleged to be a violation of subsection (a)(2) as to not be an ingredient of the homicide alleged to be a violation of subsection (a)(2):

(A) Murder in the first degree, as defined in subsection (a)(1);

(B) murder in the second degree, as defined in subsection (a)(1) of K.S.A. 2011 Supp. 21-5403, and amendments thereto;

(C) voluntary manslaughter, as defined in subsection (a)(1) of K.S.A. 2011 Supp. 21-5404, and amendments thereto;

(D) aggravated assault, as defined in subsection (b) of K.S.A. 2011 Supp. 21-5412, and amendments thereto;

(E) aggravated assault of a law enforcement officer, as defined in subsection (d) of K.S.A. 2011 Supp. 21-5412, and amendments thereto;

(F) aggravated battery, as defined in subsection (b)(1) of K.S.A. 2011 Supp. 21-5413, and amendments thereto; or

(G) aggravated battery against a law enforcement officer, as defined in subsection (d) of K.S.A. 2011 Supp. 21-5413, and amendments thereto.

Sec. 5. K.S.A. 2011 Supp. 21-5426 is hereby amended to read as follows: 21-5426.

(a) Human trafficking is:

(1) The intentional recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjecting the person to involuntary servitude or forced labor;

(2) intentionally benefitting financially or by receiving anything of value from participation in a venture that the person has reason to know has engaged in acts set forth in subsection (a)(1);

(3) knowingly coercing employment by obtaining or maintaining labor or services that are performed or provided by another person through any of the following:

(A) Causing or threatening to cause physical injury to any person;

(B) physically restraining or threatening to physically restrain another person;

(C) abusing or threatening to abuse the law or legal process;

(D) threatening to withhold food, lodging or clothing; or

(E) knowingly destroying, concealing, removing, confiscating or possessing any actual or purported government identification document of another person; or

(4) knowingly holding another person in a condition of peonage in satisfaction of a debt owed the person who is holding such other person.

(b) Aggravated human trafficking is:

(+) human trafficking, as defined in subsection (a):

~~(A)~~(1) Involving the commission or attempted commission of kidnapping, as defined in subsection (a) of K.S.A. 2011 Supp. 21-5408, and amendments thereto;

~~(B)~~(2) committed in whole or in part for the purpose of the sexual gratification of the defendant or another; or

~~(C)~~(3) resulting in a death; or

(2) (4) involving recruiting, harboring, transporting, providing or obtaining, by any means, a person under 18 years of age knowing that the person, with or without force, fraud, threat or coercion, will be used to engage in forced labor, involuntary servitude or sexual gratification of the defendant or another.

(c) (1) Human trafficking is a severity level 2, person felony.

(2) Aggravated human trafficking is a severity level 1, person felony, except as provided in subsection (c)(3).

(3) Aggravated human trafficking or attempt, conspiracy or criminal solicitation to commit aggravated human trafficking is an off-grid person felony, when the offender is 18 years of age or older and the victim is less than 14 years of age.

(d) If the offender is 18 years of age or older and the victim is less than 14 years of age, the provisions of:

(1) Subsection (c) of K.S.A. 2011 Supp. 21-5301, and amendments thereto, shall not apply to a violation of attempting to commit the crime of aggravated human trafficking pursuant to this section;

(2) subsection (c) of K.S.A. 2011 Supp. 21-5302, and amendments thereto, shall not apply to a violation of conspiracy to commit the crime of aggravated human trafficking pursuant to this section; and

(3) subsection (d) of K.S.A. 2011 Supp. 21-5303, and amendments thereto, shall not apply to a violation of criminal solicitation to commit the crime of aggravated human trafficking pursuant to this section.

(e) The provisions of this section shall not apply to the use of the labor of any person incarcerated in a state or county correctional facility or city jail.

(f) As used in this section, "peonage" means a condition of involuntary servitude in which the victim is forced to work for another person by the use or threat of physical restraint or physical injury, or by the use or threat of coercion through law or the legal process.

Sec. 6. K.S.A. 2011 Supp. 21-5604 is hereby amended to read as follows: 21-5604.

(a) Incest is marriage to or engaging in otherwise lawful sexual intercourse or sodomy, as defined in K.S.A. 2011 Supp. 21-5501, and amendments thereto, with a person who is 18 or more years of age and who is known to the offender to be related to the offender as any of the following biological relatives: Parent, child, grandparent of any degree, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece.

(b) Aggravated incest is:

(1) Marriage to a person who is under 18 years of age and who is known to the offender to be related to the offender as any of the following biological, step or adoptive relatives: Child, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece; or

(2) engaging in the following acts with a person who is 16 or more years of age but under 18 years of age and who is known to the offender to be related to the offender as any of the following biological, step or adoptive relatives: Child, grandchild of any

degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece:

(A) Otherwise lawful sexual intercourse or sodomy as defined by K.S.A. 2011 Supp. 21-5501, and amendments thereto; or

(B) any lewd fondling, as described in subsection (a)(1) of K.S.A. 2011 Supp. 21-5506, and amendments thereto.

(c) (1) Incest is a severity level 10, person felony.

(2) Aggravated incest as defined in:

(A) Subsection (b)(2)(A) is a:

(i) Severity level 5, person felony, except as provided in subsection (c)(2)(A)(ii); and

(ii) severity level 3, person felony if the victim is the offender's biological, step or adoptive child; and

(B) subsection (b)(1) or (b)(2)(B) is a severity level 7, person felony.";

And by renumbering sections accordingly;

On page 16, following line 36, by inserting:

"Sec. 17. K.S.A. 2011 Supp. 21-5806 is hereby amended to read as follows: 21-5806. (a) Unlawful use of recordings is:

(1) Knowingly, and without the consent of the owner, duplicating or causing to be duplicated any sounds recorded on a phonograph record, disc, wire, tape, film or other article on which sounds are recorded, or recording or causing to be recorded any live performance, with the intent to sell, rent or cause to be sold or rented, any such duplicated sounds or any such recorded performance, or to give away such duplicated sounds or recorded performance as part of a promotion for any product or service;

(2) distributing or possessing with the intent to distribute, any article produced in violation of subsection (a)(1) knowing or having reasonable grounds to know that such article was produced in violation of law; ~~or~~

(3) possessing any article produced in violation of subsection (a)(1) knowing or having reasonable grounds to know that such article was produced in violation of law; or

~~(4)~~ knowingly selling, renting, offering for sale or rental, or possessing, transporting or manufacturing with intent to sell or rent, any phonograph record, audio or video disc, wire, audio or video tape, film or other article now known or later developed on which sounds, images, or both sounds and images are recorded or otherwise stored, unless the outside cover, box or jacket clearly and conspicuously discloses the name and address of the manufacturer of such recorded article.

(b) Unlawful use of recordings:

(1) Is a severity level 9, nonperson felony, except as provided in subsections (b)(2) and (b)(3); and

(2) as defined in subsection (a)(2) or ~~(a)(3)~~ (a)(4), is a class A nonperson misdemeanor if the offense involves fewer than seven audio visual recordings, or fewer than 100 sound recordings during a 180-day period; and

(3) as defined in subsection (a)(3), is a class B nonperson misdemeanor.

(c) The provisions of subsection (a)(1) shall not apply to:

(1) Any broadcaster who, in connection with or as part of a radio or television broadcast or cable transmission, or for the purpose of archival preservation, duplicates any such sounds recorded on a sound recording;

(2) any person who duplicates such sounds or such performance for personal use,

and without compensation for such duplication; or

(3) any sounds initially fixed in a tangible medium of expression after February 15, 1972.

(d) The provisions of subsections (a)(1) and (a)(3) shall not apply to any computer program or any audio or visual recording that is part of any computer program or to any article or device on which is exclusively recorded any such computer program.

(e) As used in this section:

(1) "Owner" means the person who owns the original fixation of sounds embodied in the master phonograph record, master disc, master wire, master tape, master film or other device used for reproducing sounds on phonograph records, discs, wires, tapes, films or other articles now known or later developed upon which sound is recorded or otherwise stored, and from which the duplicated recorded sounds are directly or indirectly derived, or the person who owns the right to record such live performance; and

(2) "computer program" means a set of statements or instructions to be used directly or indirectly in a computer in order to bring about a certain result.

(f) It shall be the duty of all law enforcement officers, upon discovery, to confiscate all recorded devices that do not conform to the provisions of this section and that are possessed for the purpose of selling or renting such recorded devices, and all equipment and components used or intended to be used to knowingly manufacture recorded devices that do not conform to the provisions of such section for the purpose of selling or renting such recorded devices. The nonconforming recorded devices that are possessed for the purpose of selling or renting such recorded devices are contraband and shall be delivered to the district attorney for the county in which the confiscation was made, by court order, and shall be destroyed or otherwise disposed of, if the court finds that the person claiming title to such recorded devices possessed such recorded devices for the purpose of selling or renting such recorded devices. The equipment and components confiscated shall be delivered to the district attorney for the county in which the confiscation was made, by court order upon conviction, and may be given to a charitable or educational organization.

Sec. 18. K.S.A. 2011 Supp. 21-5807 is hereby amended to read as follows: 21-5807. (a) Burglary is, without authority, entering into or remaining within any:

(1) Dwelling, with intent to commit a felony, theft or ~~sexual battery~~ sexually motivated crime therein;

(2) building, manufactured home, mobile home, tent or other structure which is not a dwelling, with intent to commit a felony, theft or ~~sexual battery~~ sexually motivated crime therein; or

(3) vehicle, aircraft, watercraft, railroad car or other means of conveyance of persons or property, with intent to commit a felony, theft or ~~sexual battery~~ sexually motivated crime therein.

(b) Aggravated burglary is, without authority, entering into or remaining within any building, manufactured home, mobile home, tent or other structure, or any vehicle, aircraft, watercraft, railroad car or other means of conveyance of persons or property in which there is a human being with intent to commit a felony, theft or ~~sexual battery~~ sexually motivated crime therein.

(c) (1) Burglary as defined in:

(A) Subsection (a)(1) is a severity level 7, person felony;

- (B) subsection (a)(2) is a severity level 7, nonperson felony; and
- (C) subsection (a)(3) is a severity level 9, nonperson felony.
- (2) Aggravated burglary is a severity level 5, person felony.
- (d) As used in this section, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

Sec. 19. K.S.A. 2011 Supp. 21-5904 is hereby amended to read as follows: 21-5904. (a) Interference with law enforcement is:

(1) Falsely reporting to a law enforcement officer or state investigative agency ~~that a crime has been committed, knowing that such information is false and intending that the officer or agency shall act in reliance upon such information; or~~

(A) That a particular person has committed a crime, knowing that such information is false and intending that the officer or agency shall act in reliance upon such information; or

(B) any information, knowing that such information is false and intending to influence, impede or obstruct such officer's or agency's duty;

(2) concealing, destroying or materially altering evidence with the intent to prevent or hinder the apprehension or prosecution of any person; or

~~(2)(3)~~ knowingly obstructing, resisting or opposing any person authorized by law to serve process in the service or execution or in the attempt to serve or execute any writ, warrant, process or order of a court, or in the discharge of any official duty.

(b) (1) Interference with law enforcement as defined in subsection (a)(1) or (a)(2) is a class A nonperson misdemeanor, except as provided in subsection (b)(2).

(2) Interference with law enforcement as defined in:

(A) Subsection (a)(1)(A) or (a)(2) is a severity level 8, nonperson felony in the case of a felony; and

(B) subsection (a)(1)(B) is a severity level 9, nonperson felony in the case of a felony.

~~(2)(3)~~ Interference with law enforcement as defined in subsection ~~(a)(2)~~ (a)(3) is a:

(A) Severity level 9, nonperson felony in the case of a felony, or resulting from parole or any authorized disposition for a felony; and

(B) class A nonperson misdemeanor in the case of a misdemeanor, or resulting from any authorized disposition for a misdemeanor, or a civil case.

Sec. 20. K.S.A. 2011 Supp. 21-5905 is hereby amended to read as follows: 21-5905. (a) Interference with the judicial process is:

(1) Communicating with any judicial officer in relation to any matter which is or may be brought before such judge, magistrate, master or juror with intent improperly to influence such officer;

(2) committing any of the following acts, with intent to influence, impede or obstruct the finding, decision, ruling, order, judgment or decree of such judicial officer or prosecutor on any matter then pending before the officer or prosecutor:

(A) Communicating in any manner a threat of violence to any judicial officer or any prosecutor;

(B) harassing a judicial officer or a prosecutor by repeated vituperative communication; or

(C) picketing, parading or demonstrating near such officer's or prosecutor's residence or place of abode;

(3) picketing, parading or demonstrating in or near a building housing a judicial officer or a prosecutor with intent to impede or obstruct the finding, decision, ruling, order, judgment or decree of such judicial officer or prosecutor on any matter then pending before the officer or prosecutor;

(4) knowingly accepting or agreeing to accept anything of value as consideration for a promise:

(A) Not to initiate or aid in the prosecution of a person who has committed a crime; or

(B) to conceal ~~or~~, destroy or materially alter evidence of a crime; ~~or~~

(5) concealing, destroying or materially altering evidence with the intent to influence, impede or obstruct any proceeding, civil or criminal; or

~~(5)(6)~~ (6) when performed by a person summoned or sworn as a juror in any case:

(A) Intentionally soliciting, accepting or agreeing to accept from another any benefit as consideration to wrongfully give a verdict for or against any party in any proceeding, civil or criminal;

(B) intentionally promising or agreeing to wrongfully give a verdict for or against any party in any proceeding, civil or criminal; or

(C) knowingly receiving any evidence or information from anyone in relation to any matter or cause for the trial of which such juror has been or will be sworn, without the authority of the court or officer before whom such juror has been summoned, and without immediately disclosing the same to such court or officer.

(b) Interference with the judicial process as defined in:

(1) Subsection (a)(1) is a severity level 9, nonperson felony;

(2) subsection (a)(2) and (a)(3) is a class A nonperson misdemeanor;

(3) subsection (a)(4) is a:

(A) Severity level 8, nonperson felony if the crime is a felony; ~~or and~~

(B) class A nonperson misdemeanor if the crime is a misdemeanor;

(4) subsection (a)(5) is a:

(A) Severity level 8, nonperson felony if the proceeding is a felony prosecution; and

(B) class A nonperson misdemeanor if the proceeding is any proceeding other than a felony prosecution;

~~(4)(5)~~ (5) subsection ~~(a)(5)(A)~~ (a)(6)(A) is a severity level 7, nonperson felony; and

~~(5)(6)~~ (6) subsection ~~(a)(5)(B) or (a)(5)(C)~~ (a)(6)(B) or (a)(6)(C) is a severity level 9, nonperson felony.

(c) Nothing in this section shall limit or prevent the exercise by any court of this state of its power to punish for contempt.

Sec. 21. K.S.A. 2011 Supp. 21-5907 is hereby amended to read as follows: 21-5907. (a) Simulating legal process is:

(1) Distributing to another any document which simulates or purports to be, or is designed to cause others to believe it to be, a summons, petition, complaint or other judicial process, with intent thereby to induce payment of a claim ~~legal process, with the intent to mislead the recipient and cause the recipient to take action in reliance thereon;~~ or

(2) printing or distributing any such document, knowing that it shall be so used.

(b) Simulating legal process is a class A nonperson misdemeanor.

(c) This section shall not apply to the printing or distribution of blank forms of

legal documents intended for actual use in judicial proceedings.

Sec. 22. K.S.A. 2011 Supp. 21-5911 is hereby amended to read as follows: 21-5911. (a) Escape from custody is escaping while held in custody on a: (1) Charge-~~or~~, conviction of or arrest for a misdemeanor;

(2) charge-~~or~~, adjudication or arrest as a juvenile offender where the act, if committed by an adult, would constitute a misdemeanor; or

(3) commitment to the state security hospital as provided in K.S.A. 22-3428, and amendments thereto, based on a finding that the person committed an act constituting a misdemeanor or by a person 18 years of age or over who is being held in custody on a adjudication of a misdemeanor.

(b) Aggravated escape from custody is:

(1) Escaping while held in custody:

(A) Upon a charge-~~or~~, conviction of or arrest for a felony;

(B) upon a charge-~~or~~, adjudication or arrest as a juvenile offender where the act, if committed by an adult, would constitute a felony;

(C) prior to or upon a finding of probable cause for evaluation as a sexually violent predator as provided in K.S.A. 59-29a05, and amendments thereto;

(D) upon commitment to a treatment facility as a sexually violent predator as provided in K.S.A. 59-29a01 *et seq.*, and amendments thereto;

(E) upon a commitment to the state security hospital as provided in K.S.A. 22-3428, and amendments thereto, based on a finding that the person committed an act constituting a felony;

(F) by a person 18 years of age or over who is being held on an adjudication of a felony; or

(G) upon incarceration at a state correctional institution while in the custody of the secretary of corrections.

(2) Escaping effected or facilitated by the use of violence or the threat of violence against any person while held in custody:

(A) On a charge or conviction of any crime;

(B) on a charge or adjudication as a juvenile offender where the act, if committed by an adult, would constitute a felony;

(C) prior to or upon a finding of probable cause for evaluation as a sexually violent predator as provided in K.S.A. 59-29a05, and amendments thereto;

(D) upon commitment to a treatment facility as a sexually violent predator as provided in K.S.A. 59-29a01 *et seq.*, and amendments thereto;

(E) upon a commitment to the state security hospital as provided in K.S.A. 22-3428, and amendments thereto, based on a finding that the person committed an act constituting any crime;

(F) by a person 18 years of age or over who is being held on a charge or adjudication of a misdemeanor or felony; or

(G) upon incarceration at a state correctional institution while in the custody of the secretary of corrections.

(c) (1) Escape from custody is a class A nonperson misdemeanor.

(2) Aggravated escape from custody as defined in:

(A) Subsection (b)(1)(A), (b)(1)(C), (b)(1)(D), (b)(1)(E) or (b)(1)(F) is a severity level 8, nonperson felony;

(B) subsection (b)(1)(B) or (b)(1)(G) is a severity level 5, nonperson felony;

(C) subsection (b)(2)(A), (b)(2)(C), (b)(2)(D), (b)(2)(E) or (b)(2)(F) is a severity level 6, person felony; and

(D) subsection (b)(2)(B) or (b)(2)(G) is a severity level 5, person felony.

(d) As used in this section and K.S.A. 2011 Supp. 21-5912, and amendments thereto:

(1) "Custody" means arrest; detention in a facility for holding persons charged with or convicted of crimes or charged or adjudicated as a juvenile offender; detention for extradition or deportation; detention in a hospital or other facility pursuant to court order, imposed as a specific condition of probation or parole or imposed as a specific condition of assignment to a community correctional services program; commitment to the state security hospital as provided in K.S.A. 22-3428, and amendments thereto; or any other detention for law enforcement purposes. "Custody" does not include general supervision of a person on probation or parole or constraint incidental to release on bail;

(2) "escape" means departure from custody without lawful authority or failure to return to custody following temporary leave lawfully granted pursuant to express authorization of law or order of a court;

(3) "juvenile offender" means the same as in K.S.A. 2011 Supp. 38-2302, and amendments thereto; and

(4) "state correctional institution" means the same as in K.S.A. 75-5202, and amendments thereto.

(e) As used in this section, the term "charge" shall not require that the offender was held on a written charge contained in a complaint, information or indictment, if such offender was arrested prior to such offender's escape from custody.

Sec. 23. K.S.A. 2011 Supp. 21-6001 is hereby amended to read as follows: 21-6001. (a) Bribery is:

(1) Offering, giving or promising to give, directly or indirectly, to any person who is a public officer, candidate for public office or public employee any benefit, reward or consideration to which the person is not legally entitled with intent thereby to influence the person with respect to the performance of the person's powers or duties as a public officer or employee; or

(2) the act of a person who is a public officer, candidate for public office or public employee, in requesting, receiving or agreeing to receive, directly or indirectly, any benefit, reward or consideration given with intent that the person will be so influenced.

(1) With the intent to improperly influence a public official, offering, giving or promising to give, directly or indirectly, to any public official any benefit, reward or consideration which the public official is not permitted by law to accept, in exchange for the performance or omission of performance of the public official's powers or duties or a promise to perform or omit performance of such powers or duties; or

(2) the act of a public official intentionally requesting, receiving or agreeing to receive, directly or indirectly, any benefit, reward or consideration, which the public official is not permitted by law to accept, with the intent to improperly influence such public official and in exchange for the performance or omission of performance of the public official's powers or duties or a promise to perform or omit performance of such powers or duties.

(b) Bribery is a severity level 7, nonperson felony. Upon conviction of bribery, ~~a public officer or public employee~~ a public official shall forfeit the person's office or employment. Notwithstanding an expungement of the conviction pursuant to K.S.A.

2011 Supp. 21-6614, and amendments thereto, any person convicted of bribery under the provisions of this section shall be forever disqualified from holding public office or public employment in this state.

(c) As used in this section, "public official" means any person who is a public officer, candidate for public office or public employee.

Sec. 24. K.S.A. 2011 Supp. 21-6110 is hereby amended to read as follows: 21-6110. (a) ~~No person shall~~ It shall be unlawful, with no requirement of a culpable mental state, to smoke in an enclosed area or at a public meeting including, but not limited to:

- (1) Public places;
- (2) taxicabs and limousines;
- (3) restrooms, lobbies, hallways and other common areas in public and private buildings, condominiums and other multiple-residential facilities;
- (4) restrooms, lobbies and other common areas in hotels and motels and in at least 80% of the sleeping quarters within a hotel or motel that may be rented to guests;
- (5) access points of all buildings and facilities not exempted pursuant to subsection (d); and
- (6) any place of employment.

(b) Each employer having a place of employment that is an enclosed area shall provide a smoke-free workplace for all employees. Such employer shall also adopt and maintain a written smoking policy which shall prohibit smoking without exception in all areas of the place of employment. Such policy shall be communicated to all current employees within one week of its adoption and shall be communicated to all new employees upon hiring. Each employer shall provide a written copy of the smoking policy upon request to any current or prospective employee.

(c) Notwithstanding any other provision of this section, K.S.A. 2011 Supp. 21-6111 or 21-6112, and amendments thereto, the proprietor or other person in charge of an adult care home, as defined in K.S.A. 39-923, and amendments thereto, or a medical care facility, may designate a portion of such adult care home, or the licensed long-term care unit of such medical care facility, as a smoking area, and smoking may be permitted within such designated smoking area.

(d) The provisions of this section shall not apply to:

- (1) The outdoor areas of any building or facility beyond the access points of such building or facility;
- (2) private homes or residences, except when such home or residence is used as a day care home, as defined in K.S.A. 65-530, and amendments thereto;
- (3) a hotel or motel room rented to one or more guests if the total percentage of such hotel or motel rooms in such hotel or motel does not exceed 20%;
- (4) the gaming floor of a lottery gaming facility or racetrack gaming facility, as those terms are defined in K.S.A. 74-8702, and amendments thereto;
- (5) that portion of an adult care home, as defined in K.S.A. 39-923, and amendments thereto, that is expressly designated as a smoking area by the proprietor or other person in charge of such adult care home pursuant to subsection (c) and that is fully enclosed and ventilated;
- (6) that portion of a licensed long-term care unit of a medical care facility that is expressly designated as a smoking area by the proprietor or other person in charge of such medical care facility pursuant to subsection (c) and that is fully enclosed and ventilated and to which access is restricted to the residents and their guests;

(7) tobacco shops;

(8) a class A or class B club defined in K.S.A. 41-2601, and amendments thereto, which (A) held a license pursuant to K.S.A. 41-2606 et seq., and amendments thereto, as of January 1, 2009; and (B) notifies the secretary of health and environment in writing, not later than 90 days after the effective date of this act, that it wishes to continue to allow smoking on its premises;

(9) a private club in designated areas where minors are prohibited; and

(10) any benefit cigar dinner or other cigar dinner of a substantially similar nature that:

(A) Is conducted specifically and exclusively for charitable purposes by a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(B) is conducted no more than once per calendar year by such organization; and

(C) has been held during each of the previous three years prior to January 1, 2011.

Sec. 25. K.S.A. 2011 Supp. 21-6112 is hereby amended to read as follows: 21-6112. (a) It shall be unlawful for any person who owns, manages, operates or otherwise controls the use of any public place, or other area where smoking is prohibited, to fail to comply with all or any of the provisions of K.S.A. 2011 Supp. 21-6109 through 21-6116, and amendments thereto.

(b) It shall be unlawful for any person who owns, manages, operates or otherwise controls the use of any public place, or other area where smoking is prohibited, to allow smoking to occur where prohibited by law. Any such person shall be deemed to allow smoking to occur under this subsection if such person: (1) Has knowledge that smoking is occurring; and (2) ~~acquiesces to the~~ recklessly permits smoking under the totality of the circumstances.

(c) It shall be unlawful for any person, with no requirement of a culpable mental state, to smoke in any area where smoking is prohibited by the provisions of K.S.A. 2011 Supp. 21-6110, and amendments thereto.

(d) Any person who violates any provision of K.S.A. 2011 Supp. 21-6109 through 21-6116, and amendments thereto, shall be guilty of a cigarette or tobacco infraction punishable by a fine:

(1) Not exceeding \$100 for the first violation;

(2) not exceeding \$200 for a second violation within a one year period after the first violation; or

(3) not exceeding \$500 for a third or subsequent violation within a one year period after the first violation.

For purposes of this subsection, the number of violations within a year shall be measured by the date the smoking violations occur.

(e) Each individual allowed to smoke by a person who owns, manages, operates or otherwise controls the use of any public place, or other area where smoking is prohibited, in violation of subsection (b) shall be considered a separate violation for purposes of determining the number of violations under subsection (d).

(f) No employer shall discharge, refuse to hire or ~~in any manner retaliate~~ take any other adverse action against an employee, applicant for employment or customer ~~because with the intent to retaliate against that employee, applicant or customer reports or attempts for reporting or attempting~~ to prosecute a violation of any of the provisions of K.S.A. 2011 Supp. 21-6109 through 21-6116, and amendments thereto.

Sec. 26. K.S.A. 2011 Supp. 21-6312 is hereby amended to read as follows: 21-6312. (a) Criminal possession of explosives is the possession of any explosive or detonating substance by a person who, within five years preceding such possession, has been convicted of a felony under the laws of this or any other jurisdiction or has been released from imprisonment for a felony.

(b) Criminal disposal of explosives is knowingly and without lawful authority distributing any explosive or detonating substance to a person:

(1) Under 21 years of age, regardless of whether the seller, donor or transferor knows the age of such person;

(2) who is both addicted to and an unlawful user of a controlled substance; or

(3) who, within the preceding five years, has been convicted of a felony under the laws of this or any other jurisdiction or has been released from imprisonment for a felony.

(c) Carrying concealed explosives is carrying any explosive or detonating substance on the person in a wholly or partly concealed manner.

(d) (1) Criminal possession of explosives is a severity level 7, person felony.

(2) Criminal disposal of explosives is a severity level 10, person felony.

(3) Carrying concealed explosives is a class \in A person misdemeanor.

(e) As used in subsections (a) and (b), "explosives" means any chemical compound, mixture or device, of which the primary purpose is to function by explosion, and includes, but is not limited to, dynamite and other high explosives, black powder, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cord, igniter cord and igniters.

Sec. 27. K.S.A. 2011 Supp. 21-6412 is hereby amended to read as follows: 21-6412. (a) Cruelty to animals is:

(1) Knowingly and maliciously killing, injuring, maiming, torturing, burning or mutilating any animal;

(2) knowingly abandoning any animal in any place without making provisions for its proper care;

(3) having physical custody of any animal and knowingly failing to provide such food, potable water, protection from the elements, opportunity for exercise and other care as is needed for the health or well-being of such kind of animal;

(4) intentionally using a wire, pole, stick, rope or any other object to cause an equine to lose its balance or fall, for the purpose of sport or entertainment;

(5) knowingly but not maliciously killing or injuring any animal; or

(6) knowingly and maliciously administering any poison to any domestic animal.

(b) Cruelty to animals as defined in:

(1) Subsection (a)(1) or (a)(6) is a nonperson felony. Upon conviction of subsection (a)(1) or (a)(6), a person shall be sentenced to not less than 30 days or more than one year's imprisonment and be fined not less than \$500 nor more than \$5,000. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein. During the mandatory 30 days imprisonment, such offender shall have a psychological evaluation prepared for the court to assist the court in determining conditions of probation. Such conditions shall include, but not be limited to, the completion of an anger management program; and

(2) subsection (a)(2), (a)(3), (a)(4) or (a)(5) is a:

(A) Class A nonperson misdemeanor, except as provided in subsection (b)(2)(B); and

(B) nonperson felony upon the second or subsequent conviction of cruelty to animals as defined in subsection (a)(2), (a)(3), (a)(4) or (a)(5). Upon such conviction, a person shall be sentenced to not less than five days or more than one year's imprisonment and be fined not less than \$500 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein.

(c) The provisions of this section shall not apply to:

- (1) Normal or accepted veterinary practices;
 - (2) *bona fide* experiments carried on by commonly recognized research facilities;
 - (3) killing, attempting to kill, trapping, catching or taking of any animal in accordance with the provisions of chapter 32 or chapter 47 of the Kansas Statutes Annotated, and amendments thereto;
 - (4) rodeo practices accepted by the rodeo cowboys' association;
 - (5) the humane killing of an animal which is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control, by the owner thereof or the agent of such owner residing outside of a city or the owner thereof within a city if no animal shelter, pound or licensed veterinarian is within the city, or by a licensed veterinarian at the request of the owner thereof, or by any officer or agent of an incorporated humane society, the operator of an animal shelter or pound, a local or state health officer or a licensed veterinarian three business days following the receipt of any such animal at such society, shelter or pound;
 - (6) with respect to farm animals, normal or accepted practices of animal husbandry, including the normal and accepted practices for the slaughter of such animals for food or by-products and the careful or thrifty management of one's herd or animals, including animal care practices common in the industry or region;
 - (7) the killing of any animal by any person at any time which may be found outside of the owned or rented property of the owner or custodian of such animal and which is found injuring or posing a threat to any person, farm animal or property;
 - (8) an animal control officer trained by a licensed veterinarian in the use of a tranquilizer gun, using such gun with the appropriate dosage for the size of the animal, when such animal is vicious or could not be captured after reasonable attempts using other methods;
 - (9) laying an equine down for medical or identification purposes;
 - (10) normal or accepted practices of pest control, as defined in subsection (x) of K.S.A. 2-2438a, and amendments thereto; or
 - (11) accepted practices of animal husbandry pursuant to regulations promulgated by the United States department of agriculture for domestic pet animals under the animal welfare act, public law 89-544, as amended and in effect on July 1, 2006.
- (d) The provisions of subsection (a)(6) shall not apply to any person exposing poison upon their premises for the purpose of destroying wolves, coyotes or other predatory animals.

(e) Any public health officer, law enforcement officer, licensed veterinarian or officer or agent of any incorporated humane society, animal shelter or other appropriate facility may take into custody any animal, upon either private or public property, which

clearly shows evidence of cruelty to animals. Such officer, agent or veterinarian may inspect, care for or treat such animal or place such animal in the care of a duly incorporated humane society or licensed veterinarian for treatment, boarding or other care or, if an officer of such humane society or such veterinarian determines that the animal appears to be diseased or disabled beyond recovery for any useful purpose, for humane killing. If the animal is placed in the care of an animal shelter, the animal shelter shall notify the owner or custodian, if known or reasonably ascertainable. If the owner or custodian is charged with a violation of this section, the board of county commissioners in the county where the animal was taken into custody shall establish and approve procedures whereby the animal shelter may petition the district court to be allowed to place the animal for adoption or euthanize the animal at any time after 21 days after the owner or custodian is notified or, if the owner or custodian is not known or reasonably ascertainable after 21 days after the animal is taken into custody, unless the owner or custodian of the animal files a renewable cash or performance bond with the county clerk of the county where the animal is being held, in an amount equal to not less than the cost of care and treatment of the animal for 30 days. Upon receiving such petition, the court shall determine whether the animal may be placed for adoption or euthanized. The board of county commissioners in the county where the animal was taken into custody shall review the cost of care and treatment being charged by the animal shelter maintaining the animal.

(f) The owner or custodian of an animal placed for adoption or killed pursuant to subsection (e) shall not be entitled to recover damages for the placement or killing of such animal unless the owner proves that such placement or killing was unwarranted.

(g) Expenses incurred for the care, treatment or boarding of any animal, taken into custody pursuant to subsection (e), pending prosecution of the owner or custodian of such animal for the crime of cruelty to animals, shall be assessed to the owner or custodian as a cost of the case if the owner or custodian is adjudicated guilty of such crime.

~~(h) Upon the filing of a sworn complaint by any public health officer, law enforcement officer, licensed veterinarian or officer or agent of any incorporated humane society, animal shelter or other appropriate facility alleging the commission of cruelty to animals, the county or district attorney shall determine the validity of the complaint and shall forthwith file charges for the crime if the complaint appears to be valid.~~

~~(+)(h)~~ If a person is adjudicated guilty of the crime of cruelty to animals, and the court having jurisdiction is satisfied that an animal owned or possessed by such person would be in the future subjected to such crime, such animal shall not be returned to or remain with such person. Such animal may be turned over to a duly incorporated humane society or licensed veterinarian for sale or other disposition.

~~(+)(i)~~ As used in this section:

- (1) "Equine" means a horse, pony, mule, jenny, donkey or hinny; and
- (2) "maliciously" means a state of mind characterized by actual evil-mindedness or specific intent to do a harmful act without a reasonable justification or excuse.";

Sec. 28. K.S.A. 2011 Supp. 21-6413 is hereby amended to read as follows: 21-6413 (a) Unlawful disposition of animals is knowingly raffling; ~~or giving as a prize or premium or using as an advertising device or promotional display~~ living rabbits or chickens, ducklings or goslings.

(b) Unlawful disposition of animals is a class C misdemeanor.

(c) The provisions of this section shall not apply to a person giving such animals to minors for use in agricultural projects under the supervision of commonly recognized youth farm organizations.";

And by renumbering sections accordingly;

On page 42, following line 5, by inserting:

"Sec. 36. K.S.A. 2011 Supp. 21-6819 is hereby amended to read as follows: 21-6819. (a) The provisions of subsections (a), (b), (c), (d), (e) and (h) of K.S.A. 2011 Supp. 21-6606, and amendments thereto, regarding multiple sentences shall apply to the sentencing of offenders pursuant to the sentencing guidelines. The mandatory consecutive sentence requirements contained in subsections (c), (d) and (e) of K.S.A. 2011 Supp. 21-6606, and amendments thereto, shall not apply if such application would result in a manifest injustice.

(b) The sentencing judge shall otherwise have discretion to impose concurrent or consecutive sentences in multiple conviction cases. The sentencing judge may consider the need to impose an overall sentence that is proportionate to the harm and culpability and shall state on the record if the sentence is to be served concurrently or consecutively. In cases where consecutive sentences may be imposed by the sentencing judge, the following shall apply:

(1) When the sentencing judge imposes multiple sentences consecutively, the consecutive sentences shall consist of an imprisonment term which ~~is~~ may not exceed the sum of the consecutive imprisonment terms, and a supervision term. The sentencing judge shall have the discretion to impose a consecutive term of imprisonment for a crime other than the primary crime of any term of months not to exceed the nonbase sentence as determined under subsection (b)(5). The postrelease supervision term will be based on the longest supervision term imposed for any of the crimes.

(2) The sentencing judge shall establish a base sentence for the primary crime. The primary crime is the crime with the highest crime severity ranking. An off-grid crime shall not be used as the primary crime in determining the base sentence when imposing multiple sentences. If sentences for off-grid and on-grid convictions are ordered to run consecutively, the offender shall not begin to serve the on-grid sentence until paroled from the off-grid sentence, and the postrelease supervision term will be based on the off-grid crime. If more than one crime of conviction is classified in the same crime category, the sentencing judge shall designate which crime will serve as the primary crime. In the instance of sentencing with both the drug grid and the nondrug grid and simultaneously having a presumption of imprisonment and probation, the sentencing judge shall use the crime which presumes imprisonment as the primary crime. In the instance of sentencing with both the drug grid and the nondrug grid and simultaneously having a presumption of either both probation or both imprisonment, the sentencing judge shall use the crime with the longest sentence term as the primary crime.

(3) The base sentence is set using the total criminal history score assigned.

(4) The total prison sentence imposed in a case involving multiple convictions arising from multiple counts within an information, complaint or indictment cannot exceed twice the base sentence. This limit shall apply only to the total sentence, and it shall not be necessary to reduce the duration of any of the nonbase sentences imposed to be served consecutively to the base sentence. The postrelease supervision term will reflect only the longest such term assigned to any of the crimes for which consecutive

sentences are imposed. Supervision periods shall not be aggregated.

(5) Nonbase sentences shall not have criminal history scores applied, as calculated in the criminal history I column of the grid, but base sentences shall have the full criminal history score assigned. In the event a conviction designated as the primary crime in a multiple conviction case is reversed on appeal, the appellate court shall remand the multiple conviction case for resentencing. Upon resentencing, if the case remains a multiple conviction case the court shall follow all of the provisions of this section concerning the sentencing of multiple conviction cases.

(6) If the sentence for the primary crime is a prison term, the entire imprisonment term of the consecutive sentences will be served in prison.

(7) If the sentence for the consecutive sentences is a prison term, the postrelease supervision term is a term of postrelease supervision as established for the primary crime.

(8) If the sentence for the primary crime is a nonprison sentence, a nonprison term will be imposed for each crime conviction, but the nonprison terms shall not be aggregated or served consecutively even though the underlying prison sentences have been ordered to be served consecutively. Upon revocation of the nonprison sentence, the offender shall serve the prison sentences consecutively as provided in this section.

(c) The following shall apply for a departure from the presumptive sentence based on aggravating factors within the context of consecutive sentences:

(1) The court may depart from the presumptive limits for consecutive sentences only if the judge finds substantial and compelling reasons to impose a departure sentence for any of the individual crimes being sentenced consecutively.

(2) When a departure sentence is imposed for any of the individual crimes sentenced consecutively, the imprisonment term of that departure sentence shall not exceed twice the maximum presumptive imprisonment term that may be imposed for that crime.

(3) The total imprisonment term of the consecutive sentences, including the imprisonment term for the departure crime, shall not exceed twice the maximum presumptive imprisonment term of the departure sentence following aggravation.";

And by renumbering sections accordingly;

On page 78, in line 10, after "Supp." by inserting "21-5109, 21-5302, 21-5402, 21-5426, 21-5604,"; in line 11, after "21-5716," by inserting "21-5806, 21-5807, 21-5904, 21-5905, 21-5907, 21-5911, 21-6001, 21-6110, 21-6112, 21-6312, 21-6412, 21-6413,"; in line 13, after "6810," by inserting "21-6819,";

On page 1, in the title, in line 1, following "procedure;" by inserting "creating the crime of armed criminal action;"; in line 2, following "to" by inserting "further amendments to the Kansas criminal code;" in line 4, following "Supp." by inserting "21-5109, 21-5302, 21-5402, 21-5426, 21-5604,"; in line 5, following "21-5716," by inserting "21-5806, 21-5807, 21-5904, 21-5905, 21-5907, 21-5911, 21-6001, 21-6110, 21-6112, 21-6312, 21-6412, 21-6413,"; in line 6, following "21-6810," by inserting "21-6819," and **S Sub for HB 2318** be passed as amended.

Senator Owens moved to adopt the committee report on **HB 2606**.

On motion of Senator Emler the senate recessed until 3:50 p.m.

The Senate met pursuant to recess with Senator Brungardt in the chair.

The Senate returned to the Committee of the Whole.

A motion by Senator Abrams to amend **HB 2606** failed and the following amendment was rejected:

On page 157, by striking all in lines 6 through 43;

By striking all on pages 158 through 244;

On page 245, by striking all in lines 1 through 20 and inserting the following:

"Sec. 134. Senatorial district 1 shall consist of all of Atchison county; and all of Brown county; and all of Doniphan county; and all of Jackson county; and all of Pottawatomie county.

Sec. 135. Senatorial district 2 shall consist of the following blocks in voting district (000030), tract 0008.01, block group 1, in Douglas county: block 006, block 007, block 009, block 010, block 046; and the following blocks in voting district (000030), tract 0014.00, block group 1, in Douglas county: block 009, block 092; and the following blocks in voting district (00006A), tract 0006.03, block group 1, in Douglas county: block 060, block 065, block 066; and the following blocks in voting district (00006A), tract 0016.00, block group 2, in Douglas county: block 012, block 013, block 044, block 046, block 047, block 048, block 049, block 056; and the following voting districts in Douglas county: (00007A), (000080), (000090), (00010A), (000110), (00012A), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000330), (000340), (000350), (000360), (000370), (000380), (000400), (000410), (000420), (000430), (00044A), (000450), (000460), (000470), (00050A), (00050C), (00052A), (00053A), (000560); and the following blocks in voting district (00061A), tract 0005.01, block group 1, in Douglas county: block 001, block 003, block 005, block 037; and the following blocks in voting district (00061A), tract 0006.03, block group 1, in Douglas county: block 001, block 006, block 007, block 011, block 012, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 028, block 029, block 038; and the following blocks in voting district (00061A), tract 0006.03, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 009, block 010, block 014, block 015, block 026, block 027, block 085; and the following blocks in voting district (00061A), tract 0006.04, block group 1, in Douglas county: block 007; and the following blocks in voting district (00061A), tract 0015.00, block group 1, in Douglas county: block 053, block 054, block 055, block 056, block 057, block 060, block 061, block 063, block 069, block 076; and the following blocks in voting district (00067A), tract 0008.01, block group 1, in Douglas county: block 017, block 028, block 029, block 038, block 039, block 040, block 041, block 042, block 048, block 049; and the following blocks in voting district (00067A), tract 0008.01, block group 2, in Douglas county: block 032, block 033, block 038, block 039, block 040, block 041, block 043, block 045; and the following blocks in voting district (00067A), tract 0008.02, block group 2, in Douglas county: block 004, block 005, block 006, block 007, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (00067A), tract 0009.02, block group 1, in Douglas county: block 031, block 032, block 037, block 038, block 039; and the following blocks in voting district (00067A), tract 0012.01, block group 1, in Douglas county: block 073,

block 074; and the following blocks in voting district (00067A), tract 0014.00, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005; and the following voting districts in Douglas county: (00067B); and the following blocks in voting district (200010), tract 0010.01, block group 2, in Douglas county: block 028, block 038; and the following blocks in voting district (200010), tract 0010.02, block group 2, in Douglas county: block 050, block 052; and the following blocks in voting district (200010), tract 0012.01, block group 1, in Douglas county: block 067, block 069; and the following blocks in voting district (200020), tract 0001.00, block group 3, in Douglas county: block 005; and the following blocks in voting district (200020), tract 0002.00, block group 1, in Douglas county: block 000, block 001, block 002, block 009, block 025; and the following blocks in voting district (200020), tract 0002.00, block group 6, in Douglas county: block 003, block 018, block 025, block 034; and the following blocks in voting district (200020), tract 0012.01, block group 1, in Douglas county: block 003, block 004, block 005, block 006, block 007, block 012, block 013; and the following voting districts in Douglas county: (400010), (400020), (400030), (400040), (400060); and the following blocks in voting district (400070), tract 0002.00, block group 6, in Douglas county: block 000, block 001, block 028, block 030, block 032; and the following blocks in voting district (400070), tract 0012.01, block group 1, in Douglas county: block 014, block 015; and the following voting districts in Douglas county: (400110), (900010), (900040), (900050), (900060), (900070), (900080), (900090), (900100); and the following blocks in voting district (900110), tract 0002.00, block group 6, in Douglas county: block 033; and the following blocks in voting district (900110), tract 0010.02, block group 2, in Douglas county: block 036, block 058; and the following blocks in voting district (900110), tract 0012.01, block group 1, in Douglas county: block 016; and the following voting districts in Douglas county: (900120), (900130), (900140), (900150), (900160).

Sec. 136. Senatorial district 3 shall consist of the following voting districts in Douglas county: (000020), (000600); and the following blocks in voting district (000650), tract 0012.01, block group 1, in Douglas county: block 020, block 028, block 029, block 030, block 031, block 032, block 033, block 041, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057; and the following blocks in voting district (000650), tract 0012.02, block group 1, in Douglas county: block 033, block 034, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 096, block 097, block 110; and the following blocks in voting district (000650), tract 0012.02, block group 2, in Douglas county: block 012, block 013, block 014, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115,

block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 132, block 133, block 134, block 147; and the following blocks in voting district (000650), tract 0012.02, block group 3, in Douglas county: block 047; and the following blocks in voting district (200010), tract 0010.02, block group 2, in Douglas county: block 028, block 040, block 067, block 068, block 069; and the following blocks in voting district (200010), tract 0012.01, block group 1, in Douglas county: block 038, block 039, block 040, block 043, block 044, block 048, block 049, block 058, block 059, block 060, block 061, block 062, block 064, block 065, block 066, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 096, block 100, block 101, block 102, block 103, block 104, block 107, block 140; and the following blocks in voting district (200020), tract 0002.00, block group 6, in Douglas county: block 026; and the following blocks in voting district (200020), tract 0010.02, block group 2, in Douglas county: block 004, block 012; and the following voting districts in Douglas county: (400050); and the following blocks in voting district (400070), tract 0002.00, block group 6, in Douglas county: block 004, block 005, block 027, block 029; and the following blocks in voting district (400070), tract 0010.02, block group 2, in Douglas county: block 001, block 002, block 003, block 005, block 006, block 007, block 008, block 009, block 010, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 032, block 033, block 060, block 061, block 062, block 070; and the following blocks in voting district (400070), tract 0010.02, block group 3, in Douglas county: block 000, block 003, block 004, block 005, block 006; and the following voting districts in Douglas county: (400090), (400100), (900020); and the following blocks in voting district (900110), tract 0010.02, block group 2, in Douglas county: block 000, block 023, block 029, block 030, block 031; and the following blocks in voting district (900110), tract 0012.01, block group 1, in Douglas county: block 022, block 023; and the following blocks in voting district (000080), tract 0527.00, block group 2, in Johnson county: block 168; and the following voting districts in Johnson county: (000090), (00014C), (000160), (001000), (001010), (001090), (001130); and the following blocks in voting district (001150), tract 0535.55, block group 2, in Johnson county: block 003, block 006; and the following voting districts in Johnson county: (001200), (001210), (001220); and the following blocks in voting district (001280), tract 0535.55, block group 2, in Johnson county: block 002, block 007; and the following voting districts in Johnson county: (00153J), (00153K), (00153P), (004030), (004040); and the following blocks in voting district (004080), tract 0527.00, block group 2, in Johnson county: block 158, block 160, block 463; and the following voting districts in Johnson county: (004090), (004100); and the following blocks in voting district (004180), tract 0528.01, block group 3, in Johnson county: block 000, block 001; and the following blocks in voting district (004180), tract 0528.02, block group 1, in Johnson county: block 009; and the following voting districts in Johnson county: (100030); and the following blocks in voting district (900040), tract 0527.00, block group 2, in Johnson county: block 157, block 162, block 165, block 171, block 174, block 438, block 440, block 442, block 443, block 461; and the following voting districts in Johnson county: (900050), (900080); and the following blocks in voting district (900090), tract 0537.09, block group 5, in Johnson county: block 015; and the following voting districts in Johnson county: (900120), (900130), (900150), (900640), (900680), (901510), (901550), (901560); and the following blocks

in voting district (901720), tract 0528.01, block group 3, in Johnson county: block 011; and the following blocks in voting district (901720), tract 0528.01, block group 4, in Johnson county: block 002, block 003, block 004, block 008, block 009, block 010, block 011; and the following blocks in voting district (901720), tract 0528.01, block group 5, in Johnson county: block 017, block 021, block 038; and the following voting districts in Johnson county: (901750), (901760), (901800); and the following blocks in voting district (901810), tract 0536.02, block group 1, in Johnson county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 036, block 038, block 039, block 040, block 057, block 058, block 059, block 060, block 061, block 071, block 073, block 078, block 079; and the following blocks in voting district (901810), tract 0536.02, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 006, block 007, block 008, block 009, block 010, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 035, block 036; and the following blocks in voting district (901810), tract 0537.11, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Johnson county: (901820), (901830); and the following blocks in voting district (901840), tract 0537.01, block group 1, in Johnson county: block 001, block 033, block 038, block 039, block 041, block 043; and the following blocks in voting district (901840), tract 0537.01, block group 2, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 035, block 036, block 037, block 039, block 040, block 041, block 042, block 043, block 044, block 047, block 049, block 050, block 051, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 063, block 064, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 075, block 077, block 078, block 079, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 094, block 095, block 096, block 097, block 099, block 100, block 101, block 102, block 103, block 107, block 109; and the following blocks in voting district (901840), tract 0537.12, block group 3, in Johnson county: block 045, block 046, block 076, block 086, block 087; and the following voting districts in Johnson county: (901900), (901930); and the following blocks in voting district (901940), tract 0527.00, block group 1, in Johnson county: block 005; and the following blocks in voting district (901940), tract 0527.00, block group 2, in Johnson county: block 033, block 066, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block

134, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 163, block 164, block 166, block 167, block 169, block 170, block 172, block 173, block 175, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 303, block 304, block 305, block 306, block 307, block 308, block 309, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 324, block 325, block 326, block 327, block 328, block 329, block 330, block 331, block 332, block 333, block 334, block 335, block 336, block 337, block 338, block 339, block 340, block 341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 349, block 350, block 351, block 352, block 353, block 354, block 355, block 356, block 357, block 358, block 359, block 360, block 361, block 362, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 379, block 380, block 381, block 382, block 383, block 384, block 385, block 386, block 387, block 388, block 389, block 390, block 391, block 392, block 393, block 394, block 395, block 396, block 397, block 398, block 399, block 400, block 401, block 402, block 403, block 404, block 405, block 406, block 407, block 408, block 409, block 410, block 411, block 412, block 413, block 414, block 415, block 416, block 417, block 418, block 419, block 420, block 421, block 422, block 423, block 424, block 425, block 426, block 427, block 428, block 429, block 430, block 431, block 432, block 433, block 434, block 435, block 436, block 437, block 441, block 444, block 445, block 446, block 447, block 448, block 449, block 450, block 451, block 452, block 453, block 454, block 455, block 456, block 457, block 458, block 459, block 460, block 462, block 464, block 465, block 476; and the following voting districts in Leavenworth county: (000020); and the following blocks in voting district (000030), tract 0712.03, block group 1, in Leavenworth county: block 047, block 048, block 049, block 050, block 057; and the following blocks in voting district (000030), tract 0712.03, block group 2, in Leavenworth county: block 054, block 055, block 056, block 057, block 061, block 062, block 063, block 066, block 067, block 068, block 069, block 070,

block 075, block 077, block 085, block 086; and the following blocks in voting district (000030), tract 0712.03, block group 3, in Leavenworth county: block 000, block 008, block 009, block 010, block 011, block 012, block 013, block 016, block 022; and the following blocks in voting district (000030), tract 0712.03, block group 4, in Leavenworth county: block 001, block 015, block 041; and the following voting districts in Leavenworth county: (000050), (000310); and the following blocks in voting district (000320), tract 0714.00, block group 1, in Leavenworth county: block 099; and the following blocks in voting district (000320), tract 0714.00, block group 2, in Leavenworth county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084; and the following blocks in voting district (000320), tract 0714.00, block group 3, in Leavenworth county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 052, block 057, block 059, block 060, block 061, block 062, block 063, block 064, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 093; and the following blocks in voting district (000320), tract 0718.00, block group 2, in Leavenworth county: block 055, block 056; and the following voting districts in Leavenworth county: (900020), (900030); and the following blocks in voting district (600550), tract 0440.01, block group 1, in Wyandotte county: block 002, block 003; and the following blocks in voting district (600550), tract 0447.04, block group 2, in Wyandotte county: block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 055; and the following voting districts in Wyandotte county: (600750), (600760), (601060), (601070), (601080), (601090); and the following blocks in voting district (601100), tract 0448.03, block group 1, in Wyandotte county: block 027, block 028, block 029, block 030, block 031, block 032, block 039, block 040, block 041, block 042, block 043.

Sec. 137. Senatorial district 4 shall consist of the following voting districts in Wyandotte county: (600090), (600100); and the following blocks in voting district (600110), tract 0400.01, block group 1, in Wyandotte county: block 126; and the

following blocks in voting district (600110), tract 0400.02, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 015, block 016, block 017; and the following blocks in voting district (600110), tract 0419.00, block group 2, in Wyandotte county: block 002; and the following voting districts in Wyandotte county: (600120), (600130), (600140), (600150), (600160), (600170), (600180), (600190), (600200), (600210), (600220), (600230), (600240); and the following blocks in voting district (600250), tract 0419.00, block group 2, in Wyandotte county: block 010, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (600250), tract 0420.02, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (600250), tract 0424.00, block group 2, in Wyandotte county: block 001; and the following blocks in voting district (600260), tract 0420.02, block group 1, in Wyandotte county: block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (600260), tract 0420.02, block group 2, in Wyandotte county: block 000, block 001, block 002; and the following voting districts in Wyandotte county: (600450); and the following blocks in voting district (600460), tract 0416.00, block group 3, in Wyandotte county: block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Wyandotte county: (600470); and the following blocks in voting district (600480), tract 0415.00, block group 1, in Wyandotte county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 036, block 038; and the following blocks in voting district (600480), tract 0415.00, block group 2, in Wyandotte county: block 017, block 018, block 019, block 020, block 023, block 024; and the following blocks in voting district (600480), tract 0425.02, block group 1, in Wyandotte county: block 095; and the following blocks in voting district (600480), tract 0439.05, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 038, block 039, block 063, block 065; and the following voting districts in Wyandotte county: (600500); and the following blocks in voting district (600520), tract 0439.05, block group 1, in Wyandotte county: block 014, block 017, block 018, block 022; and the following blocks in voting district (600520), tract 0440.01, block group 2, in Wyandotte county: block 000, block 001, block 002, block 004, block 005, block 006; and the following blocks in voting district (600520), tract 0441.01, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following voting districts in Wyandotte county: (600530); and the following blocks in voting district (600540), tract 0441.02, block group 3, in Wyandotte county: block 000, block 001, block 003, block 004, block 005, block 006, block 007,

block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600550), tract 0441.02, block group 1, in Wyandotte county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020; and the following voting districts in Wyandotte county: (600590), (600600), (600610), (600620), (600630), (600640), (600650), (600660), (600670), (600680), (600690), (600700), (600710), (600720), (600730), (600740), (600870), (600880), (600890), (600900), (600910), (600920), (600930), (600940), (600950), (600970), (600980), (600990), (601000), (601010), (601020); and the following blocks in voting district (601030), tract 0442.01, block group 1, in Wyandotte county: block 000, block 001, block 002; and the following blocks in voting district (601030), tract 0442.01, block group 4, in Wyandotte county: block 014, block 016, block 017, block 019.

Sec. 138. Senatorial district 5 shall consist of the following voting districts in Leavenworth county: (000010); and the following blocks in voting district (000030), tract 0712.03, block group 1, in Leavenworth county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 041; and the following blocks in voting district (000030), tract 0712.03, block group 2, in Leavenworth county: block 000, block 001, block 017, block 018, block 039, block 040, block 047; and the following voting districts in Leavenworth county: (000040), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (00017A), (00017B), (000180), (00019A), (00019B), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (00027A), (000280), (00029A), (00029C), (00029D), (000300), (000330), (000340), (000350), (000360), (000370), (000380), (000390), (300010), (800010), (900010), (900040), (900050), (900060), (900080); and the following voting districts in Wyandotte county: (600960); and the following blocks in voting district (601030), tract 0442.01, block group 1, in Wyandotte county: block 003; and the following blocks in voting district (601030), tract 0446.01, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060; and the following blocks in voting district (601030), tract 0446.02, block group 1, in Wyandotte county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (601030), tract 0448.04, block group 2, in Wyandotte county: block 000, block 002, block 003, block 004; and the following voting districts in Wyandotte county: (601040), (601050); and the following blocks in voting district (601100), tract 0448.03, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005,

block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 033, block 034, block 035, block 036, block 037, block 038, block 044, block 045, block 046, block 047, block 048, block 049.

Sec. 139. Senatorial district 6 shall consist of the following blocks in voting district (000920), tract 0503.01, block group 1, in Johnson county: block 009, block 010, block 011, block 012, block 016; and the following blocks in voting district (000920), tract 0522.01, block group 1, in Johnson county: block 000, block 025; and the following blocks in voting district (001540), tract 0504.00, block group 2, in Johnson county: block 000, block 001, block 002; and the following blocks in voting district (001540), tract 0522.01, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 023, block 024, block 030, block 031; and the following voting districts in Johnson county: (002770), (900490), (900500); and the following blocks in voting district (900510), tract 0522.01, block group 2, in Johnson county: block 013, block 019, block 020; and the following blocks in voting district (900510), tract 0522.01, block group 3, in Johnson county: block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 021; and the following blocks in voting district (900520), tract 0522.01, block group 2, in Johnson county: block 014, block 017, block 018; and the following voting districts in Wyandotte county: (600010), (600020), (600030), (600040), (600050), (600060), (600070), (600080); and the following blocks in voting district (600110), tract 0400.02, block group 1, in Wyandotte county: block 012, block 013, block 014, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063; and the following blocks in voting district (600110), tract 0418.00, block group 1, in Wyandotte county: block 017, block 031; and the following blocks in voting district (600110), tract 0419.00, block group 1, in Wyandotte county: block 000, block 006, block 007; and the following blocks in voting district (600110), tract 0419.00, block group 2, in Wyandotte county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 034; and the following blocks in voting district (600110), tract 0425.01, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (600250), tract 0424.00, block group 2, in Wyandotte county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (600250), tract 0424.00, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (600250), tract 0425.01, block group 1,

in Wyandotte county: block 014, block 015, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 120, block 121, block 122, block 123, block 124, block 125; and the following blocks in voting district (600260), tract 0420.02, block group 2, in Wyandotte county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (600260), tract 0424.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 006; and the following voting districts in Wyandotte county: (600270), (600280), (600290), (600300), (600310), (600320), (600330), (600340), (600350), (600360), (600370), (600380), (600390), (600400), (600410), (600420), (600430), (600440); and the following blocks in voting district (600460), tract 0416.00, block group 4, in Wyandotte county: block 020; and the following blocks in voting district (600460), tract 0422.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600460), tract 0422.00, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 028, block 029; and the following blocks in voting district (600460), tract 0425.02, block group 1, in Wyandotte county: block 102; and the following blocks in voting district (600480), tract 0425.02, block group 1, in Wyandotte county: block 015; and the following blocks in voting district (600480), tract 0439.05, block group 2, in Wyandotte county: block 032, block 033, block 034, block 036, block 037, block 040, block 041, block 042, block 043, block 044, block 045, block 050, block 051, block 052, block 053, block 054, block 055, block 061, block 062; and the following voting districts in Wyandotte county: (600490), (600510); and the following blocks in voting district (600520), tract 0440.01, block group 2, in Wyandotte county: block 003; and the following blocks in voting district (600520), tract 0440.01, block group 3, in Wyandotte county: block 026, block 028; and the following blocks in voting district (600540), tract 0440.01, block group 1, in Wyandotte county: block 000, block 001, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 024, block 025, block 026; and the following blocks in voting district (600540), tract 0441.02, block group 3, in Wyandotte county: block 002; and the following voting districts in Wyandotte county: (600560), (600570), (600580), (600770), (600780), (600790), (600800), (600810), (600820), (600830), (600840), (600850), (600860).

Sec. 140. Senatorial district 7 shall consist of the following voting districts in Johnson county: (000100), (000110), (000120), (000130), (000200), (000210), (000220), (000230), (000840), (000850), (000860), (000870), (000880), (000890), (000900), (000910); and the following blocks in voting district (000920), tract 0503.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 013, block 014, block 015, block 017, block 018; and the following blocks in voting district (000920), tract

0503.01, block group 2, in Johnson county: block 000, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following voting districts in Johnson county: (000930), (000940), (000950), (000960), (000970); and the following blocks in voting district (001540), tract 0504.00, block group 2, in Johnson county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 014, block 015; and the following blocks in voting district (001540), tract 0504.00, block group 3, in Johnson county: block 001, block 002, block 003, block 021; and the following voting districts in Johnson county: (001550), (001560), (001590), (002310), (002320), (002500), (002510), (002520), (002530), (002550), (002560), (002570), (002580), (002590), (002600), (002610), (002620), (002630), (002640), (002650), (002660), (002670), (002680), (002690), (002700), (002710), (002720), (002730), (002740), (002750), (002870), (002920), (003050); and the following blocks in voting district (003070), tract 0520.03, block group 5, in Johnson county: block 000, block 001, block 002, block 003, block 008, block 009; and the following blocks in voting district (003070), tract 0520.03, block group 6, in Johnson county: block 010, block 011, block 012, block 013; and the following voting districts in Johnson county: (003080), (003130), (003140), (003150); and the following blocks in voting district (900510), tract 0521.01, block group 1, in Johnson county: block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 043, block 047; and the following blocks in voting district (900520), tract 0521.01, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 041, block 042, block 044, block 045, block 046, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066; and the following voting districts in Johnson county: (900530), (900540), (900550), (900560), (901320).

Sec. 141. Senatorial district 8 shall consist of the following voting districts in Johnson county: (000620), (000630), (000640), (000650), (000660), (001570), (001580), (001600), (001610), (001620), (001630), (001640), (001650), (001660), (001670), (001680), (001690), (001700), (001710), (001720), (001730), (001740), (001750), (001760), (001770), (001780), (001790), (001800), (001810), (001820), (001830), (001840), (001850), (001860), (001870), (001880), (001890), (001920), (001930), (001940), (001960), (001970), (001980), (001990), (002000), (002010), (002040), (002050), (002120), (002280), (002290), (002300), (002540); and the following blocks in voting district (900460), tract 0524.05, block group 3, in Johnson county: block 009; and the following blocks in voting district (900460), tract 0524.17, block group 2, in Johnson county: block 015, block 018, block 019; and the following voting districts in Johnson county: (900990).

Sec. 142. Senatorial district 9 shall consist of the following voting districts in Johnson county: (000070); and the following blocks in voting district (000080), tract 0527.00, block group 1, in Johnson county: block 100; and the following blocks in voting district (000080), tract 0527.00, block group 2, in Johnson county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block

028, block 029, block 030, block 031, block 032, block 034, block 035, block 036, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 078, block 079, block 080, block 466; and the following blocks in voting district (000080), tract 0527.00, block group 3, in Johnson county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 044; and the following voting districts in Johnson county: (000510), (000520), (000530), (000540), (000550), (000560); and the following blocks in voting district (001150), tract 0529.06, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 010, block 011, block 012, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 036, block 037, block 038, block 039, block 042, block 043; and the following voting districts in Johnson county: (001160), (00117A), (00117B), (001240), (001250), (001260); and the following blocks in voting district (001280), tract 0529.06, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (001280), tract 0535.55, block group 2, in Johnson county: block 000, block 001, block 008; and the following voting districts in Johnson county: (001290), (001420), (001450), (001490), (001500), (001510), (001520), (004070); and the following blocks in voting district (004080), tract 0527.00, block group 2, in Johnson county: block 159; and the following voting districts in Johnson county: (004140); and the following blocks in voting district (004180), tract 0528.02, block group 1, in Johnson county: block 006, block 007, block 008, block 010; and the following blocks in voting district (900040), tract 0527.00, block group 1, in Johnson county: block 002, block 009, block 010, block 011, block 012, block 013, block 016, block 017, block 018, block 021, block 022, block 119; and the following blocks in voting district (900040), tract 0527.00, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 176; and the following blocks in voting district (900040), tract 0527.00, block group 3, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 028, block 029, block 030, block 031, block 032, block 033, block 041, block 042, block 043, block 045; and the following voting districts in Johnson county: (900060), (900370), (900380), (900390), (900400), (900410), (900420), (900450); and the following blocks in voting district (900460), tract 0529.10, block group 2, in Johnson county: block 000; and the following blocks in voting district (900460), tract 0530.05, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (900460), tract 9800.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037,

block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 095, block 096, block 097, block 098, block 099; and the following voting districts in Johnson county: (900470), (900480), (900660), (900670), (900700), (900710), (900720), (900730), (900740), (900750), (900760), (900870), (900880), (900890), (901430), (901650), (901660), (901670), (901700), (901710); and the following blocks in voting district (901720), tract 0528.01, block group 5, in Johnson county: block 002, block 012, block 016, block 032, block 033, block 034; and the following voting districts in Johnson county: (901850), (901910); and the following blocks in voting district (901940), tract 0527.00, block group 1, in Johnson county: block 000, block 004, block 006, block 007, block 008, block 027, block 028, block 029, block 031, block 032, block 033, block 035, block 036, block 037, block 038, block 039, block 068, block 092, block 093, block 095, block 096, block 097, block 098, block 099, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 117, block 118, block 121, block 122; and the following blocks in voting district (901940), tract 0527.00, block group 2, in Johnson county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 037, block 038, block 076, block 077, block 101, block 102, block 103; and the following blocks in voting district (000320), tract 0714.00, block group 3, in Leavenworth county: block 058, block 065, block 094, block 095.

Sec. 143. Senatorial district 10 shall consist of the following voting districts in Johnson county: (000190), (000430), (000440), (000450), (000460), (000580), (000590), (000600), (000610), (002760), (002780), (002790), (002800), (002810), (002820), (002830), (002850), (002860), (002880), (002890), (002900), (002910), (002930), (002940), (002960), (002980), (002990), (003000), (003010), (003020), (003030), (003040), (003060); and the following blocks in voting district (003070), tract 0523.04, block group 3, in Johnson county: block 012, block 013, block 014, block 021, block 022, block 023, block 024; and the following voting districts in Johnson county: (003090), (900030), (900360), (900430), (900440), (901330), (901340), (901350), (901360), (901370), (901380), (901390), (901400), (901410), (901420); and the following voting districts in Wyandotte county: (601110).

Sec. 144. Senatorial district 11 shall consist of the following voting districts in Johnson county: (000240), (000270), (000350), (000370), (001900), (001910), (001950), (002020), (002030), (002060), (002070), (002080), (002090), (002130), (002140), (002150), (002180), (002190), (002200), (002210), (002330), (002340), (002350), (002370), (002380), (002390), (002400), (002410), (00242A), (00242B), (00244B), (00249C), (900190), (900200), (900210), (900220), (900230), (900240), (900250), (900260), (900270), (900280), (900290), (900300), (900310), (900320), (900330), (900340), (900350); and the following blocks in voting district (901060), tract 0534.14, block group 1, in Johnson county: block 017, block 024; and the following voting districts in Johnson county: (901070), (901080), (901200).

Sec. 145. Senatorial district 12 shall consist of the following voting districts in Franklin county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000100), (000110), (00012A), (00013A), (00013B), (00013C), (000140), (000150), (000160), (000170), (000180), (000190), (00020A), (000210), (000220), (000230), (000240), (900010); and all of Linn county; and all of Miami county.

Sec. 146. Senatorial district 13 shall consist of the following voting districts in Allen county: (000020), (000030), (000040), (000140), (000150), (000170), (000180), (000190), (000210); and all of Bourbon county; and the following voting districts in Cherokee county: (000050), (00010B), (000110), (000120), (00013A), (00013B), (00013C), (00013D), (000140), (00015A), (00015B), (000160), (000170), (00018A), (00018B), (00018C), (000200), (000220), (000250), (000260), (000270), (000280), (000290), (000310), (000320), (000330), (000340), (000350), (00039A), (000400), (000410), (00042A), (00042B); and all of Crawford county.

Sec. 147. Senatorial district 14 shall consist of the following voting districts in Cherokee county: (000010), (000020), (000030), (00004A), (00004B), (000060), (000070), (000080), (000090), (00010A), (000190), (000210), (000230), (000240), (00030A), (00030B), (000360), (00037A), (00037B), (00037C), (000380); and all of Labette county; and the following voting districts in Montgomery county: (00001A), (00001B), (00001C), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000250), (000260), (000430), (00044A), (00044B), (00044C), (000470), (900010), (900020), (900030), (900040); and all of Neosho county.

Sec. 148. Senatorial district 15 shall consist of the following voting districts in Allen county: (000010), (000050), (00006A), (00006B), (00006C), (000070), (000080), (000090), (00010A), (00010B), (000110), (000120), (000130), (00016A), (00016B), (00016C), (00020A), (00020B); and all of Anderson county; and all of Chautauqua county; and all of Coffey county; and all of Elk county; and the following voting districts in Franklin county: (000090), (000250); and all of Greenwood county; and the following voting districts in Montgomery county: (000240), (000270), (000280), (000290), (000300), (000310), (00032A), (00032B), (000330), (000340), (000350), (000360), (000370), (000380), (000390), (00040A), (00040B), (00040C), (000410), (000420), (000450), (000460), (900050), (900060); and all of Wilson county; and all of Woodson county.

Sec. 149. Senatorial district 16 shall consist of all of Butler county; and the following blocks in voting district (500590), tract 0100.01, block group 1, in Sedgwick county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 018, block 019, block 020, block 024, block 025, block 026, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 045, block 046, block 053, block 054, block 056, block 057, block 058, block 060, block 061, block 062, block 063, block 064, block 065, block 068, block 071, block 072, block 073, block 074, block 075, block 076, block 077; and the following blocks in voting district (500590), tract 0100.02, block group 1, in Sedgwick county: block 001, block 002, block 003, block 006, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 017, block 018, block 019, block 020, block 021, block 022, block 025, block 026, block 027, block 028,

block 029, block 033, block 036; and the following blocks in voting district (503040), tract 0100.01, block group 1, in Sedgwick county: block 027, block 028, block 029, block 030, block 031, block 032, block 066, block 067, block 069, block 078, block 079, block 080; and the following blocks in voting district (503040), tract 0100.02, block group 1, in Sedgwick county: block 016, block 030, block 031, block 032, block 034, block 035; and the following voting districts in Sedgwick county: (600420); and the following blocks in voting district (600430), tract 0100.01, block group 1, in Sedgwick county: block 004, block 006, block 015, block 016, block 017, block 021, block 022, block 023, block 043, block 044, block 047, block 048, block 049, block 050, block 051, block 052, block 055, block 059; and the following blocks in voting district (600430), tract 0100.02, block group 1, in Sedgwick county: block 004, block 005, block 037; and the following voting districts in Sedgwick county: (700800).

Sec. 150. Senatorial district 17 shall consist of all of Chase county; and all of Lyon county; and all of Marion county; and the following voting districts in Morris county: (000010), (000020), (000030), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (900010), (900020); and all of Osage county.

Sec. 151. Senatorial district 18 shall consist of the following voting districts in Shawnee county: (000090), (000150); and the following blocks in voting district (000250), tract 0008.00, block group 1, in Shawnee county: block 076, block 082, block 083; and the following blocks in voting district (000260), tract 0008.00, block group 1, in Shawnee county: block 081, block 091; and the following voting districts in Shawnee county: (000330), (000350), (000410), (000420), (000430), (000440); and the following blocks in voting district (000480), tract 0008.00, block group 1, in Shawnee county: block 085, block 096; and the following voting districts in Shawnee county: (000540), (000550), (000570); and the following blocks in voting district (000580), tract 0040.00, block group 1, in Shawnee county: block 000, block 001, block 002, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 117; and the following blocks in voting district (000580), tract 0040.00, block group 2, in Shawnee county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051; and the following blocks in voting district (000580), tract 0040.00, block group 3, in Shawnee county:

block 005, block 006; and the following voting districts in Shawnee county: (000590), (000600), (000610), (000630), (000640), (000650), (000660), (000710), (000740), (000790), (001040), (001050), (001060), (001070), (001080), (001090), (001100), (001120), (001130), (001140), (001150), (001160), (001170), (001180), (001190), (001200), (001210), (001220), (001230), (001240), (001360), (001370), (001380), (001410), (001460), (001760), (001850), (001880), (100050), (200010), (200020), (400100), (400110), (600010), (600020), (600030), (600050), (600060), (600130), (600140), (600220), (600230), (600240), (600340), (600350), (600360), (600370), (600380), (600390), (600570), (600580), (900030), (900040), (900050); and all of Wabausee county.

Sec. 152. Senatorial district 19 shall consist of the following voting districts in Douglas county: (000010); and the following blocks in voting district (000030), tract 0008.01, block group 1, in Douglas county: block 012; and the following blocks in voting district (000030), tract 0014.00, block group 1, in Douglas county: block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 029, block 030, block 031, block 032, block 034, block 035, block 036, block 038, block 039, block 040, block 062, block 093, block 094; and the following blocks in voting district (000030), tract 0014.00, block group 2, in Douglas county: block 136, block 145, block 146, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 193, block 194, block 195, block 196, block 197, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 228; and the following blocks in voting district (000030), tract 0014.00, block group 3, in Douglas county: block 000, block 001, block 002, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 055, block 070, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 220, block 221, block 224, block 225; and the following voting districts in Douglas county: (000050); and the following blocks in voting district (00006A), tract 0006.03, block group 1, in Douglas county: block 002, block 003, block 004, block 005, block 013, block 014, block 016, block 017, block 018, block 035, block 036, block 040, block 058, block 059, block 061, block 062, block 063, block 064, block 098; and the following blocks in voting district (00006A), tract 0014.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 042, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block

087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 198, block 199, block 225, block 226, block 227, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237; and the following blocks in voting district (00006A), tract 0014.00, block group 3, in Douglas county: block 003, block 004, block 005, block 006, block 007, block 008, block 222; and the following blocks in voting district (00006A), tract 0015.00, block group 1, in Douglas county: block 080, block 081, block 093, block 094, block 095, block 097; and the following blocks in voting district (00006A), tract 0015.00, block group 2, in Douglas county: block 072, block 073, block 074; and the following voting districts in Douglas county: (00048A), (00048B), (00048C), (00048D), (000580), (000590); and the following blocks in voting district (00061A), tract 0006.03, block group 1, in Douglas county: block 000; and the following blocks in voting district (00061A), tract 0015.00, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 043, block 044, block 045, block 046, block 047, block 048, block 077, block 078, block 079, block 089, block 100, block 101; and the following voting districts in Douglas county: (000620), (000630), (000640); and the following blocks in voting district (000650), tract 0012.02, block group 1, in Douglas county: block 093, block 094, block 095, block 099, block 100, block 101, block 102, block 103, block 108; and the following blocks in voting district (000650), tract 0012.02, block group 2, in Douglas county: block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131; and the following voting districts in Douglas county: (000660); and the following blocks in voting district (00067A), tract 0009.02, block group 1, in Douglas county: block 043; and the following blocks in voting district (00067A), tract 0012.01, block group 1, in Douglas county: block 070, block 071, block 072, block 075, block 076, block 077, block 081, block 082, block 083; and the following blocks in voting district (00067A), tract 0014.00, block group 1, in Douglas county: block 010, block 011, block 012, block 013, block 014, block 015, block 025, block 026, block 027, block 028, block 037, block 045, block 046, block 047; and the following voting districts in Douglas county: (000680); and the following blocks in voting district (200010), tract 0012.01, block group 1, in Douglas county: block 068, block 079, block 080, block 093, block 094, block 095, block 109, block 134; and the following voting districts in Douglas county: (400080), (900170); and all of Jefferson county; and the following voting districts in Shawnee county: (000080), (000180), (000190); and the following blocks in voting

district (000250), tract 0008.00, block group 1, in Shawnee county: block 089; and the following blocks in voting district (000250), tract 0009.00, block group 4, in Shawnee county: block 012, block 013; and the following blocks in voting district (000260), tract 0008.00, block group 1, in Shawnee county: block 090; and the following blocks in voting district (000260), tract 0009.00, block group 4, in Shawnee county: block 000, block 001, block 002, block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 015, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 026, block 030, block 041, block 045, block 046, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 063, block 064, block 076, block 078, block 079, block 080; and the following blocks in voting district (000260), tract 0031.00, block group 1, in Shawnee county: block 002, block 003, block 004; and the following blocks in voting district (000260), tract 0039.01, block group 1, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 018, block 021, block 022; and the following blocks in voting district (000260), tract 0039.01, block group 3, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 011; and the following voting districts in Shawnee county: (000270), (000290), (000300), (000310); and the following blocks in voting district (000480), tract 0008.00, block group 1, in Shawnee county: block 086; and the following blocks in voting district (000480), tract 0009.00, block group 1, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (000480), tract 0009.00, block group 2, in Shawnee county: block 000, block 001, block 002, block 003; and the following blocks in voting district (000480), tract 0009.00, block group 3, in Shawnee county: block 000, block 001, block 002, block 003; and the following blocks in voting district (000480), tract 0009.00, block group 4, in Shawnee county: block 003, block 005, block 014, block 016, block 017, block 025, block 027, block 028, block 029, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 042, block 043, block 044, block 077; and the following voting districts in Shawnee county: (000490), (000500), (000510), (000520), (000530), (000560); and the following blocks in voting district (000580), tract 0010.00, block group 4, in Shawnee county: block 010, block 012; and the following voting districts in Shawnee county: (000690), (000700), (000750), (000760), (000770), (000780), (000800), (000820), (000830), (000840), (000850), (000860), (000870), (000880), (000890), (000910), (000920), (000930), (000940), (000950), (001010), (001910), (100060), (200090), (500070), (500080), (500120), (500130), (600420), (600430); and the following blocks in voting district (900020), tract 0030.02, block group 2, in Shawnee county: block 038, block 045, block 049, block 050, block 051, block 052.

Sec. 153. Senatorial district 20 shall consist of the following voting districts in Shawnee county: (000210), (000240), (000280), (000340), (000370), (000960), (000970), (000980), (000990), (001000), (001030), (001250), (001260), (001270), (001280), (001290), (001300), (001310), (001320), (001330), (001340), (001350), (001400), (001420), (001430), (001440), (001450), (001470), (001480), (001490), (001500), (001510), (001520), (001530), (001540), (001550), (001560), (001570),

(001590), (001600), (001610), (001620), (001630), (001640), (001650), (001670), (001680), (001710), (001720), (001780), (001890), (100030), (100040), (200050), (200070), (200080), (200120), (200130), (200140), (200150), (200160), (300090), (400070), (500010), (500110), (500140), (500160), (600040), (600080), (600090), (600110), (600150), (600160), (600170), (600180), (600190), (600210), (600250), (600260), (600270), (600280), (600290), (600300), (600310), (600330), (600440), (600470), (600490), (600500), (600510), (600530), (700010), (700020), (800010), (800020), (800030), (800040), (800060), (800070), (900010); and the following blocks in voting district (900020), tract 0030.02, block group 2, in Shawnee county: block 040; and the following blocks in voting district (900020), tract 0030.02, block group 3, in Shawnee county: block 049, block 050; and the following blocks in voting district (900020), tract 0037.00, block group 1, in Shawnee county: block 007, block 013, block 076, block 093, block 094, block 105, block 110; and the following blocks in voting district (900020), tract 0037.00, block group 3, in Shawnee county: block 000, block 013, block 022, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (900020), tract 0037.00, block group 4, in Shawnee county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 024, block 025, block 026, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 076, block 082, block 083, block 084, block 148, block 149; and the following voting districts in Shawnee county: (900060), (900070), (900080), (900090).

Sec. 154. Senatorial district 21 shall consist of all of Clay county; and the following voting districts in Cloud county: (000010), (000020), (000030), (000040), (000050), (00006A), (00006B), (000070), (00008A), (00008B), (000090), (000100), (00011A), (00011B), (000120), (000130), (000150), (000160), (000170), (000180), (000190), (000200), (000220), (000230), (000250), (000260); and the following voting districts in Dickinson county: (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320); and the following blocks in voting district (00002A), tract 0006.00, block group 2, in Geary county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 020, block 023, block 039, block 056, block 057, block 058, block 059, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 073, block 074, block 075, block 091, block 092, block 095, block 096, block 097, block 098, block 099, block 100, block 107, block 108, block 109, block 110, block 111, block 112, block 117; and the following blocks in voting district (00002B), tract 0006.00, block group 2, in Geary county: block 021; and the following blocks in voting district (00002B), tract 0006.00, block group 3, in Geary county: block 009, block 010, block 011, block 012, block 047, block 061, block 062; and the following voting districts in Geary county: (00002C); and the following blocks in voting district (00002D), tract 0006.00, block group 3, in Geary county: block 028, block 030, block 031, block 033, block 034, block 038; and the

following blocks in voting district (00002E), tract 0006.00, block group 3, in Geary county: block 015, block 016, block 017, block 018, block 019, block 020, block 039; and the following blocks in voting district (00002F), tract 0006.00, block group 3, in Geary county: block 013, block 014, block 060; and the following blocks in voting district (00002K), tract 0006.00, block group 2, in Geary county: block 033, block 034, block 035, block 036, block 037, block 083, block 084, block 085, block 086, block 087, block 114; and the following blocks in voting district (00002L), tract 0006.00, block group 2, in Geary county: block 018, block 024, block 038; and the following voting districts in Geary county: (00002M), (00002O), (00002P), (00002Q), (00002R), (00022B), (000270); and the following blocks in voting district (900010), tract 0007.00, block group 1, in Geary county: block 184, block 185, block 220, block 221, block 222, block 236, block 239; and the following blocks in voting district (900010), tract 0008.00, block group 1, in Geary county: block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 234, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 299, block 301, block 302, block 312, block 313, block 315, block 316, block 334, block 335, block 336, block 337, block 338, block 340; and the following blocks in voting district (900010), tract 0008.00, block group 2, in Geary county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 090, block 091, block 099, block 102, block 185, block 187, block 188, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 211, block 212, block 213, block 217, block 218, block 219, block 222, block 225, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 304, block 312, block 313, block 325, block 330, block 332, block 333, block 401, block 402, block 403, block 404; and all of Marshall county; and the following voting districts in Morris county: (000040), (000050); and all of Nemaha county; and the following voting districts in Riley county: (000020), (000030), (000040), (00005A),

(00005B), (000060), (000070), (000080); and the following blocks in voting district (000140), tract 0002.00, block group 2, in Riley county: block 009; and the following blocks in voting district (000370), tract 0002.00, block group 4, in Riley county: block 048; and the following blocks in voting district (000370), tract 0011.00, block group 1, in Riley county: block 008, block 010; and the following blocks in voting district (00039A), tract 0002.00, block group 4, in Riley county: block 042, block 043, block 044, block 045, block 046, block 047, block 051, block 052, block 054, block 064, block 070; and the following blocks in voting district (00039A), tract 0011.00, block group 1, in Riley county: block 000, block 009; and the following blocks in voting district (00039A), tract 0013.01, block group 2, in Riley county: block 000, block 025, block 026; and the following blocks in voting district (00039A), tract 0013.02, block group 1, in Riley county: block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 168, block 182; and the following blocks in voting district (00039A), tract 0013.02, block group 3, in Riley county: block 000, block 001, block 002, block 024, block 025, block 027, block 028, block 042, block 043; and the following blocks in voting district (000420), tract 0002.00, block group 2, in Riley county: block 008; and the following blocks in voting district (000420), tract 0002.00, block group 4, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 027, block 028, block 029, block 030, block 031, block 038, block 039, block 040, block 041, block 050, block 053, block 056, block 057, block 058, block 060, block 061, block 062, block 063, block 068, block 069, block 071; and the following blocks in voting district (000420), tract 0002.00, block group 5, in Riley county: block 004, block 007, block 009, block 014, block 018; and the following blocks in voting district (000420), tract 0011.00, block group 3, in Riley county: block 000, block 001, block 003, block 004; and the following voting districts in Riley county: (000430), (000450), (000460), (300020), (300030), (300040); and the following blocks in voting district (300050), tract 0002.00, block group 4, in Riley county: block 049, block 055, block 065, block 066, block 067; and the following blocks in voting district (300050), tract 0011.00, block group 1, in Riley county: block 002, block 003, block 011, block 012; and the following blocks in voting district (800001), tract 0013.01, block group 2, in Riley county: block 027, block 028; and all of Washington county.

Sec. 155. Senatorial district 22 shall consist of the following voting districts in Geary county: (000010); and the following blocks in voting district (00002A), tract 0006.00, block group 2, in Geary county: block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 060, block 071, block 072, block 076, block 113, block 118, block 119, block 120; and the following blocks in voting district (00002B), tract 0006.00, block group 1, in Geary county: block 095, block 096, block 098, block 099; and the following blocks in voting district (00002B), tract 0006.00, block group 2, in Geary county: block 013, block 015, block 016, block 017, block 019; and the following blocks in voting district (00002B), tract 0006.00, block group 3, in Geary county: block 045, block 046, block 048, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 065, block 066; and the following

blocks in voting district (00002D), tract 0006.00, block group 3, in Geary county: block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 029, block 042; and the following blocks in voting district (00002E), tract 0006.00, block group 3, in Geary county: block 040, block 041; and the following blocks in voting district (00002F), tract 0006.00, block group 3, in Geary county: block 043, block 044; and the following voting districts in Geary county: (00002G), (00002H), (00002I), (00002J); and the following blocks in voting district (00002K), tract 0001.00, block group 1, in Geary county: block 000, block 001, block 002, block 009, block 019; and the following blocks in voting district (00002K), tract 0006.00, block group 2, in Geary county: block 030, block 031, block 032, block 040, block 041, block 042, block 077, block 078, block 079, block 080, block 081, block 082, block 122, block 123, block 124, block 125, block 126; and the following blocks in voting district (00002K), tract 0006.00, block group 3, in Geary county: block 064; and the following blocks in voting district (00002L), tract 0006.00, block group 2, in Geary county: block 014, block 025, block 026, block 027, block 028, block 029, block 121; and the following blocks in voting district (00002L), tract 0006.00, block group 3, in Geary county: block 063; and the following voting districts in Geary county: (00002N), (000040), (000050), (000060), (00007A), (000080), (000090), (000100), (000110), (00013A), (000140), (000150), (00016A), (000180), (000190), (00022A), (000230), (000240), (000250), (000260); and the following blocks in voting district (900010), tract 0002.00, block group 1, in Geary county: block 000, block 001, block 002, block 003, block 008, block 016; and the following blocks in voting district (900010), tract 0002.00, block group 2, in Geary county: block 003, block 004, block 021; and the following blocks in voting district (900010), tract 0003.00, block group 2, in Geary county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 015, block 016, block 017, block 018, block 021, block 022; and the following voting districts in Geary county: (900020), (900030), (900040), (900050), (900060), (900070), (900080), (900090), (900100), (900120), (900130), (900140), (900150), (900160), (900170), (900180), (900190), (900200), (900210), (900220); and the following voting districts in Riley county: (000010), (000120); and the following blocks in voting district (000140), tract 0002.00, block group 2, in Riley county: block 010, block 018, block 019, block 020, block 021, block 023, block 024, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057; and the following blocks in voting district (000140), tract 0005.00, block group 4, in Riley county: block 000; and the following blocks in voting district (000140), tract 0011.00, block group 3, in Riley county: block 006, block 007, block 008; and the following voting districts in Riley county: (000170), (00022A), (00022B), (000230), (00025A), (00025B), (000310), (000320), (000330), (000340), (000350), (00036A); and the following blocks in voting district (000370), tract 0011.00, block group 1, in Riley county: block 004, block 005, block 006, block 007, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 022, block 023, block 024, block 025, block 027; and the following blocks in voting district (000370), tract 0011.00, block group 2, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009,

block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029; and the following voting districts in Riley county: (000380); and the following blocks in voting district (00039A), tract 0013.01, block group 2, in Riley county: block 018, block 024; and the following voting districts in Riley county: (00039B), (00039C), (00039E), (00039G), (00039H), (000400), (000410); and the following blocks in voting district (000420), tract 0002.00, block group 2, in Riley county: block 007, block 025, block 041; and the following blocks in voting district (000420), tract 0002.00, block group 3, in Riley county: block 000, block 001, block 012, block 013, block 014, block 015, block 016, block 017, block 019; and the following blocks in voting district (000420), tract 0002.00, block group 4, in Riley county: block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (000420), tract 0002.00, block group 5, in Riley county: block 000, block 001, block 002, block 003, block 005, block 015; and the following blocks in voting district (000420), tract 0011.00, block group 3, in Riley county: block 005; and the following voting districts in Riley county: (00044A), (00047A), (00047B), (00047C), (00047D), (000480), (300010); and the following blocks in voting district (300050), tract 0011.00, block group 1, in Riley county: block 001; and the following voting districts in Riley county: (300060), (300070), (300090), (300100), (400010), (400020), (400030), (400040), (400050), (400060), (400070), (400080), (400090), (500010), (500030), (600001); and the following blocks in voting district (800001), tract 0013.01, block group 2, in Riley county: block 003, block 029; and the following voting districts in Riley county: (900010), (900020), (900030), (900040), (900050), (900060).

Sec. 156. Senatorial district 23 shall consist of the following blocks in voting district (000030), tract 0538.04, block group 1, in Johnson county: block 044, block 045, block 046, block 051, block 052, block 053, block 054, block 063, block 064, block 065, block 066; and the following voting districts in Johnson county: (00014A), (001030), (001040), (001050), (001060), (001070), (001100), (001270), (001300), (001310), (001320), (001330), (001350), (001360), (001370), (001380), (001390), (001410), (00147A), (00147B), (001480), (00311A), (00311B), (00311D), (003120), (004190); and the following blocks in voting district (900090), tract 0537.09, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (900090), tract 0537.09, block group 5, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (900090), tract 0537.11, block group 2, in Johnson county: block 005, block 006, block 007, block 008, block 009, block 011, block 016, block 018, block 019, block 022, block 023, block 025; and the following voting districts in Johnson county: (900100), (900110), (900160), (900170), (900180), (900570), (900580), (900600), (900610), (900620), (900650), (900820); and the following blocks in voting district (900830), tract 0534.03, block group 1, in Johnson county: block 000, block 004, block 005, block 006, block 007; and the following blocks in voting district (900830), tract 0534.03, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following voting districts in Johnson county: (900850), (900860), (900910), (900920),

(900930), (900940), (900980), (901440), (901460), (901470), (901570), (901610), (901620), (901630), (901680), (901730), (901780); and the following blocks in voting district (901810), tract 0536.02, block group 1, in Johnson county: block 069, block 070; and the following blocks in voting district (901840), tract 0537.01, block group 2, in Johnson county: block 000, block 001, block 034; and the following blocks in voting district (901840), tract 0537.11, block group 2, in Johnson county: block 010, block 026, block 027; and the following voting districts in Johnson county: (901860), (901870), (901880), (901890), (901950), (901970).

Sec. 157. Senatorial district 24 shall consist of the following voting districts in Dickinson county: (000010), (00002A), (00002B), (000030), (000040), (000050), (000130), (000220), (900010), (900020), (900030); and all of Ottawa county; and all of Saline county.

Sec. 158. Senatorial district 25 shall consist of the following blocks in voting district (500030), tract 0026.00, block group 2, in Sedgwick county: block 024, block 025, block 032, block 033, block 034, block 035; and the following voting districts in Sedgwick county: (500740), (500750), (500760), (500950), (500990), (501000), (501010), (501020), (501340), (501380), (501460), (501470), (501480), (501490), (501500), (501520), (501530), (501680), (501830), (501840), (501850), (501860), (501870), (501880), (501900), (501910), (501920), (501930), (501940); and the following blocks in voting district (502010), tract 0083.00, block group 1, in Sedgwick county: block 033, block 034, block 035, block 036, block 037, block 038, block 040, block 041; and the following blocks in voting district (502010), tract 0083.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (502010), tract 0083.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (502010), tract 0083.00, block group 4, in Sedgwick county: block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 023; and the following blocks in voting district (502010), tract 0095.03, block group 1, in Sedgwick county: block 000, block 001; and the following blocks in voting district (502010), tract 0103.00, block group 4, in Sedgwick county: block 118, block 119; and the following blocks in voting district (502020), tract 0081.00, block group 3, in Sedgwick county: block 040, block 041, block 042, block 043, block 046; and the following blocks in voting district (502020), tract 0083.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 021, block 022; and the following blocks in voting district (502020), tract 0103.00, block group 4, in Sedgwick county: block 065, block 067, block 068, block 069, block 070, block 071, block 072, block 077, block 086, block 087, block 088, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 105, block 106, block 107, block 114, block 117; and the following voting districts in Sedgwick county: (502030), (502040), (502050); and the following blocks in voting district (502070), tract 0103.00, block group 4, in Sedgwick county: block 022, block 023, block 025, block 026, block 027, block 030, block 031, block 032, block 043, block 044, block 047; and the following

voting districts in Sedgwick county: (502420), (502460), (503290), (503300), (503310), (503320), (600030), (600470), (700210), (700220), (700230), (700250), (700260), (700290), (700300); and the following blocks in voting district (700390), tract 0103.00, block group 4, in Sedgwick county: block 000, block 005, block 007; and the following voting districts in Sedgwick county: (700400), (700410), (700430), (700640); and the following blocks in voting district (700780), tract 0103.00, block group 4, in Sedgwick county: block 009; and the following voting districts in Sedgwick county: (700930), (700940), (700960), (900090), (900100).

Sec. 159. Senatorial district 26 shall consist of the following voting districts in Sedgwick county: (500940), (501030); and the following blocks in voting district (501050), tract 0092.00, block group 2, in Sedgwick county: block 055, block 149, block 152; and the following voting districts in Sedgwick county: (501060), (501070), (501080), (501090), (501100), (501110); and the following blocks in voting district (501120), tract 0092.00, block group 2, in Sedgwick county: block 150; and the following blocks in voting district (501130), tract 0096.05, block group 2, in Sedgwick county: block 044, block 045, block 051, block 052, block 053, block 054, block 055, block 057, block 058, block 061, block 062, block 065; and the following voting districts in Sedgwick county: (501140), (501150), (501160), (501220), (501230), (501240), (501260), (501290), (501300), (501310), (501690), (501700), (501710), (501760), (501770), (501780), (501790), (502120), (502130), (502140), (502150), (502180), (502200), (502210), (502320), (502340), (502350), (502360), (502370), (502380), (502400), (502450); and the following blocks in voting district (502490), tract 0107.00, block group 1, in Sedgwick county: block 038, block 039, block 040, block 041, block 042, block 050, block 051, block 052, block 053, block 118, block 119, block 139, block 142, block 143, block 146, block 147, block 148, block 156; and the following voting districts in Sedgwick county: (502500), (502510); and the following blocks in voting district (502630), tract 0054.00, block group 1, in Sedgwick county: block 115, block 123, block 125; and the following blocks in voting district (502630), tract 0055.01, block group 1, in Sedgwick county: block 006; and the following blocks in voting district (502630), tract 0055.01, block group 2, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (502630), tract 0055.01, block group 3, in Sedgwick county: block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (502630), tract 0055.01, block group 4, in Sedgwick county: block 020; and the following blocks in voting district (502630), tract 0096.05, block group 2, in Sedgwick county: block 126; and the following voting districts in Sedgwick county: (502640), (502700), (502710), (502720), (502730), (502740), (502750), (502760), (502770), (502780), (502790), (502800), (502810), (502820), (503170); and the following blocks in voting district (503250), tract 0096.04, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (503250), tract 0096.05, block group 1, in Sedgwick county: block 081, block 082, block 083, block 084, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block

097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 123; and the following voting districts in Sedgwick county: (503260), (503270), (503280); and the following blocks in voting district (503590), tract 0054.00, block group 1, in Sedgwick county: block 113, block 116, block 117; and the following blocks in voting district (503590), tract 0055.01, block group 3, in Sedgwick county: block 006; and the following voting districts in Sedgwick county: (503670), (503710); and the following blocks in voting district (503760), tract 0055.02, block group 1, in Sedgwick county: block 008, block 010, block 017, block 025, block 026, block 035, block 036; and the following blocks in voting district (503760), tract 0055.02, block group 2, in Sedgwick county: block 009, block 018, block 022, block 024, block 025, block 032, block 039, block 041; and the following blocks in voting district (503760), tract 0097.00, block group 1, in Sedgwick county: block 011, block 012, block 013, block 025, block 026, block 038, block 047, block 048, block 049, block 050, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 102, block 103, block 104, block 107; and the following blocks in voting district (503760), tract 0097.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047; and the following voting districts in Sedgwick county: (503770); and the following blocks in voting district (503920), tract 0107.00, block group 1, in Sedgwick county: block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 077, block 078, block 079, block 080, block 081, block 086, block 087, block 088, block 089, block 090, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 120, block 121, block 122, block 123, block 124, block 125, block 131, block 204; and the following voting districts in Sedgwick county: (503930), (503940), (503950), (503960), (503970), (503990), (504000), (504010), (504020), (600190), (600440), (600460), (600780), (700510), (700630), (700650), (700690), (700840), (700890), (700950), (900020), (900030), (900040), (900080), (900110), (900120).

Sec. 160. Senatorial district 27 shall consist of the following voting districts in Sedgwick county: (500960), (500970), (500980), (501040); and the following blocks in voting district (501050), tract 0092.00, block group 2, in Sedgwick county: block 009, block 010, block 013, block 014, block 016, block 017, block 018, block 019, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 041, block 042, block 043, block 044, block 045, block 051, block 052, block 053, block 054, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 064, block 065, block 066, block 132, block 133, block 134, block 135, block

136, block 137, block 138, block 139, block 143; and the following blocks in voting district (501050), tract 0096.05, block group 2, in Sedgwick county: block 020, block 021; and the following blocks in voting district (501120), tract 0092.00, block group 2, in Sedgwick county: block 151; and the following blocks in voting district (501130), tract 0092.00, block group 2, in Sedgwick county: block 153; and the following voting districts in Sedgwick county: (501390), (501400), (501410), (501420), (501430), (501440), (501450), (501540), (501550), (501560), (501570), (501580), (501590), (501600), (501610), (501620), (501630), (501640), (501650), (501660), (501670), (501720), (501730), (501740), (501750), (501810), (502160), (502170), (502410), (502430), (502440), (502470), (600250), (600390).

Sec. 161. Senatorial district 28 shall consist of the following voting districts in Sedgwick county: (500390), (500830), (500840), (500850), (500870), (500880), (500890), (500900), (500910), (501170), (501180), (501190), (501200), (501210), (501320), (501330), (502260), (502270), (502280), (502290), (502300), (502570), (502580), (502590), (502600), (502610); and the following blocks in voting district (502630), tract 0055.01, block group 3, in Sedgwick county: block 001; and the following voting districts in Sedgwick county: (502650), (502660), (502670), (502680), (502690); and the following blocks in voting district (503590), tract 0054.00, block group 1, in Sedgwick county: block 102, block 107, block 108, block 109, block 110, block 111, block 112, block 114; and the following blocks in voting district (503590), tract 0055.01, block group 3, in Sedgwick county: block 000; and the following blocks in voting district (503590), tract 0056.00, block group 3, in Sedgwick county: block 043, block 044; and the following voting districts in Sedgwick county: (503600), (503610), (503630), (503640), (503650), (503660), (503700), (600010), (600020), (600130), (600140), (600330), (600350), (600380), (700500), (700580), (700590), (700700), (700810), (700820), (700850), (700880).

Sec. 162. Senatorial district 29 shall consist of the following voting districts in Sedgwick county: (500010), (500020); and the following blocks in voting district (500030), tract 0024.00, block group 2, in Sedgwick county: block 019, block 020, block 021, block 024, block 025, block 026, block 036, block 037, block 038; and the following blocks in voting district (500030), tract 0026.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051; and the following blocks in voting district (500030), tract 0026.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 026, block 027, block 028, block 029, block 030, block 031, block 036, block 037; and the following blocks in voting district (500030), tract 0034.00, block group 3, in Sedgwick county: block 004, block 005, block 014, block 015, block 016, block 023, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (500030), tract 0043.00,

block group 2, in Sedgwick county: block 041, block 042, block 043, block 044, block 045, block 046, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073; and the following blocks in voting district (500030), tract 0043.00, block group 3, in Sedgwick county: block 054, block 055, block 056, block 057, block 059; and the following voting districts in Sedgwick county: (500040), (500050), (500060), (500070), (500080), (500090), (500110), (500120), (500130), (500140), (500150), (500160), (500770), (500780), (500790), (500800), (501820), (501890), (501950), (501960); and the following blocks in voting district (501990), tract 0001.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (501990), tract 0001.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 012, block 013; and the following blocks in voting district (501990), tract 0082.00, block group 2, in Sedgwick county: block 021, block 022, block 025; and the following blocks in voting district (502000), tract 0082.00, block group 3, in Sedgwick county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (502010), tract 0083.00, block group 1, in Sedgwick county: block 027, block 039.

Sec. 163. Senatorial district 30 shall consist of the following voting districts in Sedgwick county: (500100), (500320), (500330), (500340), (500350), (500360), (500370), (500380), (500400), (500410), (500420), (500430), (500440), (500450), (500460), (500530), (500540), (500560), (500570), (500580); and the following blocks in voting district (500590), tract 0072.04, block group 1, in Sedgwick county: block 024, block 025; and the following blocks in voting district (500590), tract 0100.02, block group 2, in Sedgwick county: block 081; and the following voting districts in Sedgwick county: (500650), (500660), (500670), (500690), (500710), (500810), (500820), (503020), (503030); and the following blocks in voting district (503040), tract 0072.04, block group 1, in Sedgwick county: block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039; and the following blocks in voting district (503040), tract 0072.04, block group 3, in Sedgwick county: block 018; and the following voting districts in Sedgwick county: (503050), (503060), (503070), (503080), (503090), (503100), (503110), (503120), (503130), (503140), (503150), (503160); and the following blocks in voting district (600430), tract 0100.01, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 005; and the following blocks in voting district (600430), tract 0100.02, block group 1, in Sedgwick county: block 000; and the following blocks in voting district (600430), tract 0100.02, block group 2, in Sedgwick county: block 062, block 063, block 078; and the following voting districts in Sedgwick county: (700490), (700530), (900060).

Sec. 164. Senatorial district 31 shall consist of the following voting districts in Harvey county: (000020), (000030), (000060), (000070), (000080), (000120), (000130), (000300), (000310), (900010), (900020), (900040); and the following voting districts in Sedgwick county: (500170), (500180), (500190), (500200), (500210),

(500220), (500230), (500240), (500250), (500260), (500270), (500280), (500310), (500470), (500480), (500490), (500500), (500510), (500520), (500720), (500730), (501970), (501980); and the following blocks in voting district (501990), tract 0081.00, block group 2, in Sedgwick county: block 074, block 081, block 082, block 083, block 084, block 088, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 162, block 163, block 172, block 193, block 194, block 195, block 197, block 198, block 207, block 212, block 213, block 234, block 235, block 236, block 242, block 243, block 244, block 245, block 247; and the following blocks in voting district (501990), tract 0082.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (501990), tract 0082.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (502000), tract 0081.00, block group 1, in Sedgwick county: block 029, block 030, block 031, block 032, block 035, block 036, block 037, block 038, block 039, block 040, block 043, block 044; and the following blocks in voting district (502000), tract 0081.00, block group 2, in Sedgwick county: block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 075, block 076, block 077, block 148, block 149, block 248, block 249; and the following blocks in voting district (502000), tract 0082.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004; and the following blocks in voting district (502010), tract 0083.00, block group 1, in Sedgwick county: block 028; and the following blocks in voting district (502020), tract 0081.00, block group 2, in Sedgwick county: block 079, block 080; and the following blocks in voting district (502020), tract 0081.00, block group 3, in Sedgwick county: block 033, block 034, block 035, block 036, block 037, block 049; and the following blocks in voting district (502020), tract 0083.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 029, block 030, block 031, block 032; and the following blocks in voting district (502070), tract 0081.00, block group 1, in Sedgwick county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 023, block 024, block 025, block 026, block 027, block 028, block 033; and the following blocks in voting district (502070), tract 0081.00, block group 3, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 039, block 044,

block 045; and the following blocks in voting district (502070), tract 0103.00, block group 4, in Sedgwick county: block 046; and the following voting districts in Sedgwick county: (502080), (502220), (502230), (502240), (502250), (502830), (502840), (502850), (502860), (502870), (502880), (502890), (502900), (502910), (502930), (502940), (502950), (502960), (502970), (502980), (502990), (503000), (503010), (503370), (503380), (503390), (503400), (503410), (503450), (503460), (503470), (503480), (503490), (503500), (503510), (503520), (503530), (503550), (503560), (503580), (503800), (530540), (600090), (600150), (600360), (600400), (700010), (700020), (700030), (700040), (700050), (700060), (700070), (700080), (700090), (700110), (700120), (700130), (700140), (700150), (700160), (700170), (700180), (700200), (700310), (700320), (700330), (700350), (700380); and the following blocks in voting district (700390), tract 0081.00, block group 1, in Sedgwick county: block 002, block 003, block 004, block 006, block 007, block 008, block 009, block 020; and the following blocks in voting district (700390), tract 0101.13, block group 2, in Sedgwick county: block 187, block 188, block 189, block 190; and the following blocks in voting district (700390), tract 0102.00, block group 1, in Sedgwick county: block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 027, block 028, block 029, block 045, block 046, block 047; and the following blocks in voting district (700390), tract 0102.00, block group 3, in Sedgwick county: block 017, block 018, block 019, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038; and the following blocks in voting district (700390), tract 0102.00, block group 4, in Sedgwick county: block 065, block 066, block 067, block 068, block 069, block 073, block 083, block 084, block 085, block 086, block 087, block 091, block 092, block 094, block 097, block 098, block 099, block 101; and the following voting districts in Sedgwick county: (700460), (700470), (700540), (700550), (700560), (700570), (700600), (700620), (700660), (700670), (700710); and the following blocks in voting district (700780), tract 0103.00, block group 4, in Sedgwick county: block 008; and the following voting districts in Sedgwick county: (700790), (700830), (700860), (700900), (700910), (700920), (900010), (900050).

Sec. 165. Senatorial district 32 shall consist of all of Cowley county; and the following blocks in voting district (502490), tract 0107.00, block group 1, in Sedgwick county: block 138, block 140, block 141, block 144, block 145, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 175, block 176, block 177, block 178, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 202, block 203; and the following voting districts in Sedgwick county: (503180), (503190), (503210), (503220), (503230); and the following blocks in voting district (503250), tract 0096.04, block group 1, in Sedgwick county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063; and the following blocks in voting district (503250), tract 0096.04, block group 2, in Sedgwick county: block 000,

block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049; and the following blocks in voting district (503250), tract 0096.05, block group 1, in Sedgwick county: block 121, block 122, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 148, block 149, block 150, block 152; and the following voting districts in Sedgwick county: (503740), (503750); and the following blocks in voting district (503760), tract 0097.00, block group 1, in Sedgwick county: block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 105, block 106, block 108, block 109, block 110, block 111, block 112; and the following blocks in voting district (503920), tract 0107.00, block group 1, in Sedgwick county: block 076, block 082, block 083, block 084, block 085, block 091, block 092, block 093, block 126, block 127, block 128, block 129, block 130, block 132, block 133, block 134, block 135, block 136, block 137, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 205, block 206, block 207, block 209; and the following voting districts in Sedgwick county: (600340), (600370); and all of Sumner county.

Sec. 166. Senatorial district 33 shall consist of all of Barber county; and all of Barton county; and all of Comanche county; and all of Edwards county; and all of Harper county; and all of Kingman county; and all of Kiowa county; and all of Pratt county; and all of Stafford county.

Sec. 167. Senatorial district 34 shall consist of all of Reno county; and the following voting districts in Sedgwick county: (502480), (502560), (503780).

Sec. 168. Senatorial district 35 shall consist of all of Ellsworth county; and the following voting districts in Harvey county: (000010), (000040), (000050), (000090), (00010A), (000110), (000140), (000150), (000160), (000170), (000180), (00019A), (000200), (000210), (00022A), (000230), (000240), (000250), (000260), (00027A), (00027B), (00027C), (00027D), (000280), (000290), (000320), (800010), (900030), (900050), (900060), (900070), (900080); and all of McPherson county; and all of Rice county.

Sec. 169. Senatorial district 36 shall consist of the following voting districts in Cloud county: (000140), (000210), (000240); and all of Ellis county; and all of Jewell county; and all of Lincoln county; and all of Mitchell county; and all of Osborne county; and all of Pawnee county; and all of Republic county; and all of Rush county;

and all of Russell county; and all of Smith county.

Sec. 170. Senatorial district 37 shall consist of the following voting districts in Johnson county: (000010), (000020); and the following blocks in voting district (000030), tract 0538.03, block group 1, in Johnson county: block 017, block 018, block 019, block 020, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 050, block 051; and the following blocks in voting district (000030), tract 0538.04, block group 1, in Johnson county: block 024, block 025, block 047, block 050, block 055, block 056, block 057, block 058, block 074, block 075, block 076; and the following voting districts in Johnson county: (000040), (001340), (00140B), (002160), (00217A), (00217B), (00222A), (00222B), (002230), (002240), (00226A), (00226B), (002360), (00244A), (002460), (002470), (00249A), (00249E), (00249F), (004300), (900010), (900020), (900790), (900800), (900810); and the following blocks in voting district (900830), tract 0534.03, block group 1, in Johnson county: block 018; and the following blocks in voting district (900830), tract 0534.03, block group 2, in Johnson county: block 007, block 008, block 009, block 010, block 011, block 012; and the following voting districts in Johnson county: (900840), (901000), (901010), (901020), (901030), (901040), (901050); and the following blocks in voting district (901060), tract 0534.14, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Johnson county: (901090), (901100), (901110), (901120), (901130), (901140), (901150), (901160), (901170), (901180), (901190), (901210), (901220), (901230), (901240), (901250), (901260), (901270), (901290), (901300), (901310), (901690).

Sec. 171. Senatorial district 38 shall consist of all of Clark county; and all of Ford county; and all of Gray county; and all of Meade county; and all of Seward county.

Sec. 172. Senatorial district 39 shall consist of all of Finney county; and all of Grant county; and all of Hamilton county; and all of Haskell county; and all of Hodgeman county; and all of Kearny county; and all of Morton county; and all of Stanton county; and all of Stevens county.

Sec. 173. Senatorial district 40 shall consist of all of Cheyenne county; and all of Decatur county; and all of Gove county; and all of Graham county; and all of Greeley county; and all of Lane county; and all of Logan county; and all of Ness county; and all of Norton county; and all of Phillips county; and all of Rawlins county; and all of Rooks county; and all of Scott county; and all of Sheridan county; and all of Sherman county; and all of Thomas county; and all of Trego county; and all of Wallace county; and all of Wichita county."

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

On roll call, the vote was: Yeas 19; Nays 21; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Donovan, Kelsey, King, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, A. Schmidt, Steineger, Taddiken, Wagle.

Nays: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

The motion failed and the amendment was rejected.

Senator Ostmeyer offered a motion to return **HB 2606** to the Committee on **Reapportionment**. The motion was withdrawn.

Senator Apple offered a motion to return **HB 2606** to the Committee on **Ways and Means**. The motion failed.

Senator Owens moved to report **HB 2606** favorably for passage. The motion carried.

Senator Emler moved to rise and report.

Having voted on the prevailing side, Senator Vratil moved the Senate reconsider its action to rise and report. The motion carried.

The Senate returned to the Committee of the Whole.

Senator Vratil moved the senate reconsider its action to report **HB 2606** favorably. The motion carried and the bill remained on General Orders.

HB 2606 was passed over and retained a place on the calendar.

The Committee rose and reported.

On motion of Senator Brungardt the above report was adopted:

FINAL ACTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Emler an emergency was declared by a 2/3 constitutional majority, and **S Sub for HB 2318** was advanced to Final Action and roll call.

S Sub for HB 2318, AN ACT concerning crimes, punishment and criminal procedure; relating to controlled substances; sentencing guidelines grid for drug crimes; drug treatment programs; disposition and supervision of offenders; amending K.S.A. 2011 Supp. 21-5701, 21-5703, 21-5705, 21-5706, 21-5708, 21-5709, 21-5710, 21-5713, 21-5714, 21-5716, 21-6604, 21-6608, 21-6611, 21-6614, 21-6805, 21-6808, 21-6810, 21-6821, 21-6824, 22-2802, 22-2908, 22-3412, 22-3604, 22-3717, 38-2346, 38-2347, 38-2369, 38-2374, 38-2376, 75-5291 and 75-52,144 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c and 75-5291b.

On roll call, the vote was: Yeas 35; Nays 4; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Faust-Goudeau, Francisco, Haley, Steineger.

Present and Passing: Marshall.

The substitute bill passed, as amended.

REPORT ON ENGROSSED BILLS

SB 290, SB 310 reported correctly engrossed March 20, 2012.

SB 252, SB 280; Sub SB 282; SB 316, SB 353 reported correctly engrossed March 21, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **SB 459** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 459," as follows:

"Substitute for SENATE BILL No. 459

By Committee on Ways and Means

"AN ACT creating the joint committee on KanCare oversight; amending K.S.A. 2011 Supp. 39-7,161 and 39-7,162 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 39-7,160 and 46-3501."; and the substitute bill be passed.

Also, **SB 427** be amended on page 1, following line 6, by inserting:

"Section 1. K.S.A. 2011 Supp. 75-4209 is hereby amended to read as follows: 75-4209. (a) The director of investments may invest and reinvest state moneys eligible for investment which are not invested in accordance with K.S.A. 75-4237, and amendments thereto, in the following investments:

(1) Direct obligations of, or obligations that are insured as to principal and interest by, the United States of America or any agency thereof and obligations and securities of the United States sponsored enterprises which under federal law may be accepted as security for public funds, on and after the effective date of this act moneys available for investment under this subsection shall not be invested in mortgage-backed securities of such enterprises and of the government national mortgage association, except that any such mortgage-backed securities held prior to the effective date of this act may be held to maturity;

(2) repurchase agreements with a bank or a primary government securities dealer which reports to the market reports division of the federal reserve bank of New York for direct obligations of, or obligations that are insured as to principal and interest by, the United States government or any agency thereof and obligations and securities of United States government sponsored enterprises which under federal law may be accepted as security for public funds;

(3) commercial paper that does not exceed 270 days to maturity and which has received one of the two highest commercial paper credit ratings by a nationally recognized investment rating firm; and

(4) corporate bonds which have received one of the two highest ratings by a nationally recognized investment rating firm.

(b) When moneys are available for deposit or investments, the director of investments may invest in SKILL act projects and bonds pursuant to K.S.A. 74-8920, and amendments thereto, and in state agency bonds and bond projects.

(c) When moneys are available for deposits or investments, the director of investments may invest in preferred stock of Kansas venture capital, inc., under terms and conditions prescribed by K.S.A. 74-8203, and amendments thereto, but such investments shall not in the aggregate exceed a total amount of \$10,000,000.

(d) When moneys are available for deposits or investments, the director of investments may invest in loans pursuant to legislative mandates, except that not more than the greater of 10% or \$140,000,000 of the state moneys shall be invested.

(e) Interest on investment accounts in banks is to be paid at maturity, but not less than annually.

(f) Investments made by the director of investments under the provisions of this

section shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

(g) Investments under subsection (a) or (b) or under K.S.A. 75-4237, and amendments thereto, shall be for a period not to exceed four years, except that linked deposits authorized under the provisions of K.S.A. 2-3703 through 2-3707, and amendments thereto, shall not exceed a period of 10 years; agricultural production loan deposits authorized under the provisions of K.S.A. 2011 Supp. 75-4268 through 75-4274, and amendments thereto, shall not exceed a period of eight years and housing loan deposits authorized under K.S.A. 2011 Supp. 75-4276 through 75-4282, and amendments thereto, shall not exceed a period of five years or 20 years, as applicable pursuant to K.S.A. 2011 Supp. 75-4279, and amendments thereto.

(h) Investments in securities under paragraph (1) of subsection (a) shall be limited to securities which do not have any more interest rate risk than do direct United States government obligations of similar maturities. For purposes of this subsection, "interest rate risk" means market value changes due to changes in current interest rates.

(i) The director of investments shall not invest state moneys eligible for investment under subsection (a), in the municipal investment pool fund, created under K.S.A. 12-1677a, and amendments thereto.

(j) The director of investments shall not invest moneys in the pooled money investment portfolio in derivatives. As used in this subsection, "derivatives" means a financial contract whose value depends on the value of an underlying asset or index of asset values.

(k) Moneys and investments in the pooled money investment portfolio shall be invested and reinvested by the director of investments in accordance with investment policies developed, approved, published and updated on an annual basis by the board. Such investment policies shall include at a minimum guidelines which identify credit standards, eligible instruments, allowable maturity ranges, methods for valuing the portfolio, calculating earnings and yields and limits on portfolio concentration for each type of investment. Any changes in such investment policies shall be approved by the pooled money investment board. Such investment policies may specify the contents of reports, methods of crediting funds and accounts and other operating procedures.

(l) The board shall adopt rules and regulations to establish an overall percentage limitation on the investment of moneys in investments authorized under paragraph (3) of subsection (a), and within such authorized investment, the board shall establish a percentage limitation on the investment in any single business entity.;

And by renumbering sections accordingly;

On page 3, in line 2, after "Supp." by inserting "75-4209,";

On page 1, in the title, in line 3, after "Supp." by inserting "75-4209,"; and the bill be passed as amended.

MESSAGE FROM THE HOUSE

Announcing passage of **SB 322, SB 330, SB 345, SB 417, SB 422.**

Also, passage of **SB 114**, as amended by **House Substitute for SB 114; SB 28**, as amended by **House Substitute for SB 28; SB 159**, as amended by **House Substitute for Substitute SB 159; SB 160**, as amended by **House Substitute for SB 160; SB 287**,

as amended by **House Substitute for SB 287; SB 315**, as amended by **House Substitute for SB 315; SB 341**, as amended by **House Substitute for SB 341**.

Also, passage of **SB 155**, as amended; **SB 207**, as amended; **SB 250**, as amended; **SB 257**, as amended; **SB 262**, as amended; **SB 273**, as amended; **SB 304**, as amended; **SB 320**, as amended; **SB 366**, as amended; **SB 367**, as amended.

Announcing rejection of **House Substitute for SB 344**.

The House accedes to the request of the Senate for a conference on **SB 258** and has appointed Representatives Aurand, Huebert and Ward as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 300** and has appointed Representatives Hayzlett, Prescott and Wetta as conferees on the part of the House.

Announcing passage of **HB 2766, HB 2773**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2766, HB 2773 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR

On motion of Senator Schodorf the Senate nonconcurred in the House amendments to **H Sub SB 28** and requested a conference committee be appointed.

The President appointed Senators Schodorf, Vratil and Hensley as a conference committee on the part of the Senate.

On motion of Senator Schodorf the Senate nonconcurred in the House amendments to **SB 155** and requested a conference committee be appointed.

The President appointed Senators Schodorf, Vratil and Hensley as a conference committee on the part of the Senate.

On motion of Senator Owens the Senate nonconcurred in the House amendments to **H Sub for SB 160** and requested a conference committee be appointed.

The President appointed Senators Owens, King and Haley as a conference committee on the part of the Senate.

On motion of Senator Donovan the Senate nonconcurred in the House amendments to **H Sub for SB 177** and requested a conference committee be appointed.

The President appointed Senators Donovan, Apple and Holland as a conference committee on the part of the Senate.

On motion of Senator Teichman the Senate nonconcurred in the House amendments to **SB 250** and requested a conference committee be appointed.

The President appointed Senators Teichman, Masterson and A. Schmidt as a conference committee on the part of the Senate.

On motion of Senator Schodorf the Senate nonconcurred in the House amendments to **SB 257** and requested a conference committee be appointed.

The President appointed Senators Schodorf, Vratil and Hensley as a conference committee on the part of the Senate.

On motion of Senator Brungardt the Senate nonconcurred in the House amendments to **SB 262** and requested a conference committee be appointed.

The President appointed Senators Brungardt, Reitz and Faust-Goudeau as a conference committee on the part of the Senate.

On motion of Senator Teichman the Senate nonconcurred in the House amendments

to **SB 273** and requested a conference committee be appointed.

The President appointed Senators Teichman, Masterson and A. Schmidt as a conference committee on the part of the Senate.

On motion of Senator Teichman the Senate nonconcurred in the House amendments to **H Sub for SB 287** and requested a conference committee be appointed.

The President appointed Senators Teichman, Masterson and A. Schmidt as a conference committee on the part of the Senate.

On motion of Senator Owens the Senate nonconcurred in the House amendments to **SB 304** and requested a conference committee be appointed.

The President appointed Senators Owens, King and Haley as a conference committee on the part of the Senate.

On motion of Senator Teichman the Senate nonconcurred in the House amendments to **H Sub for SB 315** and requested a conference committee be appointed.

The President appointed Senators Teichman, Masterson and A. Schmidt as a conference committee on the part of the Senate.

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

The President appointed Senators Owens, King and Haley as a conference committee on the part of the Senate.

On motion of Senator Owens the Senate nonconcurred in the House amendments to **SB 367** and requested a conference committee be appointed.

The President appointed Senators Owens, King and Haley as a conference committee on the part of the Senate.

CHANGE OF REFERENCE

On motion of Senator Morris **HB 2606** was removed from the calendar under the heading of General Orders and referred to the Committee on **Ways and Means**.

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Monday, March 26, 2012.

Journal of the Senate

FIFTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 26, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-five senators present.
Senators Bruce, Donovan, Emler, Haley and Masterson were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

In 1993 I prayed
A basketball prayer.
It was because basketball
Was filling Kansas air.

This year its happening again.
As KU has once more
Beat Roy and North Carolina
And reached the Final Four.

“What does this have to do with Me?”
I can almost hear You say.
Probably very little at all
But I'm praying any way.

I realize that You Oh God
Probably could care less.
Who wins the NCAA
In north, east, south, or west.

I just ask that all the players
Will be protected by You.
But since some team has to win
It might as well be K.U.

P.S. Wichita State and K-State had a great year.

I pray in the Name of Jesus Christ. AMEN

The Pledge of Allegiance was led by President Stephen Morris.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committee as indicated:

Ways and Means: **HB 2766, HB 2773.**

CHANGE OF REFERENCE

The President withdrew **HB 2077** from the Calendar under the heading of General Orders, and rereferred the bill to the Committee on **Financial Institutions and Insurance.**

MESSAGE FROM THE GOVERNOR

March 23, 2012

SB 263, SB 265, SB 298, SB 374 approved on March 23, 2012.

Sam Brownback,
Governor

MESSAGE FROM THE HOUSE

The House concurs in Senate amendments to **HB 2557.**

The House nonconcurrs in Senate amendments to **HB 2430**, requests a conference and has appointed Representatives Aurand, Huebert and Ward as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2464**, requests a conference and has appointed Representatives Kinzer, Patton and Pauls as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2471**, requests a conference and has appointed Representatives Bethell, Worley and Flaharty as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2485**, requests a conference and has appointed Representatives Shultz, Hermanson and Grant as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2494**, requests a conference and has appointed Representatives Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2502**, requests a conference and has appointed Representatives Powell, Kerschen and Williams as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2503**, requests a conference and has appointed Representatives Powell, Kerschen and Williams as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2516**, requests a conference and has appointed Representatives Powell, Kerschen and Williams as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2517**, requests a conference and has appointed Representatives Powell, Kerschen and Williams as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2563**, requests a conference and

has appointed Representatives Powell, Kerschen and Wetta as conferees on the part of the House.

The House nonconcur in Senate amendments to **Senate Substitute for HB 2596**, requests a conference and has appointed Representatives Powell, Kerschen and Williams as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2604**, requests a conference and has appointed Representatives Burgess, DeGraaf and Trimmer as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2613**, requests a conference and has appointed Representatives Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2655**, requests a conference and has appointed Representatives Kinzer, Patton and Pauls as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2704**, requests a conference and has appointed Representatives Colloton, Kinzer and Pauls as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2706**, requests a conference and has appointed Representatives Burgess, DeGraaf and Trimmer as conferees on the part of the House.

The House nonconcur in Senate amendments to **Senate Substitute for HB 2730**, requests a conference and has appointed Representatives Powell, Kerschen and Williams as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Love introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1844—

A RESOLUTION congratulating and commending
Joe Hastings and Michael Wilhoite.

WHEREAS, Joe Hastings, of Wichita, Kansas (Bishop Carroll High School), earned All-MIAA honors as a senior wide receiver while playing football for Coach Craig Schurig at Washburn University and led the MIAA in receiving yards with 1,546 while recording 87 receptions, both single season records at Washburn. Joe averaged 128.8 yards per contest and was second in the conference in receptions per game at 7.3. He was fifth in the MIAA in scoring at 7.6 points per game; and

WHEREAS, Nationally, Joe Hastings finished his career at second in the country in receiving yards per game and tied for 20th in receptions per game. He tied a Washburn single-game record with four touchdown receptions against Nebraska-Omaha while playing only the first half of the game. Joe Hastings was a third team Don Hansen Football Gazette All-American and also took part in the Cactus Bowl Division II All-Star game pulling in a big touchdown pass. He accounted for 1,575 all-purpose yards in his final season averaging 131.2 per game. He had eight 100-yard receiving games including a career-high 223 yards and 10 receptions against Midwestern State in the 2010 Kanza Bowl; and

WHEREAS, Michael Wilhoite, of Topeka, Kansas (Highland Park High School), also

earned All-MIAA honors as a senior linebacker at Washburn University after recording 81 tackles in one season. He finished his Washburn career with over 200 total tackles, which ranked him high in the Washburn record book. He finished his career at Washburn with 109 solo stops. Following his Washburn career, Michael signed with the Omaha Nighthawks, a professional team in the UFL (United Football League); and

WHEREAS, Joe and Michael both suffered injuries during their senior seasons at Washburn, but both overcame many adversities and helped lead the Washburn Ichabods to an 8-4 record and Kanza Bowl victory to finish out their Washburn careers. Through their talent, character and work ethic, both Joe Hastings and Michael Wilhoite were signed to the San Francisco 49ers football team; and

WHEREAS, It is unheard of for two Kansans who were teammates at a Kansas Division II school to be signed to an NFL team, let alone the same NFL team. Both of these young men had the goal of playing in the NFL, and both of them achieved this goal. During Joe and Michael's rookie season, the 49ers made it to the NFC Championship, just one game away from playing in the Super Bowl: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Joe Hastings and Michael Wilhoite for their roles on the San Francisco 49ers team and for all of their football success thus far, and wish them much more success in future endeavors. We also thank them for serving as role models to our Kansas youth; and

Be it further resolved: That the Secretary of the Senate shall send four enrolled copies of this resolution to Senator Love.

On emergency motion of Senator Love **SR 1844** was adopted unanimously.

Senator Love congratulated and commended Joe Hastings, a senior wide receiver, and Michael Wilhoite, a senior linebacker, for both earning All-MIAA honors while playing football at Washburn University. Also introduced were Joe Hastings' family: John and Stephanie Hastings, parents, Joe Cotton, grandfather and Erin Hastings, sister. Michael Wilhoite's family introduced were: Gregory Wilhoite, father, Jan Buchheim, mother, Orville and Shirley Buchheim and Naomi Dodson, grandparents and Christina Hollis, girlfriend. Other guests in attendance were: Dr. Jerry Farley, President of Washburn University, Loren Ferre, Athletic Director, Craig Schurig, Head Coach, Bill Sneed, Washburn University Board of Regents, Mark Elliott, Pam Berry, Raymond Berry, Gene Cassell, Jake Lebahn, and Bruce Steinbrock. The Senate welcomed the guests with a standing ovation.

REPORT ON ENROLLED BILLS

SB 316 reported correctly enrolled, properly signed and presented to the Governor on March 23, 2012.

SR 1840, SR 1841, SR 1842, SR 1843 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 23, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Transportation** recommends **HB 2757** be amended on page 1, following line 27, by inserting:

"Sec. 3. K.S.A. 2011 Supp. 68-2232 is hereby amended to read as follows: 68-2232. As used in this act the following words and phrases shall have the meanings respectively ascribed to them herein: (a) "Adjacent area" "controlled area" means an

area which is adjacent to the right-of-way on any interstate or primary highway and is visible from the main traveled way.

(b) "Business area" means any part of an adjacent area, except areas adjacent to scenic byways, designated by the secretary of transportation, which is:

(1) Zoned for industrial or commercial activities under the authority of any law or by a local zoning authority; or

(2) an unzoned commercial or industrial area as herein defined.

(c) "Center line of the highway" means a line equidistant from the edges of the median separating the main traveled ways on a divided highway, or the center line of the main traveled way on a nondivided highway.

(d) "Commercial or industrial activities" means, for the purpose of establishing unzoned commercial or industrial areas, those activities generally recognized as commercial or industrial by local zoning authorities in this state, but excludes the following activities:

(1) Outdoor advertising structures;

(2) agricultural, forestry, ranching, grazing, farming and related activities, including, but not limited to, wayside fresh produce stands;

(3) transient or temporary activities;

(4) activities not visible from the traffic lanes of the main traveled way;

(5) activities more than 660 feet from the nearest edge of a highway right-of-way;

(6) activities conducted in a building principally used as a residence;

(7) railroad tracks and minor sidings;

(8) on-premise or on-property signs as provided for in subsection (c) of K.S.A. 68-2233, and amendments thereto, if the on-premise or on-property sign is the only part of the commercial or industrial activity that is visible from the main traveled way;

(9) any outdoor advertising activity or any other business or commercial activity carried on in connection with an outdoor advertising activity; and

(10) illegal junkyards as provided for in K.S.A. 68-2201 through 68-2215, and amendments thereto, and junkyards lawfully in existence pursuant to K.S.A. 68-2207, and amendments thereto.

(e) "Comprehensive zoning" means zoning by local zoning authorities of each parcel of land under the jurisdiction of the local zoning authority placed in a zoning classification pursuant to a comprehensive plan or reserved for future classification.

(f) "Department" means the Kansas department of transportation.

(g) "Erect" means to construct, build, raise, assemble, place, affix, attach, create, paint, draw or in any other way bring into being or establish, but it shall not include any of the foregoing activities when performed as an incident to the change of advertising message or customary maintenance or repair of a sign structure.

(h) "Freeway" means any primary highway which is a divided arterial highway with four or more lanes available for through traffic with full control of access and grade separation at intersections.

(i) "Highway" means a highway as defined by K.S.A. 8-1424, and amendments thereto. For the purpose of this act, a highway shall be considered a highway when the project for improvement and final alignment has been approved by the appropriate authorities.

(j) "Interstate highway" means any highway at any time officially designated as a part of the national system of interstate and defense highways by the secretary of

transportation and approved by the appropriate authority of the federal government.

(k) "Local zoning authority" means an incorporated city or a county which is authorized by law to zone areas within its jurisdiction and which has an active zoning authority.

(l) "Main traveled way" means the traveled way of a highway on which through traffic is carried. On a divided highway, the traveled way of each of the separate roadways for traffic in opposite directions is a main traveled way, but such term does not include such facilities as frontage roads, turning roadways or parking areas.

(m) "Maintain" means to keep in a state of continuing existence. A sign must remain substantially the same as it was when permitted on the effective date of compliance with state law. Customary maintenance of a sign includes only change of message, replacing electrical wiring and bulbs, painting of the face and structure, clearing of vegetation on the parcel the sign is located, reinforcing the structure and repairing the apron or catwalks or any addition or enhancements to safety equipment on structures including safety cables, railings and other modifications necessary to meet current safety standards. An increase in dimension, a change in dimension, any change in location, increase in height or the addition of lighting does not constitute customary maintenance. Additional maintenance activities, other than customary maintenance, require a new sign permit.

(n) "Primary highway" means any highway, other than an interstate highway, that was part of the federal-aid primary system in existence on June 1, 1991, and any highway which is not on such system but which is on the national highway system.

(o) "Safety rest area" means an area or site established and maintained within or adjacent to the highway right-of-way, which area is under public supervision or control and for the convenience of the traveling public.

(p) "Sign" or "outdoor advertising device" means any outdoor sign structure, display, light, device, notice, bulletin, figure, painting, drawing, message, placard, poster, billboard, vehicle or other thing which is designed, intended or used to advertise or inform, any part of the advertising or informative contents which is visible from any place on the main traveled way or any portion of an interstate or primary highway.

(q) "Sign facing" means and includes a sign display or displays at the same location and facing the same direction.

(r) "Sign display" means a single panel or part of the sign, including trim and background, which contains a message or messages.

(s) "Sign structure" means and includes all components of the sign, which may include poles, bracings, lateral supports, vehicles, displays and other materials of every kind and nature used to support a facing or facings on which advertising is placed.

(t) "Traveled way" means the portion of a roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

(u) "Unzoned commercial or industrial area" means an area which is not zoned by state or local law, regulation or ordinance, which is within 660 feet of the nearest edge of the right-of-way of the controlled area, and on which there is located one or more permanent structures devoted to a commercial or industrial activity or on which a commercial or industrial activity is actually conducted, whether or not a permanent structure is located thereon, which meets all the requirements specified in subsection (h) of K.S.A. 68-2234, and amendments thereto.

(v) "Visible" means capable of being seen without visual aid by a person of normal

visual acuity.

(w) "Zoned commercial or industrial areas" means those areas which are comprehensively zoned for business, industry, commerce or trade pursuant to a state or local zoning ordinance or resolution or an area which is zoned for business, industry, commerce or trade pursuant to a state or local zoning ordinance or regulation. Local zoning action must be taken pursuant to the state's zoning enabling statute or constitutional authority in accordance therewith. Zoning or zoning change created or adopted after June 30, 2006, which is not part of comprehensive zoning or which is created after June 30, 2006, primarily to permit advertising devices or structures shall not be recognized as valid zoning for purposes of the Kansas highway advertising control act and the rules and regulations promulgated thereunder, unless there actually exists a commercial or industrial activity as defined under subsection (d) of K.S.A. 68-2232, and amendments thereto.

(x) "Secretary" means the secretary of transportation.

(y) "Vegetation control" means a program authorized hereunder, providing for the control of vegetation on state rights-of-way which shall be of benefit to the state as well as providing assistance to sign owners. Vegetation control is recognized as part of the maintenance of the state's highway right-of-way as it relates to safety and other highway operations. The secretary shall adopt policies and procedures for the creation of a vegetation control program within 12 months of the effective date of this act.

Sec. 4. K.S.A. 2011 Supp. 68-2233 is hereby amended to read as follows: 68-2233. After March 31, 1972, and subject to the provisions of K.S.A. 68-2237, and amendments thereto, no sign shall be erected or maintained in an adjacent area, except the following: (a) Directional and official signs, including, but not limited to, signs pertaining to natural wonders, scenic or historical attractions, churches or rural businesses, which are required or authorized by law and which shall conform to rules and regulations promulgated by the secretary consistent with national policy, except that no such sign or notice shall be erected until an approved sign application and permit is obtained as provided for in K.S.A. 68-2236, and amendments thereto. Directional and official signs shall be required to obtain a license but such signs are exempt from payment of the fees required under subsection (c) of K.S.A. 68-2236, and amendments thereto;

(b) signs advertising the sale or lease of property upon which they are located;

(c) on-premise signs advertising activities conducted on the property on which they are located, including, without limiting the generality of the foregoing, goods grown, produced, sold, stored, manufactured, processed or mined thereon; services rendered thereon; and entertainment provided thereon;

(d) nonconforming signs or advertising devices lawfully in existence on March 31, 1972, or deemed to be nonconforming, provided that no such sign shall be maintained without a license as provided for in K.S.A. 68-2236, and amendments thereto;

(e) conforming signs or advertising devices erected in business areas and which comply with the provisions of K.S.A. 68-2234, and amendments thereto. No such sign or advertising device shall be erected until a permit is obtained as provided in K.S.A. 68-2236, and amendments thereto;

(f) conforming signs or advertising devices legally erected after March 31, 1972, which no longer comply with spacing, size or zoning requirements of K.S.A. 68-2234, and amendments thereto, because of a change in the law, provided that no such sign

shall be maintained without a license as required by K.S.A. 68-2236, and amendments thereto. Such signs or any authorized under zoning or zoning land use change created or adopted before June 30, 2006, shall be considered legal conforming signs or zoning with grandfather status;

(g) in addition to the limitations contained in this section, in order to further the purposes to promote the reasonable, orderly and effective display of outdoor advertising devices along highways adjacent to scenic and historical areas, while protecting the public investment in these highways and promoting safety and recreational value of public travel and to preserve natural beauty, no advertising sign, except as permitted under subsections (a), (b) or (c) shall be erected adjacent to any highway which is either:

- (1) A scenic highway or scenic byway designated by the secretary;
- (2) within 1,000 feet of the boundary line of a Kansas state park, a national park, a state or national wildlife refuge;
- (3) within 500 feet of any of the following: Public park, garden, recreation area, forest preserve, church, school, any public museum or historical monument, any safety rest or recreation area which is publicly owned, controlled and maintained pursuant to 23 U.S.C. § 319 or any sanitary or other facility for the accommodation of the motorist which is publicly owned, controlled and maintained pursuant to 23 U.S.C. § 319; or
- (4) within 500 feet of any strip of land, an interest in which has been acquired by the state of Kansas for the restoration, preservation or enhancement of scenic beauty and which is publicly controlled and maintained pursuant to 23 U.S.C. § 319.

Sec. 5. K.S.A. 2011 Supp. 68-2234 is hereby amended to read as follows: 68-2234. After March 31, 1972, and subject to the provisions of K.S.A. 68-2233, and amendments thereto, and to subsection (f), signs which are to be erected in a business area shall comply with the following standards: (a) *General*. Signs shall not be erected or maintained which:

- (1) Imitate or resemble any official traffic sign, signal or device; or
- (2) are erected or maintained upon trees or painted or drawn upon rocks or other natural features.

(b) *Configuration and size*. (1) Signs shall not be erected with sign faces which exceed 30 feet in height, 60 feet in length or 900 square feet in area, per facing, including border, trim and embellishments, but not including base or apron, supports, and other structural members;

- (2) the maximum size limitations shall apply to each sign facing;
- (3) two sign displays not exceeding 450 square feet each may be erected in a facing, side by side or "double decked," and double-faced, back-to-back or V-type signs shall be permitted and shall be treated as one structure with a maximum area of 900 square feet permitted for each side or facing. To be classified as "back-to-back" there must not be more than 15 feet between structures or faces, to allow for crossbracing;
- (4) the area of any sign structure shall be measured by the smallest square, rectangle, circle or combination thereof which will encompass the area of the sign display or displays;

(5) the height of any portion of the sign structure, excluding cutouts or extensions, as measured vertically from the adjacent edge of the road grade of the main traveled way shall not exceed 50 feet;

- (6) cutouts or extensions shall be permitted on legal conforming signs at a size not

to exceed 30% of the size of the main display area, with a maximum extension of five feet along the top edge, two feet along the sides and 1½ feet along the bottom of the main display area. Cutouts or extensions shall not be permitted where the configuration and size requirements of this subsection will be exceeded.

(c) *Spacing.* (1) Signs shall conform to all applicable building codes and ordinances of the city, county or state, whichever is applicable by reason of the locations of the signs;

(2) signs shall not be erected or maintained in such a manner as to obscure or otherwise physically interfere with an official traffic sign, signal or device or to obstruct or physically interfere with a driver's view of approaching, merging or intersecting traffic;

(3) except for official and on-premise signs, as defined in 23 U.S.C. § 131(c) and as provided for in K.S.A. 68-2233, and amendments thereto, any signs or sign structures visible from any primary highway without fully controlled access:

(A) Shall not be spaced less than 300 feet apart outside of incorporated cities;

(B) shall not be spaced less than 200 feet apart within incorporated cities;

(4) any signs or sign structures visible from any interstate highway or freeway with fully controlled access:

(A) Shall not be spaced less than 500 feet apart, except for official and on-premise signs, as defined in 23 U.S.C. § 131(c), and as provided in K.S.A. 68-2233, and amendments thereto;

(B) outside the corporate limits of cities, shall not be located within 500 feet of an interchange, feeder, intersection at grade, safety rest area or information center regardless of whether the main traveled way is within or outside the city limits. The 500 feet spacing shall be measured from the point at which the pavement widens and the direction of measurement shall be along the edge of pavement away from the interchange, collector, intersection at grade, safety rest area or information center. In those interchanges where a quadrant does not have a ramp, the 500 feet for the quadrant at the edge of the intersection is located at the edge of the intersection;

(5) the minimum distance between two signs prescribed by paragraphs (3) and (4) of this subsection shall be measured along the nearest edge of the pavement between points directly opposite the signs along the same side of the highway. Such minimum distance shall not apply to signs described by subsection (a), (b) or (c) of K.S.A. 68-2233, and amendments thereto, nor shall such signs be counted or be used in measuring distances for the purpose of determining compliance with the spacing requirements of this subsection;

(6) the minimum distances between two signs prescribed by paragraphs (3) and (4) of this subsection shall not apply where such signs are separated by a building, structure, roadway or other obstruction which prevents a view of both signs at the same time by traffic proceedings on any one highway; and

(7) nothing in this subsection shall be construed as preventing the erection of double-faced, back-to-back or V-type signs with a maximum of two sign displays per sign facing, as permitted by subsection (b). Nothing in this subsection shall prevent the owner of a single face sign to change the position of the sign face to a different or opposite direction of traffic flow so long as an additional face or additional square feet are not added to the sign structure. No such change may be affected until approval is granted by the department.

(d) *Lighting.* (1) Signs shall not be erected which contain, include or are illuminated by any flashing, intermittent, revolving or moving light, except those giving public service information such as, but not limited to, time, date, temperature, weather or news; steadily burning lights in configuration of letters or pictures are not prohibited;

(2) signs shall not be erected or maintained which are not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way of any interstate or primary highway and are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle or to otherwise interfere with any driver's operation of a motor vehicle; and

(3) signs shall not be erected or maintained which are so illuminated that they obscure any official traffic sign, device or signal, or imitate or may be confused with any official traffic sign, device or signal.

(e) *Automatic changeable facing signs.* (1) Automatic changeable facing signs shall be permitted within adjacent or controlled areas under the following conditions:

(A) The sign does not contain or display flashing, intermittent or moving lights, including animated or scrolling advertising;

(B) the changeable facing remains in a fixed position for at least eight seconds;

(C) if a message is changed electronically, it must be accomplished within an interval of two seconds or less;

(D) the sign is not placed within 1,000 feet of another automatic changeable facing sign on the same side of the highway, with the distance being measured along the nearest edge of the pavement and between points directly opposite the signs along each side of the highway;

(E) if the sign is a legal conforming structure it may be modified to an automatic changeable facing sign upon compliance with these standards and approval by the department. A nonconforming structure shall not be modified to create an automatic changeable facing sign;

(F) if the sign contains a default design that will freeze the sign in one position if a malfunction occurs; and

(G) if the sign application meets all other permitting requirements.

(2) The outdoor advertising license shall be revoked for failure to comply with any provision in this subsection.

(f) *Application to local zoning authorities.* Nothing in article 22 of chapter 68 of Kansas Statutes Annotated, and amendments thereto, shall be construed as prohibiting a local zoning authority from controlling the erection, maintenance, size, spacing and lighting of signs in all areas within its jurisdiction by adopting standards which may be consistent with, or more or less restrictive than the highway advertising control act, and amendments thereto, except that along interstate highways, the size and spacing requirements of subsections (b) and (c) of K.S.A. 68-2234, and amendments thereto, shall be met. The standards adopted by a local zoning authority shall include the regulation of size, of lighting and of spacing of all such signs and shall restrict the erection of new signs, other than signs described by subsections (a), (b) and (c) of K.S.A. 68-2233, and amendments thereto, to zoned commercial or industrial areas.

(g) *Prohibition against zoning to permit outdoor advertising.* Zoning action after June 30, 2006, which is not part of comprehensive zoning and is created primarily to permit outdoor advertising structures, is not recognized as zoning for purposes of this act.

(h) Unzoned commercial or industrial area qualifications for signs.

(1) To qualify an area as unzoned commercial or industrial for the purpose of outdoor advertising control, one commercial or industrial activity shall meet all of the following criteria prior to submitting an outdoor advertising permit application:

(A) The activity shall maintain all necessary business licenses as may be required by applicable state, county or local law or ordinances;

(B) the property used for the activity shall be listed for *ad valorem* taxes with the county and municipal taxing authorities as required by law;

(C) the activity shall be served by utilities, power, telephone, water and sewer or septic and well;

(D) the activity shall have direct or indirect vehicular access;

(E) the activity must be visible from, and located within 660 feet of the nearest edge of the right-of-way of the controlled route;

(F) the commercial or industrial activity must be in operation for a period of 12 months prior to the date of submitting an application for an outdoor advertising permit and license;

(G) the activity shall be in operation for at least nine months per year; and

(H) the owner or employee shall be present at the site for 20 hours per week;

(2) the unzoned area shall include areas on both sides of any two-lane highway, but shall be limited to land on the same side as the commercial or industrial activity on any highway with four or more traffic lanes. All measurements shall begin from the outer edges of regularly used buildings, parking lots, storage or processing areas of the commercial or industrial activity, not from the property line of the activity and shall be along the nearest edge of the main traveled way of the controlled route. The proposed sign location must be within 600 feet of the commercial or industrial activity.

Sec. 6. K.S.A. 2011 Supp. 68-2232, 68-2233 and 68-2234 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "memorial bridges"; and inserting "the highway advertising control act"; in line 5, after "bridge" by inserting "; amending K.S.A. 2011 Supp. 68-2232, 68-2233 and 68-2234 and repealing the existing sections"; and the bill be passed as amended.

On motion of Senator V. Schmidt, the Senate adjourned until 10:00 a.m., Tuesday, March 27, 2012.

Journal of the Senate

FIFTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 27, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

We have a lot left to do here and we seem to be getting a lot of help.

Constituents tell us what they want us to do.
Judges tell us what we can do.
Lobbyists tell us why we should do them.
The Revisers tell us how to do them.
Leadership tells us when to do them.
Committees tell us to do them differently.
The Media tells us what we did.
The House tells us what we did was wrong.
And our spouses tell us to stop doing them.

But remind us, Lord, that the main One to listen to is YOU!

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator V. Schmidt rose on a Point of Personal Privilege to introduce Anthony Bellucci, Duncan Clatfelter, Jordyn McCaskey and Morgan Oliver, Pat Saville's granddaughter, who were all paging in the capitol. Also introduced was Nicole Oliver, Pat Saville's daughter.

Senator Kultala rose on a Point of Personal Privilege to introduce the Donnelly College American Government Class and their sponsors, Susan Keim and Carol Marinovich, who were visiting the capitol.

Senator A. Schmidt rose on a Point of Personal Privilege to recognize the Senior Government classes of Smith Center High School from Smith Center, Kansas and Thunderidge High School, from Kensington, Kansas, who were visiting the capitol.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2741, HB 2761, HB 2764.**

Announcing passage of **SB 403.**

Announcing, adoption of **SCR 1616, SCR 1618.**

Also, passage of **SB 74, as amended by House Substitute for SB 74; SB 79, as amended by House Substitute for SB 79; SB 148, as amended by House Substitute for Substitute SB 148; SB 416, as amended by House Substitute SB 416.**

Also, passage of **Substitute SB 283, as amended; SB 301, as amended; SB 306, as amended; Substitute SB 307, as amended; SB 394, as amended; SB 413, as amended; SB 424, as amended.**

The House accedes to the request of the Senate for a conference on **H Sub for SB 28** and has appointed Representatives Aurand, Huebert and Ward as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 155** and has appointed Representatives Aurand, Huebert and Ward as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub for SB 160** and has appointed Representatives Kinzer, Patton and Pauls as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub for SB 177** and has appointed Representatives Carlson, Kleeb and Dillmore as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 250** and has appointed Representatives Shultz, Hermanson and Grant as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 257** and has appointed Representatives Aurand, Huebert and Ward as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub for SB 259** and has appointed Representatives M. Holmes, Grange and Ruiz as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 262** and has appointed Representatives Kinzer, Patton and Pauls as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 273** and has appointed Representatives Shultz, Hermanson and Grant as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub for SB 287** and has appointed Representatives Knox, Proehl and Grant as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 304** and has appointed Representatives Kinzer, Patton and Pauls as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub for SB 315** and has appointed Representatives Knox, Proehl and Grant as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 366** and has appointed Representatives Kinzer, Patton and Pauls as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 367** and has appointed Representatives Kinzer, Patton and Pauls as conferees on the part of the House.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2741, HB 2761, HB 2764 were thereupon introduced and read by title.

RULED MATERIALLY CHANGED

Pursuant to Senate Rule 75, President Morris determined **SB 413**, as amended by the House to be materially changed.

President Morris referred the bill to the Committee on **Judiciary**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators V. Schmidt, Kultala and Masterson introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1845—

A RESOLUTION recognizing March 27th as
American Diabetes Association Alert Day.

WHEREAS, The state of Kansas recognizes that healthy citizens are essential for strong communities to thrive; and

WHEREAS, Diabetes is a devastating disease that affects nearly 26 million Americans, including 8.6% of Kansas adults. More than 179,000 Kansans have been diagnosed with diabetes and over 90% of those Kansans have type 2 diabetes, which can be prevented or delayed. If current trends continue, one out of every three American adults will have diabetes by 2050; and

WHEREAS, The prevalence of diabetes is significantly higher among Kansas adults 18 years and older who are obese (16.1%) as compared to those who are not obese (5.4%). Obesity is one of the most well-established and modifiable risk factors for diabetes; and

WHEREAS, Approximately 79 million, or one in three American adults have pre-diabetes, which means that their blood sugar is higher than normal, but not high enough to be classified as diabetes. Without intervention, individuals with pre-diabetes are at a much higher risk for developing type 2 diabetes. The American Diabetes Association estimates that the total cost of diagnosed diabetes in the United States is over \$174 billion. Studies suggest that when additional costs for gestational diabetes, pre-diabetes and undiagnosed diabetes are included, the total diabetes-related costs in the United States could exceed \$218 billion; and

WHEREAS, Early detection and disease management can help prevent complications of diabetes, including cardiovascular disease, blindness, nervous system damage and kidney failure; and

WHEREAS, Reducing the burden associated with diabetes may be enhanced through the state of Kansas medicaid reform efforts; and

WHEREAS, Diabetes advocates and stakeholders from across the state, including representatives from disparate populations, have come together to form the Kansas Diabetes Action Council to develop and implement the Kansas Diabetes Plan 2008-2013, which is a plan to reduce the negative clinical and economic impact on individuals and on the state of Kansas; and

WHEREAS, The goals of the Kansas Diabetes Plan 2008-2013 are to increase awareness of the prevention and control of diabetes, improve the capacity to address the prevention and control of diabetes, increase Kansas health care workforce competency in diabetes standards of care, improve awareness of and access to diabetes self-management information, programs and services and influence public policy to support improving diabetes prevention, detection and care throughout Kansas; and

WHEREAS, The 24th annual American Association Diabetes Alert Day is Tuesday, March 27th, 2012, a one-day "wake-up" call asking the American public to "Join the Million Challenge" by encouraging Americans to take the diabetes risk test to find out if they are at risk for developing type 2 diabetes and if they are at high risk, to speak with their health care provider; and

WHEREAS, The American Diabetes Association has encouraged community organizations to use March 27th as a way to educate individuals in their communities to recognize their risk for type 2 diabetes, manage their risk and take action to create a future free of the disease; and

WHEREAS, At the end of 2011, the American Diabetes Association surpassed their goal of inspiring one million Americans to be a part of the American Diabetes Association's movement to stop diabetes. To continue this momentum, the American Diabetes Association is asking the American public to "Join the Million Challenge" by rallying one million people to take the diabetes risk test beginning on Diabetes Alert Day on March 27th, 2012: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we hereby endorse the Kansas Diabetes Plan 2008-2013, recognize March 27th as American Diabetes Association Alert Day in the state of Kansas and invite the Kansas Diabetes Action Council to submit a final report to the state legislature in 2013 on the results of the Kansas Diabetes Plan 2008-2013; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator V. Schmidt.

On emergency motion of Senator V. Schmidt **SR 1845** was adopted unanimously.

Senator V. Schmidt introduced and recognized Aaron Wright, who has diabetes, in recognition of American Diabetes Association Alert Day. Also introduced were Aaron's parents: Chuck Pennewell and Shannon Wright. Other guests introduced were: Linda Crider, Kayla Jordan Wright, Gwen Lehleitner and Alan Carter.

Senator Kultala introduced her husband, Dan Kultala, and shared with the Senate the story of Dan's battle with diabetes from early childhood. The Senate recognized all guests with a standing ovation.

Senator Emler introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1846—

A RESOLUTION congratulating the Sterling High School Boys' Basketball Team on winning the 2012 Class 2A State Championship.

WHEREAS, The Sterling High School boys' basketball team won the 2012 Class 2A state basketball championship held in Manhattan; and

WHEREAS, The Sterling black bears 2012 boys' basketball team won the school's first ever state basketball championship; and

WHEREAS, The team is led by head coach Derek Schneider and assistant coaches Tyson Bauerle and Wes Laudermilk; and

WHEREAS, The team members who participated in this momentous and historic championship season for the Sterling boys' basketball team are Jake Jaderston, Riley Galyon, Kirk Engelland, Matt Dewerff, Seth Humphreys, Bryant Patterson, Keaton Prather, Austin Maxwell, Nathan Proffitt, Chad Bennett, Trey Bagby and Jordan Proffitt. Team managers are Scott Dellinger, Cole Slupski and Coby Comley; and

WHEREAS, Sterling beat the Meade buffaloes, who had previously been undefeated in the 2012 season and were the top-seed in the tournament; and

WHEREAS, The Sterling boys' basketball team challenged themselves to win throughout the season and were able to end with a 22 point victory over Meade. The final score of the championship game was 71-49: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate the Sterling boys' basketball team and coaches for their hard-earned championship victory and successful season; and

Be it further resolved: That the Secretary of the Senate shall send 19 enrolled copies of this resolution to Sterling High School.

On emergency motion of Senator Emler **SR 1846** was adopted unanimously.

Senator Emler introduced and congratulated the Sterling High School Boys Basketball Team for winning the 2012 Class 2A State Championship. The following are members of the basketball team: Jake Jaderston, Riley Galyon, Kirk Engelland, Matt DeWerff, Seth Humphreys, Bryant Patterson, Keaton Prather, Austin Maxwell, Nathan Proffitt, Chad Bennett, Trey Bagby, Jordan Proffitt, Scott Dellinger, and Cole Slupski, and Coby Comley, Team Managers; Derek Schneider, Head Coach, Tyson Bauerle and Wes Laudermilk, Assistant Coaches and Bill Anderson, Sterling High School Principal. All guests were acknowledged for their achievement with a standing ovation.

On motion of Senator Emler, the Senate recessed until 11:00 a.m.

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

REPORT ON ENGROSSED BILLS

SB 330, SB 417 reported correctly engrossed March 22, 2012.

Also, **SB 322, SB 345, SB 422** reported correctly re-engrossed March 22, 2012.

SB 267, SB 271, SB 356 reported correctly engrossed March 23, 2012.

SB 403 reported correctly engrossed March 26, 2012.

SB 371, SB 400, SB 415; Sub SB 433 reported correctly engrossed March 26, 2012.

REPORT ON ENROLLED BILLS

SB 252, SB 280; Sub SB 282; SB 290, SB 310, SB 353 reported correctly enrolled, properly signed and presented to the Governor on March 26, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **HB 2077** be amended by the adoption of the amendments recommended by the Senate Committee on Financial Institutions and Insurance as reported in the Journal of the Senate on May 12, 2011, and be further amended by the adoption of the amendments recommended by the Senate Committee on Financial Institutions and Insurance as reported in the Journal of the Senate on March 16, 2012, and the bill, as printed as further amended by Senate Committee, be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2077," as follows:

"SENATE Substitute for HOUSE BILL No. 2077

By Committee on Financial Institutions and Insurance

"AN ACT concerning employment; creating the professional employer organization registration act.";

and the substitute bill be passed.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Teichman is the chair.

On motion of Senator Teichman the following report was adopted:

Recommended: **SB 427, SB 453; HB 2757** be amended by adoption of the committee amendments, and the bills be passed as amended.

The committee report on **SB 459** recommending a **Sub SB 459** be adopted, and the substitute bill be passed.

The committee report on **HB 2454** recommending a **S Sub for HB 2454** be adopted, and the substitute bill be passed.

The committee report on **HB 2382** recommending a **S Sub for HB 2382** be adopted, and the substitute bill be passed.

A motion by Senator Steiniger to amend **S Sub for HB 2382** failed and the following amendment was rejected: on page 2, in line 19, by striking "2017" and inserting "2015".

Sub SB 359 be passed over and retain a place on the calendar.

FINAL ACTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Emler an emergency was declared by a 2/3 constitutional majority, and **SB 427, SB 453; Sub SB 459; S Sub for HB 2382, S Sub for HB 2454; HB 2757** were advanced to Final Action and roll call.

SB 427, AN ACT concerning the Kansas housing loan deposit program; relating to the building or rehabilitation of adult care homes; amending K.S.A. 2011 Supp. 75-4209, 75-4277, 75-4278 and 75-4279 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Pilcher-Cook.

The bill passed, as amended.

SB 453, AN ACT concerning driving under the influence; creating the crime of refusing to submit to a test to determine the presence of alcohol or drugs; relating to administrative penalties; crimes, punishment and criminal procedure; amending K.S.A. 8-241 , 8-1501, 12-4413 and 22-2910 and K.S.A. 2011 Supp. 8-235, 8-262, 8-285, 8-2,144, 8-1001, 8-1008, 8-1013, 8-1014, 8-1015, 8-1020. 8-1567, 12-4106, 12-4414, 12-4415, 12-4416, 12-4517, 21-5203, 21-6804, 22-2802, 22-2908, 22-2909, 22-4704, 60-427 and 74-2012 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 8-1020b and 22-2909c. .

On roll call, the vote was: Yeas 37; Nays 3; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Francisco, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Faust-Goudeau, Haley, Pilcher-Cook.

The bill passed, as amended.

Sub SB 459, AN ACT creating the joint committee on KanCare oversight; amending K.S.A. 2011 Supp. 39-7,161 and 39-7,162 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 39-7,160 and 46-3501.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Reitz.

The substitute bill passed.

S Sub for HB 2382, AN ACT concerning economic development; concerning the STAR bonds financing act; relating to the provisions regarding STAR bond projects; extending the sunset date; regarding bond interest rates; amending K.S.A. 2011 Supp. 10-1009 and 12-17,179 and repealing the existing sections.

On roll call, the vote was: Yeas 27; Nays 13; Present and Passing 0; Absent or Not Voting 0.

Yeas: Apple, Bruce, Brungardt, Emler, Faust-Goudeau, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Abrams, Donovan, Francisco, Haley, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Steineger.

The substitute bill passed.

S Sub for HB 2454, AN ACT concerning the arts; creating the creative arts industries commission within the department of commerce; transferring the powers, functions and duties from the Kansas arts commission and the Kansas film services commission to the Kansas creative arts industries commission; abolishing the Kansas arts commission and the Kansas film services commission; creating the arts industries commission checkoff; amending K.S.A. 46-1801, 74-7901 and 75-2249 and K.S.A. 2011 Supp. 8-1,161, 75-2269 and 75-5072 and repealing the existing sections; also repealing K.S.A. 74-5202, 74-5203, 74-5204, 74-5205 and 74-5206 and K.S.A. 2011 Supp. 74-9201 and 74-9202.

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

Yeas: Abrams, Apple, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Bruce, Pilcher-Cook.

The substitute bill passed.

HB 2757, AN ACT concerning roads and bridges; relating to the highway advertising control act; designating bridge no. 060 on United States highway 77 in Marshall county as the SP4 Michael T. Martin memorial bridge; designating bridge no. 054 on United States highway 36 in Marshall county as the SGT Joseph A. Zutterman Jr. memorial bridge; amending K.S.A. 2011 Supp. 68-2232, 68-2233 and 68-2234 and repealing the existing sections.

On roll call, the vote was: Yeas 33; Nays 6; Present and Passing 1; Absent or Not Voting 0.

Yeas: Apple, Bruce, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Kelly, Kelsey, King, Kultala, Longbine, Love, Marshall, McGinn, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Abrams, Donovan, Huntington, Lynn, Merrick, Steineger.

Present and Passing: Masterson.

The bill passed, as amended.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Owens moved the Senate concur in house amendments to **S Sub for Sub SB 159**.

Senator Haley made a substitute motion to nonconcur and a new conference committee be appointed. The motion failed.

H Sub for Sub SB 159, AN ACT concerning crimes, punishment and criminal procedure; relating to conditions of release; conditions for persons on probation; searches of parolees and persons on postrelease supervision; conditions for sex offenders; amending K.S.A. 2011 Supp. 21-6607 and 22-3717 and repealing the existing sections.

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

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Francisco, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Faust-Goudeau, Haley.

The Senate concurred.

Senator Owens moved the Senate concur in House amendments to **SB 320**.

SB 320, AN ACT concerning the revised Kansas juvenile justice code; relating to probable cause determinations; amending K.S.A. 2011 Supp. 38-2331, 38-2343 and 38-2354 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Owens moved the Senate concur in House amendments to **SB 366**.

SB 366, AN ACT concerning civil procedure; relating to attachment and garnishment; amending K.S.A. 60-733 and 61-3506 and K.S.A. 2011 Supp. 60-736, 60-738, 60-739, 61-3509, 61-3511 and 61-3512 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

On motion of Senator Reitz the Senate nonconcurred in the House amendments to **H Sub for SB 114** and requested a conference committee be appointed.

The President appointed Senators Reitz, Kelsey and Faust-Goudeau as a conference committee on the part of the Senate.

On motion of Senator Reitz the Senate nonconcurred in the House amendments to **SB 207** and requested a conference committee be appointed.

The President appointed Senators Reitz, Kelsey and Faust-Goudeau as a conference committee on the part of the Senate.

On motion of Senator Reitz the Senate nonconcurred in the House amendments to **H Sub for SB 341** and requested a conference committee be appointed.

The President appointed Senators Reitz, Kelsey and Faust-Goudeau as a conference committee on the part of the Senate.

ORIGINAL MOTIONS

On motion of Senator Schodorf, the Senate acceded to the request of the House for a conference on **HB 2430**.

The President appointed Senators Schodorf, Vratil and Hensley as conferees on the part of the Senate.

On motion of Senator Owens, the Senate acceded to the request of the House for a conference on **HB 2464**.

The President appointed Senators Owens, King and Haley as conferees on the part of the Senate.

On motion of Senator V. Schmidt, the Senate acceded to the request of the House for a conference on **HB 2471**.

The President appointed Senators V. Schmidt, Brungardt and Kelly as conferees on the part of the Senate.

On motion of Senator Teichman, the Senate acceded to the request of the House for a conference on **HB 2485**.

The President appointed Senators Teichman, Masterson and A. Schmidt as conferees on the part of the Senate.

On motion of Senator Owens, the Senate acceded to the request of the House for a conference on **HB 2494**.

The President appointed Senators Owens, King and Haley as conferees on the part of the Senate.

On motion of Senator Taddiken, the Senate acceded to the request of the House for a conference on **HB 2502**.

The President appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

On motion of Senator Taddiken, the Senate acceded to the request of the House for a conference on **HB 2503**.

The President appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

On motion of Senator Taddiken, the Senate acceded to the request of the House for a conference on **HB 2516**.

The President appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

On motion of Senator Taddiken, the Senate acceded to the request of the House for a conference on **HB 2517**.

The President appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

On motion of Senator Taddiken, the Senate acceded to the request of the House for a conference on **HB 2563**.

The President appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

On motion of Senator Taddiken, the Senate acceded to the request of the House for a conference on **S Sub for HB 2596**.

The President appointed Senators Taddiken, Teichman and Francisco as conferees on

the part of the Senate.

On motion of Senator Taddiken, the Senate acceded to the request of the House for a conference on **HB 2604**.

The President appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

On motion of Senator Owens, the Senate acceded to the request of the House for a conference on **S Sub for HB 2613**.

The President appointed Senators Owens, King and Haley as conferees on the part of the Senate.

On motion of Senator Owens, the Senate acceded to the request of the House for a conference on **HB 2655**.

The President appointed Senators Owens, King and Haley as conferees on the part of the Senate.

On motion of Senator Owens, the Senate acceded to the request of the House for a conference on **HB 2704**.

The President appointed Senators Owens, King and Haley as conferees on the part of the Senate.

On motion of Senator McGinn, the Senate acceded to the request of the House for a conference on **HB 2706**.

The President appointed Senators McGinn, Vratil and Kelly as conferees on the part of the Senate.

On motion of Senator Taddiken, the Senate acceded to the request of the House for a conference on **S Sub for HB 2730**.

The President appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

On motion of Senator Emler, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

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

MESSAGE FROM THE HOUSE

The House nonconcurrs in Senate amendments to **Senate Substitute for Substitute HB 2004**, requests a conference and has appointed Representatives Aurand, Huebert and Ward as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **Senate Substitute for HB 2157**, requests a conference and has appointed Representatives Carlson, Kleeb and Dillmore as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **Senate Substitute for HB 2313**, requests a conference and has appointed Representatives Kinzer, Patton and Pauls as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **Senate Substitute for Substitute HB 2318**, requests a conference and has appointed Representatives Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2435**, requests a conference and

has appointed Representatives Gordon, Aurand and Winn as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2568**, requests a conference and has appointed Representatives Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **Senate Substitute for HB 2597**, requests a conference and has appointed Representatives Powell, Kerschen and Williams as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2684**, requests a conference and has appointed Representatives Colloton, Kinzer and Pauls as conferees on the part of the House.

Announcing that **Senate Substitute for HB 2241** was ruled materially changed and the bill is therefore not subject to Motions to Concur and Nonconcur.

Announcing that **Senate Substitute for HB 2200** was ruled materially changed and the bill is therefore not subject to Motions to Concur and Nonconcur.

The House nonconcurrs in Senate amendments to **Senate Substitute for HB 2390**, requests a conference and has appointed Representatives McLeland, C. Holmes and Burroughs as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2505**, requests a conference and has appointed Representatives Knox, Proehl and Grant as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2631**, requests a conference and has appointed Representatives Landwehr, Donohoe and Flaharty as conferees on the part of the House.

Announcing passage of **HB 2561, HB 2745**.

Announcing passage of **Substitute SB 397**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2561, HB 2745 were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Owens the Senate nonconcurrred in the House amendments to **H Sub SB 79** and requested a conference committee be appointed.

The President appointed Senators Owens, King and Haley as a conference committee on the part of the Senate.

On motion of Senator Taddiken the Senate nonconcurrred in the House amendments to **H Sub for Sub SB 148** and requested a conference committee be appointed.

The President appointed Senators Taddiken, Teichman and Francisco as a conference committee on the part of the Senate

On motion of Senator Owens the Senate nonconcurrred in the House amendments to **Sub SB 283** and requested a conference committee be appointed.

The President appointed Senators Owens, King and Haley as a conference committee on the part of the Senate.

On motion of Senator Owens the Senate nonconcurrred in the House amendments to **SB 306** and requested a conference committee be appointed.

The President appointed Senators Owens, King and Haley as a conference committee on the part of the Senate.

On motion of Senator Owens the Senate nonconcurred in the House amendments to **Sub SB 307** and requested a conference committee be appointed.

The President appointed Senators Owens, King and Haley as a conference committee on the part of the Senate.

On motion of Senator Owens the Senate nonconcurred in the House amendments to **SB 394** and requested a conference committee be appointed.

The President appointed Senators Owens, King and Haley as a conference committee on the part of the Senate.

On motion of Senator Wagle the Senate nonconcurred in the House amendments to **H Sub SB 416** and requested a conference committee be appointed.

The President appointed Senators Wagle, Lynn and Holland as a conference committee on the part of the Senate.

ORIGINAL MOTIONS

On motion of Senator Schodorf, the Senate acceded to the request of the House for a conference on **S Sub for Sub HB 2004**.

The President appointed Senators Schodorf, Vratil and Hensley as conferees on the part of the Senate.

On motion of Senator Donovan, the Senate acceded to the request of the House for a conference on **S Sub for HB 2157**.

The President appointed Senators Donovan, Apple and Holland as conferees on the part of the Senate.

On motion of Senator Schodorf, the Senate acceded to the request of the House for a conference on **HB 2435**.

The President appointed Senators Schodorf, Vratil and Hensley as conferees on the part of the Senate.

On motion of Senator Ostmeyer, the Senate acceded to the request of the House for a conference on **S Sub for HB 2597**.

The President appointed Senators Ostmeyer, McGinn and Francisco as conferees on the part of the Senate.

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Wednesday, March 28, 2012.

Journal of the Senate

FIFTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 28, 2012, 10:00 a.m.

The Senate was called to order by Vice President John Vratil.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

From time to time we have a tendency to forget what kind of God You are.
Forgive us for treating You as if You were.....

Some sort of supernatural sounding board;
A spiritual 911 who never responds to our call;
A cultural antique handed down from generation to generation;
A naturalistic symbol to keep the masses preoccupied;
A scapegoat to blame for failures, aches and pains, untimely deaths, and our own bad judgments;
An indulgent grandfather who tolerates anything and everything;
A lucky charm we rub when we encounter icy streets, tornadoes, lottery tickets, and flashing lights on patrol cars;

Remind us, O God, that You can raise up nations and You can bring them down. That without You no government can survive forever.

Remind us that You are the Creator and we are the creatures, because we are prone to get it backwards.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by Vice President John Vratil.

POINT OF PERSONAL PRIVILEGE

Senator A. Schmidt rose on a Point of Personal Privilege to introduce the following schools in the 36th and 40th Senate Districts being represented: the Ellis Railroaders, the Stockton Tigers and the Kennedy Fighting Irish. Also introduced was Jeff Richmeier, their sponsor.

Senator Hensley rose on a Point of Personal Privilege to introduce two US Government Classes from Highland Park High School and their teacher, Heather Haworth, who were visiting the Capitol.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture: **HB 2761**.

Financial Institutions and Insurance: **HB 2764**.

Judiciary: **HB 2741**.

Ways and Means: **HB 2561, HB 2745**.

MESSAGE FROM THE GOVERNOR

March 23, 2012

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Order No. 12-04 for your information.

Sam Brownback
Governor

The Vice President announced Executive Order No. 12-04, for Regional Emergencies regarding Conditional and Temporary Relief from Motor Carrier Rules and Regulations, is on file in the office of the Secretary of the Senate and is available for review at any time.

REPORT ON ENROLLED BILLS

SR 1844, SR 1845, SR 1846 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 28, 2012.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Kultala introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1847—

A RESOLUTION congratulating and commending
Leavenworth county treasurer Janice Young.

WHEREAS, Leavenworth county treasurer Janice Young will be retiring after 30 years of service to the Leavenworth county treasurer's office; and

WHEREAS, Ms. Young started her career in 1982 as a front line tax clerk. She was promoted 5½ years later to deputy treasurer. She served as deputy treasurer until 1998; and

WHEREAS, As deputy treasurer, Ms. Young had to learn the job on her own, as there was no one to teach her how to perform the distribution functions required by her new title. The methods she developed for distributions as deputy treasurer are still used in the treasurer's office today; and

WHEREAS, Ms. Young was elected Leavenworth county treasurer in 1998, a position she has held ever since; and

WHEREAS, Since becoming county treasurer, Ms. Young has made the office more efficient by cross-training staff, which saves money as any employee can fill any position as necessary; and

WHEREAS, Ms. Young grew up on a farm in the town of Finley, North Dakota. She credits that small-town upbringing with teaching her the importance of dedication to her job and a strong work ethic; and

WHEREAS, Ms. Young looks forward to retirement and spending more time with her family, including Ray, her husband of 44 years, her two daughters, six grandchildren and two great-grandchildren: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Janice Young on her years of service to Leavenworth county and the state of Kansas. We extend our best wishes for her continued success and happiness; and

Be it further resolved: That the Secretary of the Senate shall send two enrolled copies of this resolution to Senator Kultala.

On emergency motion of Senator Kultala **SR 1847** was adopted unanimously.

Senator Kultala introduced and congratulated Janice Young, the Leavenworth County Treasurer, upon her retirement of thirty years of service. Also introduced were: her husband, Ray Young, daughters, Michelle Baker and Tanya Lockhart, granddaughters, Amber Baker, Bethany Lockhart, Ashley Young, and grandson, Robert Young. Also introduced were members of Janice Young's staff: Janet Klasinski, County Clerk, Stacy Driscoll, Register of Deeds, Cindy Henry and Lisa Crook, Deputy Treasurers, and Diane Collins, Human Resource Director. The Senate welcomed the guests with a standing ovation.

Senator Umbarger introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1848—

A RESOLUTION congratulating and commending the Labette Community College Cardinals for winning the 2012 NJCAA wrestling championship and Coach Joe Renfro for winning NJCAA wrestling coach of the year.

WHEREAS, The Labette Community College wrestling team won their second NJCAA wrestling championship on February 25, 2012 in Rochester, Minnesota; and

WHEREAS, Nine Labette Community College wrestlers earned All-American status, which requires a top eight finish, and two wrestlers won individual national championships; and

WHEREAS, The Labette Community College Cardinals tied the all-time record for most points scored in the NJCAA wrestling tournament; and

WHEREAS, Coach Joe Renfro has won NJCAA wrestling coach of the year three times in his career, in 2005, 2010 and following the 2012 NJCAA national wrestling tournament; and

WHEREAS, The 2012 NJCAA national champion Labette Community College Cardinals team members are Garrett Jones, All-American, 125 pound weight class, 5th place, Eric Hughes, All-American, 133 pound weight class, 5th place, Jordan Basks, All-American, 141 weight class, 3rd place, Jeromy Davenport, All-American, 149 pound weight class, 5th place, Devin Aguirre, All-American, 157 pound weight class, champion, Ethan Orr, All-American, 165 pound weight class, champion, Ray Hall, All-American, 174 pound weight class, 3rd place, John Hambleton, 184 pound weight class, Zach Anderson, All-American, 197 pound weight class, 2nd place, and Trey Page, All-American, Heavyweight, 2nd place. The team was coached by Joe Renfro, Head Coach,

Dennis Siegmann, Assistant Coach, William Weber, Assistant Coach and Ben McKenzie, Athletic Trainer: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the Labette Community College Cardinals and Coach Joe Renfro for their hard work and dedication that led to this outstanding season, the 2012 NJCAA wrestling championship and the NJCAA coach of the year award; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to each of the wrestlers and coaches on the NJCAA champion Labette Community College wrestling team and one enrolled copy to Labette Community College.

On emergency motion of Senator Umbarger **SR 1848** was adopted unanimously.

Senator Umbarger introduced and congratulated the Labette Community College wrestling team for winning the 2012 NJCAA wrestling championship and Head Coach Joe Renfro for winning the NJCAA wrestling coach of the year. The following members of the wrestling team are: Garrett Jones, Eric Hughes, Jordan Basks, Jeromy Davenport, Devin Aguirre, Ethan Orr, Ray Hall, John Hambleton, Zach Anderson, Trey Page, Assistant Coaches, Dennis Siegmann and William Weber, and Athletic Trainer, Ben McKenzie. All were recognized for their accomplishments with a standing ovation.

ORIGINAL MOTIONS

On motion of Senator Owens, the Senate acceded to the request of the House for a conference on **S Sub for HB 2313**.

The Vice President appointed Senators Owens, King and Haley as conferees on the part of the Senate.

On motion of Senator Owens, the Senate acceded to the request of the House for a conference on **S Sub for Sub HB 2318**.

The Vice President appointed Senators Owens, King and Haley as conferees on the part of the Senate.

On motion of Senator Apple, the Senate acceded to the request of the House for a conference on **S Sub for HB 2390**.

The Vice President appointed Senators Apple, Petersen and Kultala as conferees on the part of the Senate.

On motion of Senator Teichman, the Senate acceded to the request of the House for a conference on **HB 2505**.

The Vice President appointed Senators Teichman, Masterson and A. Schmidt as conferees on the part of the Senate.

On motion of Senator Owens, the Senate acceded to the request of the House for a conference on **HB 2568**.

The Vice President appointed Senators Owens, King and Haley as conferees on the part of the Senate.

On motion of Senator V. Schmidt, the Senate acceded to the request of the House for a conference on **HB 2631**.

The Vice President appointed Senators V. Schmidt, Brungardt and Kelly as conferees on the part of the Senate.

On motion of Senator Owens, the Senate acceded to the request of the House for a conference on **HB 2684**.

The Vice President appointed Senators Owens, King and Haley as conferees on the part of the Senate.

On motion of Senator Emler, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

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

CHANGE OF REFERENCE

The President withdrew **HB 2562**, **HB 2647** from the Committee on **Ways and Means**, and placed on the calendar under the heading of General Orders.

MESSAGE FROM THE HOUSE

Announcing passage of **SB 425**, as amended by **House Substitute for SB 425**.

The House accedes to the request of the Senate for a conference on **House Substitute for SB 79** and has appointed Representatives Kinzer, Patton and Pauls as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for SB 114** and has appointed Representatives Huebert, Seiwert and Mah as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for Substitute SB 148** and has appointed Representatives Powell, Kerschen and Williams as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 207** and has appointed Representatives Huebert, Seiwert and Mah as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **Substitute SB 283** and has appointed Representatives Kinzer, Patton and Pauls as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 306** and has appointed Representatives Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 307** and has appointed Representatives Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for SB 341** and has appointed Representatives Huebert, Seiwert and Mah as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 394** and has appointed Representatives Kinzer, Patton and Pauls as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for SB 416** and has appointed Representatives Brown, Suellentrop and Slattery as conferees on the part of the House.

The House concurs in Senate amendments to **HB 2416**, **HB 2461**; **Senate Substitute for HB 2526**, **Substitute HB 2659**; **HB 2660**, **HB 2674**, **HB 2685**.

The House nonconcur in Senate amendments to **Senate Substitute for HB 2454**, requests a conference and has appointed Representatives Gordon, Kleeb and Winn as conferees on the part of the House.

CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR

Senator Owens moved the Senate concur in House amendments to **H Sub for SB 74**.

H Sub for SB 74, AN ACT concerning civil procedure; relating to social and rehabilitation services; amending K.S.A. 60-1501 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Brungardt moved the Senate concur in House amendments to **SB 301**.

SB 301, AN ACT concerning the state board of technical professions; relating to terms of members; amending K.S.A. 74-7006 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator V. Schmidt moved the Senate concur in House amendments to **SB 303**.

SB 303, AN ACT concerning disposition of unclaimed cremated remains; relating to veterans cremated remains; amending K.S.A. 65-1732 and repealing the existing section; also repealing K.S.A. 65-1733.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

Senator Owens moved the Senate concur in House amendments to **SB 424**.

SB 424, AN ACT concerning the Kansas law enforcement training act; amending K.S.A. 19-801b, 31-157, 74-5601 and 74-5622 and K.S.A. 2011 Supp. 12-1,120, 74-5602, 74-5603, 74-5605, 74-5607, 74-5607a, 74-5608a and 74-5616 and repealing the existing sections; also repealing K.S.A. 74-5618.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not

Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Senate concurred.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Ostmeyer introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1849—

A RESOLUTION congratulating Gilbert and Barbara Knipp
on being named the longest married couple in Kansas.

WHEREAS, Gilbert and Barbara Knipp have been married for 72 years and were selected as the Longest Married Couple in Kansas by Worldwide Marriage Encounter; and

WHEREAS, Seventy-four years ago, Gilbert Knipp was living in Scott City and made a trip to Wichita with a few friends to look at farm equipment. He had no idea he would meet his wife that day; and

WHEREAS, Gilbert and his friends stopped at a house while in Wichita, where he met Barbara. Barbara was engaged at the time, but she knew instinctively that Gilbert was the man for her; and

WHEREAS, That very night, Gilbert, Barbara and some friends went dancing, which sealed the deal for Barbara. She was head over heels for Gilbert; and

WHEREAS, When Gilbert and his friends drove back to Scott City, Barbara's mother rode with them and during the ride, Barbara's mother told Gilbert that Barbara was in love with him; and

WHEREAS, Gilbert and Barbara spent the next two years in a long-distance relationship writing numerous letters back and forth as he was in Scott City and she was in Wichita; and

WHEREAS, The couple married on June 14, 1939, at the Cathedral of the Immaculate Conception in Wichita, and

WHEREAS, After nearly 73 years of marriage, they have six children, Daniel, Sara, Anita, John, Sam and Ruth, 14 grandchildren, 28 great-grandchildren and two great-great-grandchildren; and

WHEREAS, Gilbert and Barbara credit their deep religious faith and shared interests with the longevity of their relationship; and

WHEREAS, The couple says they cannot imagine a better life or having lived it with anyone else: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate Gilbert and Barbara Knipp on being named the longest married couple in Kansas and commend them on 72 years of marriage. We wish them and the entire Knipp family continued love and happiness; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Ostmeyer.

On emergency motion of Senator Ostmeyer **SR 1849** was adopted unanimously.

Senator Ostmeyer introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1850—

A RESOLUTION congratulating the Scott Community High School wrestling team on winning the 2012 Class 3-2-1A State Title.

WHEREAS, The Scott Community High School wrestling team won the 2012 Class 3-2-1A State Championship. The team scored 93.5 points, outscoring runner-up Hoisington by 15.5 points; and

WHEREAS, The state champion wrestling team consists of team members Manny Turner (170 pounds), Michael McEachern (225 pounds), Luke Hayes (285 pounds), Clay Mulligan (132 pounds), Alex Kough (120 pounds) and James Jurgens (103 pounds). The Beavers are led by coach Jon Lippelmann; and

WHEREAS, Senior heavyweight Luke Hayes won his second consecutive state title by pinning Trevin Edelman of Sabetha in two minutes and 34 seconds. The win capped an undefeated season for Mr. Hayes; and

WHEREAS, This is Scott Community High School's fourth state championship in school history, but its first in Class 3-2-1A; and

WHEREAS, The team had the tremendous support of administrators, faculty, students, parents and the community: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate the Scott Community High School wrestling team and coaches on winning the 2012 Class 3-2-1A state wrestling championship and that we extend our best wishes for their continued success; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Scott Community High School.

On emergency motion of Senator Ostmeyer **SR 1850** was adopted unanimously.

On motion of Senator Emler the Senate adjourned until 10:00 a.m., Thursday, March 29, 2012.

Journal of the Senate

FIFTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 29, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

About this time each year some of us begin to question the system.
We have so much to do and so little time to do it.
There are bills yet to be passed.
There are bills that should be passed.
And there is yet one bill that seems to defy passage.

The Senate wonders how on earth the House could do what it did, while the House wonders how the Senate could possibly not do what it should have done. And vice versa.

Our ears are ringing;
Our eyes are red;
Our heads are aching;
And our back sides are dead.

We sometimes wonder if we should swap this Republic for another form of government....when we remember the terrible results in any other form.

In the meantime we remember that Churchill said: The only system worse than what we have....is all the rest.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

MESSAGE FROM THE GOVERNOR

SB 316 approved on March 28, 2012.

CONSIDERATION OF MOTIONS TO CONCUR OR NONCONCUR

On motion of Senator Owens the Senate nonconcurred in the House amendments to **H Sub for SB 425** and requested a conference committee be appointed.

The President appointed Senators Owens, King and Haley as a conference committee on the part of the Senate.

ORIGINAL MOTION

On motion of Senator McGinn, the Senate acceded to the request of the House for a conference on **S Sub for HB 2454**.

The President appointed Senators Huntington, Schodorf and Kelly as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Longbine introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1851—

A RESOLUTION designating every Sunday
as "Cooking With Kids Day."

WHEREAS, Our children are Kansas' most precious and joyful responsibility, and we are obligated to do all we can to make the good health of our children our number one goal; and

WHEREAS, Childhood obesity is considered by many to be an epidemic in western countries, where now one out of every three children is considered overweight or obese; and

WHEREAS, Local, state and federal governments recognize the tremendous health risk to our children and the added burden to our health care costs in this country from obesity and are now taking an active role in fighting childhood obesity through new programs, including improved nutrition education and access to healthier school lunches; and

WHEREAS, The President of the United States signed a memorandum on February 9, 2010, creating a new inter-agency task force that included 12 federal agencies to address the problem of childhood obesity in the United States; and

WHEREAS, The President's task force identified 70 specific recommendations, many of which can or have been implemented immediately. The report broadly summarizes the task force recommendations, including getting children a healthy start in life with good prenatal care, providing health food in schools, improving access to healthy food in schools and getting children more physically active; and

WHEREAS, Children have historically led their parents when embarking on a culture change. Children often learn skills and disciplines and reinforce new behaviors in the family dynamic, for instance, helping to teach their parents how to do a better job recycling and to understand new technologies, such as social networking; and

WHEREAS, Children are more likely to eat healthier when they are involved in their food choices and food preparation; and

WHEREAS, Children who help their parents plan a meal, shop for the groceries and prepare the food they buy are empowered to make healthier food choices; and

WHEREAS, Children who are connected to the food supply at a young age become more conscious consumers as adults; and

WHEREAS, New venues such as the Food Network and network television have introduced adults and children to fun, healthy ways to enjoy family time together while creating healthy meals. These new venues and their celebrity chefs are leading families in a culture change in our relationship with food: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we designate every Sunday, so long as it does not conflict with personal beliefs, as "Cooking With Kids Day" in order to encourage parents and children to spend time in the kitchen together and prepare a healthy meal; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Jeff Longbine.

On emergency motion of Senator Longbine **SR 1851** was adopted unanimously.

Senator V. Schmidt introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1852—

A RESOLUTION encouraging participation in the American Public Health Association and the Kansas Public Health Association National Public Health Week, April 2-8, 2012.

WHEREAS, The week of April 2-8, 2012, is National Public Health Week, where the theme is "A Healthier America Begins Today. Join the Movement."; and

WHEREAS, The week of April 2-8, 2012, has been designated as National Public Health Week in Kansas in a Governor's Proclamation by Governor Sam Brownback; and

WHEREAS, Since 1995, the sponsorship of National Public Health Week by the American Public Health Association, the Kansas Public Health Association and its members have educated the public, policymakers and public health professionals about issues important to improving the American public's health; and

WHEREAS, Preventing diseases before they start is critical to helping people live longer and healthier lives while managing health-related costs; and

WHEREAS, Chronic diseases such as heart disease, cancer and diabetes are responsible for millions of premature deaths each year; and

WHEREAS, Chronic diseases cause Americans to miss 2.5 billion days of work each year, resulting in lost productivity totaling more than \$1 trillion; and

WHEREAS, On average, Americans are living to 78 years of age. However, only 69 of these years are spent in good health: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we support the efforts of the American Public Health Association and the Kansas Public Health Association to recognize the week of April 2-8, 2012, as National Public Health Week, and call upon the people of Kansas to observe National Public Health Week by helping our families, friends, neighbors, co-workers and leaders better understand the importance of public health to a successful health system in light of this year's theme of National Public Health Week, "A Healthier America Begins Today. Join the Movement."; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator V. Schmidt.

On emergency motion of Senator V. Schmidt **SR 1852** was adopted unanimously.

Senator V. Schmidt and members of the Senate welcomed and recognized Brenda Nickel, KPHA Administration Section Chair, Elaine Schwartz, KPHA Executive Director, Mary Jayne Hellebust, KPHA Member for Tobacco Free Kansas Coalition, Allison Alejos, KPHA Member for Shawnee County Health Agency, Michelle Ponce, KPHA Member for Kansas Association of Local Health Departments, Jane Shirley and Joseph Kostch, KPHA Members for Kansas Department of Health & Environment, in recognition of the Kansas Public Health Association National Public Health Week. The Senate acknowledged the guests with a standing ovation.

Senator Holland introduced the following Senate resolution , which was read:

SENATE RESOLUTION No. 1853—

A RESOLUTION recognizing and designating
June 18-24, 2012, as Amateur Radio Week.

WHEREAS, Amateur radio operators are celebrating over a century of the miracle of the human voice broadcast over the airwaves; and

WHEREAS, Amateur radio has continued to provide a bridge between peoples, societies and countries by creating friendships and the sharing of ideas; and

WHEREAS, Amateur radio operators have also provided countless hours of community services both in emergencies and to other local organizations throughout these decades, in natural or man-made disasters, when other methods fail; and

WHEREAS, These amateur radio operators' services are provided wholly uncompensated; and

WHEREAS, These same individuals have further demonstrated their value in public assistance by providing free radio communications for local parades, bikeathons, triathlons, fairs and other charitable public events; and

WHEREAS, The state of Kansas recognizes and appreciates the diligence of these "hams" who also serve as weather spotters in the Skywarn program of the U.S. Government Weather Bureau; and

WHEREAS, Amateur radio once again proved its undisputed relevance in the modern world in 2005 by providing emergency communications when other systems failed in the devastation of hurricanes Katrina and Rita in the United States and in the tsunami catastrophe overseas; and

WHEREAS, The American Radio Relay League (ARRL) is the leading organization for amateur radio in the United States of America; and

WHEREAS, The ARRL Amateur Radio Field Day exercise will take place on June 23-24, 2012, and is a 24-hour emergency preparedness exercise and demonstration of the radio amateurs' skills and readiness to provide self-supporting communications without further infrastructure being required: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize and designate June 18-24, 2012, as Amateur Radio Week; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Tom Holland.

On emergency motion of Senator Holland **SR 1853** was adopted unanimously.

On motion of Senator Emler, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate met pursuant to recess with Senator Morris in the chair.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2432** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 8 through 36;

By striking all on pages 2 through 24;

On page 25, by striking all in lines 1 through 26 and inserting:

"New Section 1. (a) Sections 1 through 4, and amendments thereto, shall be known and may be cited as the safety corridor act.

(b) The provisions of this act shall expire on July 1, 2015.

New Sec. 2. As used in the safety corridor act:

(a) "Department" means the department of transportation.

(b) "Secretary" means the secretary of transportation.

(c) "Executive safety council" means a group of representatives appointed by the secretary who are charged with developing and maintaining the strategic highway safety plan. Representatives may be appointed from the Kansas department of transportation, Kansas department of revenue, Kansas department of health and environment, the Kansas legislature, transportation safety academia, transportation safety businesses, law enforcement, or local governments.

(d) "Safety corridor" means a segment of highway designated by the secretary of transportation pursuant to the provisions of this act identified by posted or moving signs as being a safety corridor. The corridor starts at the first sign identifying the corridor and continues until a posted or moving sign indicates that the corridor has ended.

New Sec. 3. (a) The secretary of transportation is hereby authorized and empowered to establish and administer a safety corridor program.

(b) The secretary shall establish criteria and designate safety corridors at the recommendation of the executive safety council. The following criteria shall be used in determining designation as a safety corridor, which shall include, but not be limited to:

(1) Accident rates and accident fatality rates, which account for the number of crashes;

(2) number of crashes resulting in serious injury or death; and

(3) traffic volumes.

(c) The secretary shall use the same criteria on all highways in determining whether a highway segment shall be designated as a safety corridor.

(d) The secretary shall designate not more than two safety corridors.

(e) The secretary shall have authority to designate highway safety corridors on highways that are designated as interstate, United States or state highways.

(f) The secretary shall not designate a safety corridor on an interstate, United States or state highway within the corporate limits of any city unless the governing body of such city has passed a resolution supporting the designation of a safety corridor by the secretary. If the governing body of such city passes a resolution revoking its support for

the designation of a safety corridor within its corporate limits, upon notification to the secretary that such resolution has passed, the secretary shall remove the safety corridor designation from such highway that is within the corporate limits of the city. All signage regarding its designation as a safety corridor shall be removed from the highway. However, failure to remove the signage shall not affect the status of the highway that is no longer a designated safety corridor and increased fines cannot be assessed for moving violations that occur within the sign marked area.

(g) The secretary shall establish guidelines to evaluate whether a highway segment designated as a safety corridor continues to meet established criteria. If the secretary determines the criteria no longer applies to the segment, the designation shall be revoked, the signage shall be removed and the segment shall cease to be a safety corridor.

(h) Annually, prior to the 10th day of each regular session of the legislature, the secretary shall report to the house committee on transportation and senate committee on transportation concerning implementation and operation of the program authorized by this section.

New Sec. 4. (a) There is hereby created in the state treasury the safety corridor fund to be administered by the secretary of transportation. All moneys credited to the safety corridor fund shall be used solely for programs within designated safety corridors, including appropriate signage, education, enforcement and such other purposes deemed appropriate by the secretary. All fines collected pursuant to subsection (h) of K.S.A. 8-2118, and amendments thereto, shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. The state treasurer shall credit all moneys received from fines pursuant to subsection (h) of K.S.A. 8-2118, and amendments thereto, in accordance with K.S.A. 74-7336, and amendments thereto.

(b) Each municipality or other governmental entity that enacts an ordinance or resolution that is substantially similar to subsection (h) of K.S.A. 8-2118, and amendments thereto, shall remit one half of the doubled fine that is collected as a result of the conviction of a moving violation relating to exceeding the maximum speed limit in a safety corridor to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the safety corridor fund.

Sec. 5. K.S.A. 2011 Supp. 8-1560c is hereby amended to read as follows: 8-1560c.

(a) (1) Any conviction or forfeiture of bail or bond for violating a maximum posted or authorized speed limit of 30 miles per hour or more but not exceeding 54 miles per hour on any highway, by not more than six miles per hour, shall not be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto. (2) except that a conviction of exceeding the maximum speed limit within a safety corridor by more than six miles per hour shall be considered a moving violation pursuant to K.S.A. 8-255, and amendments thereto.

(b) (1) Any conviction or forfeiture of bail or bond for violating the maximum posted or authorized speed limit of 55 miles per hour or more but not exceeding 75 miles per hour on any highway, by not more than 10 miles per hour, shall not be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto. (2) except that a conviction of exceeding the maximum speed limit within a safety corridor by more than six miles per hour shall be considered a moving

violation pursuant to K.S.A. 8-255, and amendments thereto.

(c) The provisions of subsections (a)(2) and (b)(2) shall expire on July 1, 2015.

Sec. 6. K.S.A. 2011 Supp. 8-1560d is hereby amended to read as follows: 8-1560d.

(a) Except as provided by subsection (b), convictions for violating a maximum posted speed limit of 55 miles per hour or more but not exceeding 75 miles per hour, by not more than 10 miles per hour in excess of such maximum speed limit, or a maximum posted speed limit of 30 miles per hour or more but not exceeding 54 miles per hour, by not more than six miles per hour in excess of such maximum speed limit, shall not be reported by the division and shall not be considered by any insurance company in determining the rate charged for any automobile liability insurance policy or whether to cancel any such policy under the provisions of subsection (4)(c)(7) of K.S.A. 40-277, and amendments thereto.

(b) Convictions for violating a maximum speed limit within a safety corridor by not more than six miles per hour shall not be reported by the division and shall not be considered by any insurance company in determining the rate charged for any automobile liability insurance policy under the provisions of subsection (4)(c)(7) of K.S.A. 40-277, and amendments thereto. The provisions of this subsection shall expire on July 1, 2015.

Sec. 7. K.S.A. 2011 Supp. 8-2118 is hereby amended to read as follows: 8-2118. (a) A person charged with a traffic infraction shall, except as provided in subsection (b), appear at the place and time specified in the notice to appear. If the person enters an appearance, waives right to trial, pleads guilty or no contest, the fine shall be no greater than that specified in the uniform fine schedule in subsection (c) and court costs shall be taxed as provided by law.

(b) Prior to the time specified in the notice to appear, a person charged with a traffic infraction may enter a written appearance, waive right to trial, plead guilty or no contest and pay the fine for the violation as specified in the uniform fine schedule in subsection (c) and court costs provided by law. Payment may be made in any manner accepted by the court. The traffic citation shall not have been complied with if the payment is not honored for any reason, or if the fine and court costs are not paid in full. When a person charged with a traffic infraction makes payment without executing a written waiver of right to trial and plea of guilty or no contest, the payment shall be deemed such an appearance, waiver of right to trial and plea of no contest.

(c) The following uniform fine schedule shall apply uniformly throughout the state but shall not limit the fine which may be imposed following a court appearance, except an appearance made for the purpose of pleading and payment as permitted by subsection (a). The description of offense contained in the following uniform fine schedule is for reference only and is not a legal definition.

<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
Refusal to submit to a preliminary breath test	8-1012	\$105
Unsafe speed for prevailing conditions	8-1557	\$75
Exceeding maximum speed limit; or speeding in zone posted by the state department of transportation; or	8-1558 to 8-1560 8-1560a	1-10 mph over the limit, \$45 11-20 mph over the limit, \$45 plus \$6

speeding in locally posted zone	or 8-1560b	per mph over 10 mph over the limit; 21-30 mph over the limit, \$105 plus \$9 per mph over 20 mph over the limit; 31 and more mph over the limit, \$195 plus \$15 per mph over 30 mph over the limit;
Disobeying traffic control device	8-1507	\$75
Violating traffic control signal	8-1508	\$75
Violating pedestrian control signal	8-1509	\$45
Violating flashing traffic signals	8-1510	\$75
Violating lane-control signal	8-1511	\$75
Unauthorized sign, signal, marking or device	8-1512	\$45
Driving on left side of roadway	8-1514	\$75
Failure to keep right to pass oncoming vehicle	8-1515	\$75
Improper passing; increasing speed when passed	8-1516	\$75
Improper passing on right	8-1517	\$75
Passing on left with insufficient clearance	8-1518	\$75
Driving on left side where curve, grade, intersection railroad crossing, or obstructed view	8-1519	\$75
Driving on left in no-passing zone	8-1520	\$75
Unlawful passing of stopped emergency vehicle	8-1520a	\$75
Driving wrong direction on one-way road	8-1521	\$75
Improper driving on laned roadway	8-1522	\$75
Following too close	8-1523	\$75
Improper crossover on divided highway	8-1524	\$45
Failure to yield right-of-way at uncontrolled intersection	8-1526	\$75

Failure to yield to approaching vehicle when turning left	8-1527	\$75
Failure to yield at stop or yield sign	8-1528	\$75
Failure to yield from private road or driveway	8-1529	\$75
Failure to yield to emergency vehicle	8-1530	\$195
Failure to yield to pedestrian or vehicle working on roadway	8-1531	\$105
Failure to comply with restrictions in road construction zone	8-1531a	\$45
Disobeying pedestrian traffic control device	8-1532	\$45
Failure to yield to pedestrian in crosswalk; pedestrian suddenly entering roadway; passing vehicle stopped for pedestrian at crosswalk	8-1533	\$75
Improper pedestrian crossing	8-1534	\$45
Failure to exercise due care in regard to pedestrian	8-1535	\$45
Improper pedestrian movement in crosswalk	8-1536	\$45
Improper use of roadway by pedestrian	8-1537	\$45
Soliciting ride or business on roadway	8-1538	\$45
Driving through safety zone	8-1539	\$45
Failure to yield to pedestrian on sidewalk	8-1540	\$45
Failure of pedestrian to yield to emergency vehicle	8-1541	\$45
Failure to yield to blind pedestrian	8-1542	\$45
Pedestrian disobeying bridge or railroad signal	8-1544	\$45
Improper turn or approach	8-1545	\$75
Improper "U" turn	8-1546	\$75
Unsafe starting of stopped vehicle	8-1547	\$45
Unsafe turning or stopping, failure to give proper signal; using turn signal unlawfully	8-1548	\$75

Improper method of giving notice of intention to turn	8-1549	\$45
Improper hand signal	8-1550	\$45
Failure to stop or obey road crossing signal	8-1551	\$195
Failure to stop at railroad crossing stop sign	8-1552	\$135
Certain hazardous vehicles failure to stop at railroad crossing	8-1553	\$195
Improper moving of heavy equipment at railroad crossing	8-1554	\$75
Vehicle emerging from alley, private roadway, building or driveway	8-1555	\$75
Improper passing of school bus; improper use of school bus signals	8-1556	\$315
Improper passing of church or day-care bus; improper use of signals	8-1556a	\$195
Impeding normal traffic by slow speed	8-1561	\$45
Speeding on motor-driven cycle	8-1562	\$75
Speeding in certain vehicles or on posted bridge	8-1563	\$45
Improper stopping, standing or parking on roadway	8-1569	\$45
Parking, standing or stopping in prohibited area	8-1571	\$45
Improper parking	8-1572	\$45
Unattended vehicle	8-1573	\$45
Improper backing	8-1574	\$45
Driving on sidewalk	8-1575	\$45
Driving with view or driving mechanism obstructed	8-1576	\$45
Unsafe opening of vehicle door	8-1577	\$45
Riding in house trailer	8-1578	\$45
Unlawful riding on vehicle	8-1578a	\$75
Improper driving in defiles, canyons, or on grades	8-1579	\$45
Coasting	8-1580	\$45
Following fire apparatus too closely	8-1581	\$75

Driving over fire hose	8-1582	\$45
Putting glass, etc., on highway	8-1583	\$105
Driving into intersection, crosswalk, or crossing without sufficient space on other side	8-1584	\$45
Improper operation of snowmobile on highway	8-1585	\$45
Parental responsibility of child riding bicycle	8-1586	\$45
Not riding on bicycle seat; too many persons on bicycle	8-1588	\$45
Clinging to other vehicle	8-1589	\$45
Improper riding of bicycle on roadway	8-1590	\$45
Carrying articles on bicycle; one hand on handlebars	8-1591	\$45
Improper bicycle lamps, brakes or reflectors	8-1592	\$45
Improper operation of motorcycle; seats; passengers, bundles	8-1594	\$45
Improper operation of motorcycle on laned roadway	8-1595	\$75
Motorcycle clinging to other vehicle	8-1596	\$45
Improper motorcycle handlebars or passenger equipment	8-1597	\$75
Motorcycle helmet and eye-protection requirements	8-1598	\$45
Unlawful operation of all-terrain vehicle	8-15,100	\$75
Unlawful operation of low-speed vehicle	8-15,101	\$75
Littering	8-15,102	\$115
Disobeying school crossing guard	8-15,103	\$75
Unlawful operation of micro utility truck	8-15,106	\$75
Failure to remove vehicles in accidents	8-15,107	\$75
Unlawful operation of golf cart	8-15,108	\$75
Unlawful operation of work-site utility vehicle	8-15,109	\$75

Unlawful display of license plate	8-15,110	\$60
Unlawful text messaging	8-15,111	\$60
Equipment offenses that are not misdemeanors	8-1701	\$75
Driving without lights when needed	8-1703	\$45
Defective headlamps	8-1705	\$45
Defective tail lamps	8-1706	\$45
Defective reflector	8-1707	\$45
Improper stop lamp or turn signal	8-1708	\$45
Improper lighting equipment on certain vehicles	8-1710	\$45
Improper lamp color on certain vehicles	8-1711	\$45
Improper mounting of reflectors and lamps on certain vehicles	8-1712	\$45
Improper visibility of reflectors and lamps on certain vehicles	8-1713	\$45
No lamp or flag on projecting load	8-1715	\$75
Improper lamps on parked vehicle	8-1716	\$45
Improper lights, lamps, reflectors and emblems on farm tractors or slow-moving vehicles	8-1717	\$45
Improper lamps and equipment on implements of husbandry, road machinery or animal-drawn vehicles	8-1718	\$45
Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$45
Improper lamps or lights on emergency vehicle	8-1720	\$45
Improper stop or turn signal	8-1721	\$45
Improper vehicular hazard warning lamp	8-1722	\$45
Unauthorized additional lighting equipment	8-1723	\$45
Improper multiple-beam lights	8-1724	\$45
Failure to dim headlights	8-1725	\$75
Improper single-beam headlights	8-1726	\$45

Improper speed with alternate lighting	8-1727	\$45
Improper number of driving lamps	8-1728	\$45
Unauthorized lights and signals	8-1729	\$45
Improper school bus lighting equipment and warning devices	8-1730	\$45
Unauthorized lights and devices on church or day-care bus	8-1730a	\$45
Improper lights on highway construction or maintenance vehicles	8-1731	\$45
Defective brakes	8-1734	\$45
Defective or improper use of horn or warning device	8-1738	\$45
Defective muffler	8-1739	\$45
Defective mirror	8-1740	\$45
Defective wipers; obstructed windshield or windows	8-1741	\$45
Improper tires	8-1742	\$45
Improper flares or warning devices	8-1744	\$45
Improper use of vehicular hazard warning lamps and devices	8-1745	\$45
Improper air-conditioning equipment	8-1747	\$45
Improper safety belt or shoulder harness	8-1749	\$45
Improper wide-based single tires	8-1742b	\$75
Improper compression release engine braking system	8-1761	\$75
Defective motorcycle headlamp	8-1801	\$45
Defective motorcycle tail lamp	8-1802	\$45
Defective motorcycle reflector	8-1803	\$45
Defective motorcycle stop lamps and turn signals	8-1804	\$45
Defective multiple-beam lighting	8-1805	\$45

Improper road-lighting equipment on motor-driven cycles	8-1806		\$45	
Defective motorcycle or motor-driven cycle brakes	8-1807		\$45	
Improper performance ability of brakes	8-1808		\$45	
Operating motorcycle with disapproved braking system	8-1809		\$45	
Defective horn, muffler, mirrors or tires	8-1810		\$45	
Unlawful statehouse parking	75-4510a		\$30	
Exceeding gross weight of vehicle or combination	8-1909			
		Pounds Overweight		
		up to 1000	\$40	
		1001 to 2000	3¢ per pound	
		2001 to 5000	5¢ per pound	
		5001 to 7500	7¢ per pound	
		7501 and over	10¢ per pound	
Exceeding gross weight on any axle or tandem, triple or quad axles	8-1908			
		Pounds Overweight		
		up to 1000	\$40	
		1001 to 2000	3¢ per pound	
		2001 to 5000	5¢ per pound	
		5001 to 7500	7¢ per pound	
		7501 and over	10¢ per pound	
Failure to obtain proper registration, clearance or to have current certification	66-1324		\$287	
Insufficient liability insurance for motor carriers	66-1,128 or 66-1314		\$137	
Failure to obtain interstate motor fuel tax authorization	79-34,122		\$137	
No authority as private or common carrier	66-1,111		\$137	
Violation of motor carrier safety rules and regulations, except for violations specified in subsection (b)(2) of K.S.A. 66-1,130, and amendments thereto	66-1,129		\$115	

(d) Traffic offenses classified as traffic infractions by this section shall be classified as ordinance traffic infractions by those cities adopting ordinances prohibiting the same offenses. A schedule of fines for all ordinance traffic infractions shall be established by the municipal judge in the manner prescribed by K.S.A. 12-4305, and amendments thereto. Such fines may vary from those contained in the uniform fine schedule contained in subsection (c).

(e) Fines listed in the uniform fine schedule contained in subsection (c) shall be doubled if a person is convicted of a traffic infraction, which is defined as a moving violation in accordance with rules and regulations adopted pursuant to K.S.A. 8-249, and amendments thereto, committed within any road construction zone as defined in K.S.A. 8-1458a, and amendments thereto.

(f) For a second violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years after a prior conviction of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined $1\frac{1}{2}$ times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c). For a third violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years, after two prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined two times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c). For a fourth and each succeeding violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years after three prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined $2\frac{1}{2}$ times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c).

(g) Fines listed in the uniform fine schedule contained in subsection (c) relating to exceeding the maximum speed limit, shall be doubled if a person is convicted of exceeding the maximum speed limit in a school zone authorized under subsection (a)(4) of K.S.A. 8-1560, and amendments thereto.

(h) Fines listed in the uniform fine schedule contained in subsection (c) relating to exceeding the maximum speed limit, shall be doubled if a person is convicted of a traffic infraction, which is defined as a moving violation in accordance with rules and regulations adopted pursuant to K.S.A. 8-249, and amendments thereto, committed within any safety corridor designated pursuant to section 3, and amendments thereto. A person may not enter into a diversion agreement in lieu of further criminal proceedings that would prevent such person's conviction of exceeding the maximum speed limit in a safety corridor from appearing on the person's record. The provisions of this subsection shall expire on July 1, 2015.

Sec. 8. K.S.A. 2011 Supp. 74-7336 is hereby amended to read as follows: 74-7336.
(a) Except as provided by subsection (c) of the remittances of fines, penalties and forfeitures received from clerks of the district court, at least monthly, the state treasurer shall credit:

- (1) 10.94% to the crime victims compensation fund;
- (2) 2.24% to the crime victims assistance fund;
- (3) 2.75% to the community alcoholism and intoxication programs fund;
- (4) 7.65% to the department of corrections alcohol and drug abuse treatment fund;
- (5) 0.16% to the boating fee fund;
- (6) 0.11% to the children's advocacy center fund;
- (7) 2.28% to the EMS revolving fund;
- (8) 2.28% to the trauma fund;
- (9) 2.28% to the traffic records enhancement fund;
- (10) 2.91% to the criminal justice information system line fund; and
- (11) 0.9% to the safety corridor fund; and
- ~~(11)~~(12) the remainder of the remittances to the state general fund.

(b) The county treasurer shall deposit grant moneys as provided in subsection (a), from the crime victims assistance fund, to the credit of a special fund created for use by the county or district attorney in establishing and maintaining programs to aid witnesses and victims of crime.

(c) The credit required by subsection (a)(11) of this section shall expire on July 1, 2015.

Sec. 9. K.S.A. 2011 Supp. 8-2009a is hereby amended to read as follows: 8-2009a. (a) Every school bus, as defined in K.S.A. 8-1461, and amendments thereto, shall be governed by the requirements of law and rules and regulations of the state board of education applicable to design, lighting equipment, distinctive markings, special warning devices, and any other equipment which are in effect on the date any such school bus is purchased or otherwise acquired, and shall be exempt from the requirements of law and rules and regulations which become effective at any time ~~during a period of 25 years from after~~ the date of manufacture of such school bus, except that, on and after July 1, 2016, such school buses shall be exempt from the requirements of law and rules and regulations which become effective at any time during a period of 25 years from the date of manufacture of such school bus. The state board of education is hereby required to approve any such school bus as to design, and as to lighting equipment, special warning devices, distinctive markings, and any other equipment required by law and rules and regulations, for operation as a school bus during such exemption period upon submission of a request for such approval.

(b) The state board of education is authorized to establish the procedure to be followed when request for approval of any such school bus is submitted under this section. The approval shall be in writing and a copy of the written approval shall be carried in the school bus at all times, but failure to carry such copy of the written approval shall not affect the status of the school bus as an approved school bus. The state board of education shall maintain a list of all such school buses which have been approved by the board.

Sec. 10. K.S.A. 2011 Supp. 8-1560c, 8-1560d, 8-2009a, 8-2118 and 74-7336 are hereby repealed.";

And by renumbering remaining sections accordingly;

Also on page 25, in line 28, by striking "January 1, 2013, and";

On page 1, in the title, in line 1, by striking "distinctive license plates;"; by striking all in lines 2 through 5 and inserting "traffic regulation; designating certain highway segments as safety corridors; establishing the traffic safety corridor fund; regulating school buses; amending K.S.A. 2011 Supp. 8-1560c, 8-1560d, 8-2009a, 8-2118 and 74-7336 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

DWAYNE UMBARGER

BOB MARSHALL

KELLY KULTALA

Conferees on part of Senate

GARY K. HAYZLETT

WILLIE PRESCOTT

VINCENT WETTA

Conferees on part of House

Senator Umbarger moved the Senate adopt the Conference Committee Report on **HB 2432**.

On roll call, the vote was: Yeas 26; Nays 14; Present and Passing 0; Absent or Not Voting 0.

Yeas: Apple, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger.

Nays: Abrams, Bruce, Kelsey, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Vratil, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2631** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee amendments, as follows:

On page 12, following line 20, by inserting:

"Sec. 6. K.S.A. 2011 Supp. 65-1424 is hereby repealed.";

Also on page 12, in line 21, by striking "6." and inserting "7."; also in line 21, by striking "65-1424, "; in line 23, by striking "7." and inserting "8.";

And your committee on conference recommends the adoption of this report.

VICKI SCHMIDT

PETE BRUNGARDT

LAURA KELLY

Conferees on part of Senate

BRENDA LANDWEHR

OWEN DONOHUE

GERALDINE FLAHARTY

Conferees on part of House

Senator V. Schmidt moved the Senate adopt the Conference Committee Report on **HB 2631**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

REPORT ON ENGROSSED BILLS

SB 427 reported correctly engrossed March 28, 2012.

H Sub for SB 74; SB 301, SB 453 reported correctly engrossed March 29, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Public Health and Welfare** begs leave to submit the following report:
The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Long-term Care Ombudsman: K.S.A. 75-7304

Barbara J. Hickert, to fill a term expiring on March 15, 2016

Committee on **Ways and Means** recommends **HB 2743**, (Corrected), be passed.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Umbarger in the chair.

On motion of Senator Umbarger the following report was adopted:

Recommended:

HB 2562 be amended by motion of Senator V. Schmidt, on page 1, in line 5, before "Section" by inserting "New"; following line 13, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 65-2878 is hereby amended to read as follows: 65-2878. (a) The board shall appoint an executive director, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto. Except as provided by K.S.A. 46-2601, and amendments thereto, no person appointed as executive director shall exercise any power, duty or function as executive director until confirmed by the senate. The executive director shall be in the unclassified service under the Kansas civil service act and shall receive a salary fixed by the board and approved by the governor. The executive director shall not be a member of the board. Under the supervision of the board, the executive director shall be the chief administrative officer of the board and shall perform such duties as may be specified by the board and as may be required by law. The executive director shall be the custodian of the common seal of the board, the books and records of the board and shall keep minutes of all board proceedings.

(b) The board may employ an administrative assistant. The administrative assistant shall be in the unclassified service under the Kansas civil service act and shall receive a salary fixed by the board and approved by the governor. Under the supervision of the executive director, the administrative assistant shall assist the executive director in the performance of the duties of the executive director.

(c) The board may employ such clerical and other employees, who shall be in the classified service under the Kansas civil service act, as it considers necessary in order to administer and execute, under the supervision of the executive director, the provisions of this act or other statutes delegating duties and responsibilities to the board, except that any attorney employed by the board shall be in the unclassified service under the Kansas civil service act and shall receive a salary fixed by the board and approved by the governor.

(d) As necessary, the board shall be represented by an attorney appointed by the attorney general as provided by law, whose compensation shall be determined and paid by the board with the approval of the governor.

(e) The board may contract with one or more persons who are licensed to practice the healing arts in this state and who are not members of the board to provide such advice and assistance as necessary on: Licensure matters including review, investigation and disposition of complaints; clinical and patient care matters; and the ethical conduct and professional practice of licensees; or to perform other duties as assigned by the executive director or the board. For the purposes of contracting with such persons, the board shall be exempt from the provisions of K.S.A. 75-3739, and amendments thereto.

Sec. 3. K.S.A. 2011 Supp. 65-2878 is hereby repealed.;

And by renumbering sections accordingly;

Also on page 1, in line 15, by striking "statute book" and inserting "Kansas register";

Also on page 1, in the title, in line 2, before the period by inserting "; concerning certain contracts by the board of healing arts with persons licensed to practice the healing arts; amending K.S.A. 2011 Supp. 65-2878 and repealing the existing section" and **HB 2562** be passed as amended.

Sub HB 2689 be amended by adoption of the committee amendments and be further amended by motion of Senator Brungardt on page 16, following line 6, by inserting:

"Sec. 13. K.S.A. 2011 Supp. 41-311 is hereby amended to read as follows: 41-311.

(a) No license of any kind shall be issued pursuant to the liquor control act to a person:

(1) Who has not been a citizen of the United States for at least 10 years, except that the spouse of a deceased retail licensee may receive and renew a retail license notwithstanding the provisions of this subsection (a)(1) if such spouse is otherwise qualified to hold a retail license and is a United States citizen or becomes a United States citizen within one year after the deceased licensee's death;

(2) who has been convicted of a felony under the laws of this state, any other state or the United States;

(3) who has had a license revoked for cause under the provisions of the liquor control act, the beer and cereal malt beverage keg registration act or who has had any license issued under the cereal malt beverage laws of any state revoked for cause except that a license may be issued to a person whose license was revoked for the conviction of a misdemeanor at any time after the lapse of 10 years following the date of the revocation;

(4) who has been convicted of being the keeper or is keeping a house of prostitution or has forfeited bond to appear in court to answer charges of being a keeper of a house of prostitution;

(5) who has been convicted of being a proprietor of a gambling house, pandering or any other crime opposed to decency and morality or has forfeited bond to appear in court to answer charges for any of those crimes;

(6) who is not at least 21 years of age;

(7) who, other than as a member of the governing body of a city or county, appoints or supervises any law enforcement officer, who is a law enforcement official or who is an employee of the director;

(8) who intends to carry on the business authorized by the license as agent of another;

(9) who at the time of application for renewal of any license issued under this act

would not be eligible for the license upon a first application, except as provided by subsection (a)(12);

(10) who is the holder of a valid and existing license issued under article 27 of chapter 41 of the Kansas Statutes Annotated unless the person agrees to and does surrender the license to the officer issuing the same upon the issuance to the person of a license under this act, except that a retailer licensed pursuant to K.S.A. 41-2702, and amendments thereto, shall be eligible to receive a retailer's license under the Kansas liquor control act;

(11) who does not own the premises for which a license is sought, or does not, at the time of application, have a written lease thereon;

(12) whose spouse would be ineligible to receive a license under this act for any reason other than citizenship, residence requirements or age, except that this subsection (a)(12) shall not apply in determining eligibility for a renewal license;

(13) whose spouse has been convicted of a felony or other crime which would disqualify a person from licensure under this section and such felony or other crime was committed during the time that the spouse held a license under this act; or

(14) who does not provide any data or information required by K.S.A. 2011 Supp. 41-311b, and amendments thereto.

(b) No retailer's license shall be issued to:

(1) A person who is not a resident of this state;

(2) a person who has not been a resident of this state for at least four years immediately preceding the date of application;

(3) a person who has a beneficial interest in a manufacturer, distributor, farm winery or microbrewery licensed under this act, except that the spouse of an applicant for a retailer's license may own and hold a farm winery license, microbrewery license, or both, if the spouse does not hold a retailer's license issued under this act;

(4) a person who has a beneficial interest in any other retail establishment licensed under this act, except that the spouse of a licensee may own and hold a retailer's license for another retail establishment;

(5) a copartnership, unless all of the copartners are qualified to obtain a license;

(6) a corporation; or

(7) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license.

(c) No manufacturer's license shall be issued to:

(1) A corporation, if any officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of the corporation would be ineligible to receive a manufacturer's license for any reason other than citizenship and residence requirements;

(2) a copartnership, unless all of the copartners shall have been residents of this state for at least five years immediately preceding the date of application and unless all the members of the copartnership would be eligible to receive a manufacturer's license under this act;

(3) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license;

(4) an individual who is not a resident of this state;

(5) an individual who has not been a resident of this state for at least five years immediately preceding the date of application; or

(6) a person who has a beneficial interest in a distributor, retailer, farm winery or microbrewery licensed under this act, except as provided in K.S.A. 41-305, and amendments thereto.

(d) No distributor's license shall be issued to:

(1) A corporation, if any officer, director or stockholder of the corporation would be ineligible to receive a distributor's license for any reason other than citizenship and residence requirements, provided, that at least one officer and one director of the corporation meets the citizenship and residence requirements. It shall be unlawful for any stockholder of a corporation licensed as a distributor to transfer any stock in the corporation to any person who would be ineligible to receive a distributor's license for any reason, and any such transfer shall be null and void, except that: (A) If any stockholder owning stock in the corporation dies and an heir or devisee to whom stock of the corporation descends by descent and distribution or by will is ineligible to receive a distributor's license, the legal representatives of the deceased stockholder's estate and the ineligible heir or devisee shall have 14 months from the date of the death of the stockholder within which to sell the stock to a person eligible to receive a distributor's license, any such sale by a legal representative to be made in accordance with the provisions of the probate code; or (B) if the stock in any such corporation is the subject of any trust and any trustee or beneficiary of the trust who is 21 years of age or older is ineligible to receive a distributor's license, the trustee, within 14 months after the effective date of the trust, shall sell the stock to a person eligible to receive a distributor's license and hold and disburse the proceeds in accordance with the terms of the trust. If any legal representatives, heirs, devisees or trustees fail, refuse or neglect to sell any stock as required by this subsection, the stock shall revert to and become the property of the corporation, and the corporation shall pay to the legal representatives, heirs, devisees or trustees the book value of the stock. During the period of 14 months prescribed by this subsection, the corporation shall not be denied a distributor's license or have its distributor's license revoked if the corporation meets all of the other requirements necessary to have a distributor's license;

(2) a copartnership, unless all of the copartners are eligible to receive a distributor's license;

(3) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license; or

(4) a person who has a beneficial interest in a manufacturer, retailer, farm winery or microbrewery licensed under this act.

(e) No nonbeverage user's license shall be issued to a corporation, if any officer, manager or director of the corporation or any stockholder owning in the aggregate more than 25% of the stock of the corporation would be ineligible to receive a nonbeverage user's license for any reason other than citizenship and residence requirements.

(f) No microbrewery license or farm winery license shall be issued to a:

(1) person who is not a resident of this state;

(2) person who has not been a resident of this state for at least one year immediately preceding the date of application;

(3) person who has a beneficial interest in a manufacturer or distributor licensed

under this act, except as provided in K.S.A. 41-305, and amendments thereto;

(4) person, copartnership or association which has a beneficial interest in any retailer licensed under this act or under K.S.A. 41-2702, and amendments thereto, except that the spouse of an applicant for a microbrewery or farm winery license may own and hold a retailer's license if the spouse does not hold a microbrewery or farm winery license issued under this act;

(5) copartnership, unless all of the copartners are qualified to obtain a license;

(6) corporation, unless stockholders owning in the aggregate 50% or more of the stock of the corporation would be eligible to receive such license and all other stockholders would be eligible to receive such license except for reason of citizenship or residency; or

(7) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license.

(g) The provisions of subsections (b)(1), (b)(2), (c)(3), (c)(4), (d)(3), (f)(1), (f)(2) and K.S.A. 2011 Supp. 41-311b, and amendments thereto, shall not apply in determining eligibility for the 10th, or a subsequent, consecutive renewal of a license if the applicant has appointed a citizen of the United States who is a resident of Kansas as the applicant's agent and filed with the director a duly authenticated copy of a duly executed power of attorney, authorizing the agent to accept service of process from the director and the courts of this state and to exercise full authority, control and responsibility for the conduct of all business and transactions within the state relative to alcoholic liquor and the business licensed. The agent must be satisfactory to and approved by the director, except that the director shall not approve as an agent any person who:

(1) Has been convicted of a felony under the laws of this state, any other state or the United States;

(2) has had a license issued under the alcoholic liquor or cereal malt beverage laws of this or any other state revoked for cause, except that a person may be appointed as an agent if the person's license was revoked for the conviction of a misdemeanor and 10 years have lapsed since the date of the revocation;

(3) has been convicted of being the keeper or is keeping a house of prostitution or has forfeited bond to appear in court to answer charges of being a keeper of a house of prostitution;

(4) has been convicted of being a proprietor of a gambling house, pandering or any other crime opposed to decency and morality or has forfeited bond to appear in court to answer charges for any of those crimes; or

(5) is less than 21 years of age.";

And by renumbering sections accordingly;

On page 42, in line 16, after "41-310," by inserting "41-311,";

On page 1, in the title, in line 6, after "41-310," by inserting "41-311," and

Senator Abrams made a motion to amend **Sub HB 2689** and Senator Holland requested the amendment be divided into two parts.

Senator Abrams moved Part 1 of his amendment: on page 12, in line 3, after "premises" by inserting "and at special events monitored and regulated by the division of alcoholic beverage control"; in line 9, after "the" by inserting "licensed"; following line 11, by inserting:

"(5) the sale of wine manufactured by the licensee for consumption on the licensed premises, provided, the licensed premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments. Wine sold pursuant to this paragraph shall not be subject to the provisions of the club and drinking establishment act, K.S.A. 41-2601 *et seq.*, and amendments thereto, and no drinking establishment license shall be required to make such sales;"

And redesignating paragraphs accordingly;

Also on page 12, in line 31, after "premises" by inserting "and at special events monitored and regulated by the division of alcoholic beverage control"; On page 13, in line 11, by striking "domestic wine, domestic fortified wine and"; also in line 11, after "wine" by inserting "manufactured by the licensee and wine" and the motion carried.

Senator Abrams moved Part 2 of his amendment: On page 12, in line 42, by striking "Not less than 60% of the products utilized in the manufacture of"; by striking all in line 43;

On page 13, by striking all in lines 1 through 5 and inserting "Not less than 20% of the products utilized in the manufacture of domestic table wine and domestic fortified wine by a farm winery shall be grown in Kansas, except when a lesser proportion is authorized by the director based upon the director's findings and judgment. The production requirement of this subsection shall be determined based on the annual production of domestic table wine and domestic fortified wine by the farm winery."

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

On roll call, the vote was: Yeas 26; Nays 13; Present and Passing 1; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Kelsey, Longbine, Love, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Francisco, Haley, Hensley, Holland, Huntington, King, Kultala, Lynn, Marshall, Merrick, Olson, Pilcher-Cook, Pyle.

Present and Passing: Kelly.

The motion carried and **Sub HB 2689** be passed as further amended.

A motion by Senator Steineger to amend **Sub HB 2689** failed and the following amendment was rejected: on page 6, in line 24, after "liquors" by inserting "and cereal malt beverage";

On page 11, in line 1, after "liquor" by inserting "and cereal malt beverage"; in line 3, after "liquor" by inserting "and cereal malt beverage"; in line 4, after "liquor" by inserting "or cereal malt beverage"; in line 16, after "liquor" by inserting "and cereal malt beverage"; in line 22, after "liquor" by inserting "or cereal malt beverage"; in line 23, after "liquor" by inserting "or cereal malt beverage"; in line 29, after "liquor" by inserting "or cereal malt beverage"; in line 34, after "liquor" by inserting "and cereal malt beverage"; in line 35, after "liquor" by inserting "and cereal malt beverage";

On page 33, following line 19, by inserting:

"Sec. 29. K.S.A. 2011 Supp. 41-2702 is hereby amended to read as follows: 41-2702. (a) No retailer shall sell any cereal malt beverage without having first secured a license for each place of business as herein provided. In case such place of business is located within the corporate limits of a city, the application for license shall be made to the governing body of such city. In all other cases, the application for license shall be

made to the board of county commissioners in the county in which such place of business is to be located, except that the application for license to sell on railway cars shall be made to the director as hereinafter provided.

(b) A board of county commissioners shall not issue or renew a retailer's license without giving the clerk of the township where the place of business is to be located written notice by registered mail of the filing of the application for licensure or renewal. The township board may within 10 days file advisory recommendations as to the granting of such license or renewal and such advisory recommendations shall be considered by the board of county commissioners before such license is issued. If an original license is granted and issued, the board of county commissioners shall grant and issue renewals thereof upon application of the license holder, if the license holder is qualified to receive the same and the license has not been revoked as provided by law.

(c) An application for a retailer's license shall be verified and upon a form prepared by the attorney general of the state and shall contain:

- (1) The name and residence of the applicant;
- (2) the length of time that the applicant has resided within the state of Kansas;
- (3) the particular place of business for which a license is desired;
- (4) the name of the owner of the premises upon which the place of business is located; and

(5) a statement that the applicant is a citizen of the United States and not less than 21 years of age and that the applicant has not within two years immediately preceding the date of making application been convicted of a felony, any crime involving moral turpitude, drunkenness, driving a motor vehicle while under the influence of intoxicating liquor or violation of any other intoxicating liquor law of any state or of the United States.

(d) In addition to the fee provided by subsection (e), each application for a retailer's license to sell cereal malt beverages for consumption on the licensed premises shall be accompanied by a fee as follows:

- (1) For licensure of a place of business other than a railway car, a fee of not less than \$25 nor more than \$200, as prescribed by the board of county commissioners or the governing body of the city, as the case may be; and
- (2) for licensure to sell on railway cars, a fee of \$100.

(e) Each applicant for a retailer's license or renewal of such a license shall submit to the director a copy of the completed application for such license or license renewal, together with a fee of \$25. Upon receipt of such application, the director shall authorize a state stamp to be affixed to the license. No such stamp shall be affixed to any license except such stamps as provided by the director and no retailer's license shall be issued or renewed unless such stamp has first been affixed thereto.

(f) The director shall remit all fees collected by the director to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund, except that the director may provide for the deposit in the cereal malt beverage tax refund fund of such amounts as necessary for the refund of any license fees collected hereunder.

(g) The board of county commissioners of the several counties or the governing body of a city shall issue a license upon application duly made as otherwise provided for herein, to any retailer engaged in business in such county or city and qualified to

receive such license, to sell only cereal malt beverages in original and unopened containers, and not for consumption on the premises. The annual license fee for such license, which shall be in addition to the fee provided by subsection (e), shall be not less than \$25 nor more than \$50.

(h) No license issued under this act shall be transferable.

(i) No retailer shall sell or offer for sale any alcoholic liquor without having first been issued a license in accordance with the Kansas liquor control act.

Sec. 30. K.S.A. 2011 Supp. 41-2703 is hereby amended to read as follows: 41-2703. (a) After examination of an application for a retailer's license, the board of county commissioners or the director shall, if they approve the same, issue a license to the applicant. The governing body of the city shall, if the applicant is qualified as provided by law, issue a license to such applicant.

(b) No retailer's license shall be issued to:

(1) A person who is not a resident of the county in which the place of business covered by the license is located, has not been a resident of such county for at least six months or has not been a resident in good faith of the state of Kansas.

(2) A person who has not been a resident of this state for at least one year immediately preceding application for a retailer's license.

(3) A person who is not of good character and reputation in the community in which the person resides.

(4) A person who is not a citizen of the United States.

(5) A person who, within two years immediately preceding the date of application approval, has been convicted of, released from incarceration for or released from probation or parole for a felony or any crime involving moral turpitude, drunkenness, driving a motor vehicle while under the influence of intoxicating liquor or violation of any other intoxicating liquor law of any state or of the United States.

(6) A partnership, unless all the members of the partnership are otherwise qualified to obtain a license.

(7) A corporation, if any manager, officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of such corporation, would be ineligible to receive a license hereunder for any reason other than the citizenship and residency requirements.

(8) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses all the qualifications of a licensee.

(9) A person whose spouse would be ineligible to receive a retailer's license for any reason other than citizenship, residence requirements or age, except that this subsection (b)(9) shall not apply in determining eligibility for a renewal license.

(10) A person whose spouse has been convicted of a felony or other crime which would disqualify a person from licensure under this section and such felony or other crime was committed during the time that the spouse held a license under this act.

(c) After examination of an application for a retailer's license, the board of county commissioners or the governing body of a city may deny a license to a person, partnership or corporation if any manager, officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of such corporation, has been an officer, manager, director or a stockholder owning in the aggregate more than 25% of the stock, of a corporation which has:

(1) Had a retailer's license revoked under K.S.A. 41-2708, and amendments

thereto; or

(2) been convicted of a violation of the Kansas liquor control act, the club and drinking establishment act or the cereal malt beverage laws of this state.

(d) Retailers' licenses shall be issued either on an annual basis or for the calendar year. If such licenses are issued on an annual basis, the board of county commissioners or the governing body of the city shall notify the distributors supplying the county or city on or before April 1 of the year if a retailer's license is not renewed.

(e) In addition to, and consistent with the requirements of K.S.A. 41-2701 *et seq.*, and amendments thereto, the board of county commissioners of any county or the governing body of any city may provide by resolution or ordinance for the issuance of a special event retailers' permit which shall allow the permit holder to offer for sale, sell and serve cereal malt beverage for consumption on unpermitted premises, which may be open to the public, subject to the following:

(1) A special event retailers' permit shall specify the premises for which the permit is issued;

(2) a special event retailers' permit shall be issued for the duration of the special event, the dates and hours of which shall be specified in the permit;

(3) no more than four special event retailers' permits may be issued to any one applicant in a calendar year; and

(4) a special event retailers' permit shall not be transferable or assignable.

(f) A special event retailers' permit holder shall not be subject to the provisions of the beer and cereal malt beverage keg registration act, K.S.A. 41-2901 *et seq.*, and amendments thereto.

Sec. 31. K.S.A. 2011 Supp. 41-2704 is hereby amended to read as follows: 41-2704. (a) In addition to and consistent with the requirements of the cereal malt beverage act, the board of county commissioners of any county or the governing body of any city may prescribe hours of closing, standards of conduct and rules and regulations concerning the moral, sanitary and health conditions of places licensed pursuant to this act and may establish zones within which no such place may be located.

(b) Within any city where the days of sale at retail of cereal malt beverage in the original package have not been expanded as provided by K.S.A. 2011 Supp. 41-2911, and amendments thereto, or have been so expanded and subsequently restricted as provided by K.S.A. 2011 Supp. 41-2911, and amendments thereto, and within any township where the hours and days of sale at retail of cereal malt beverage in the original package have not been expanded as provided by K.S.A. 2011 Supp. 41-2911, and amendments thereto, or have been so expanded and subsequently restricted as provided by K.S.A. 2011 Supp. 41-2911, and amendments thereto, no cereal malt beverages may be sold:

(1) Between the hours of 12 midnight and 6 a.m.; or

(2) on Sunday, except in a place of business which is licensed to sell cereal malt beverage for consumption on the premises, which derives not less than 30% of its gross receipts from the sale of food for consumption on the licensed premises and which is located in a county where such sales on Sunday have been authorized by resolution of the board of county commissioners of the county or in a city where such sales on Sunday have been authorized by ordinance of the governing body of the city.

(c) Within any city where the days of sale at retail of cereal malt beverage in the original package have been expanded as provided by K.S.A. 2011 Supp. 41-2911, and

amendments thereto, and have not been subsequently restricted as provided in K.S.A. 2011 Supp. 41-2911, and amendments thereto, and within any township where the days of sale at retail of cereal malt beverage in the original package have been expanded as provided by K.S.A. 2011 Supp. 41-2911, and amendments thereto, and have not been subsequently restricted as provided by K.S.A. 2011 Supp. 41-2911, and amendments thereto, no person shall sell at retail cereal malt beverage:

- (1) Between the hours of 12 midnight and 6 a.m.;
- (2) in the original package before 12 noon or after 8 p.m. on Sunday;
- (3) on Easter Sunday; or
- (4) for consumption on the licensed premises on Sunday, except in a place of business which is licensed to sell cereal malt beverage for consumption on the premises, which derives not less than 30% of its gross receipts from the sale of food for consumption on the licensed premises and which is located in a county where such sales on Sunday have been authorized by resolution of the board of county commissioners of the county or in a city where such sales on Sunday have been authorized by ordinance of the governing body of the city.

(d) No private rooms or closed booths shall be operated in a place of business, but this provision shall not apply if the licensed premises also are licensed as a club pursuant to the club and drinking establishment act.

(e) Each place of business shall be open to the public and to law enforcement officers at all times during business hours, except that a premises licensed as a club pursuant to the club and drinking establishment act shall be open to law enforcement officers and not to the public.

(f) Except as otherwise provided by this subsection, no licensee shall permit a person under the legal age for consumption of cereal malt beverage to consume or purchase any cereal malt beverage in or about a place of business. A licensee's employee who is not less than 18 years of age may dispense or sell cereal malt beverage, if:

- (1) The licensee's place of business is licensed only to sell at retail cereal malt beverage in the original package and not for consumption on the premises; or

- (2) the licensee's place of business is a licensed food service establishment, as defined by K.S.A. 36-501, and amendments thereto, and not less than 50% of the gross receipts from the licensee's place of business is derived from the sale of food for consumption on the premises of the licensed place of business.

(g) No person shall have any alcoholic liquor in such person's possession while in a place of business, unless the premises are currently licensed as a club or drinking establishment pursuant to the club and drinking establishment act.

(h) Notwithstanding any provision of this section to the contrary:

- (1) Cereal malt beverages may be sold on premises which are licensed pursuant to both the cereal malt beverage act and the club and drinking establishment act at any time when alcoholic liquor is allowed by law to be served on the premises; and

- (2) cereal malt beverages may be sold on premises which are licensed pursuant to both the cereal malt beverage act and the Kansas liquor control act at any time when alcoholic liquor is allowed by law to be served on the premises.

Sec. 32. K.S.A. 2011 Supp. 41-2708 is hereby amended to read as follows: 41-2708. (a) The board of county commissioners or the governing body of any city, upon five days' notice to the persons holding a license, may revoke or suspend the license for

any one of the following reasons:

(1) The licensee has violated any of the provisions of K.S.A. 41-2701 *et seq.*, and amendments thereto, or any rules or regulations made by the board or the city, as the case may be;

(2) drunkenness of the licensee or permitting any intoxicated person to remain in or upon the licensee's place of business;

(3) the sale of cereal malt beverages to any person under the legal age for consumption of cereal malt beverage;

(4) permitting any person to mix drinks with materials purchased in or upon the place of business or brought in for that purpose;

(5) the sale or possession of, or permitting any person to use or consume on the licensed premises, any alcoholic liquor as defined by K.S.A. 41-102, and amendments thereto; or

(6) the licensee has been convicted of a violation of the beer and cereal malt beverage keg registration act.

(b) The provisions of subsections (a)(4) and (5) shall not apply if the ~~place of business or premises is~~ also ~~are~~ currently licensed as a club or drinking establishment pursuant to the club and drinking establishment act, or as a retailer pursuant to the Kansas liquor control act.

(c) The board of county commissioners or the governing body of any city, upon five days' notice to the persons holding a license, shall revoke or suspend the license for any one of the following reasons:

(1) The licensee has fraudulently obtained the license by giving false information in the application therefor;

(2) the licensee has become ineligible to obtain a license under this act;

(3) the nonpayment of any license fees;

(4) permitting any gambling in or upon the licensee's place of business;

(5) the employment of persons under 18 years of age in dispensing or selling cereal malt beverages;

(6) the employment or continuation in employment of a person in connection with the sale, serving or dispensing of cereal malt beverages if the licensee knows such person has been, within the preceding two years, adjudged guilty of a felony or of any violation of the intoxicating liquor laws of this state, another state or the United States; or

(7) there has been a violation of K.S.A. 21-4106 or 21-4107, prior to their repeal, or K.S.A. 2011 Supp. 21-6204, and amendments thereto, in or upon the licensee's place of business.

(d) Within 20 days after the order of the board revoking or suspending any license, the licensee may appeal to the district court and the district court shall proceed to hear such appeal as though such court had original jurisdiction of the matter. Any appeal taken from an order revoking or suspending the license shall not suspend the order of revocation or suspension during the pendency of any such appeal.";

And by renumbering sections accordingly;

On page 34, in line 21, after "liquor" by inserting "or cereal malt beverage"; also in line 21, by striking "or" and inserting "to consumers in this state, selling alcoholic liquor by"; in line 22, after "wineries" by inserting "and microbreweries"; in line 26, after "liquor" by inserting "and cereal malt beverage"; also in line 26, by striking the

comma and inserting "to consumers in this state; (2) the sale of alcoholic liquor by"; in line 27, by striking "(2)" and inserting "(3)";

On page 35, in line 1, after "liquor" by inserting "and cereal malt beverage";

On page 42, in line 11, before "41-304" by inserting "41-103,"; in line 16, after "41-2645" by inserting ", 41-2702, 41-2703, 41-2704, 41-2708";

On page 1, in the title, in line 7, after "41-2645" by inserting ", 41-2702, 41-2703, 41-2704, 41-2708"; in line 8, after "K.S.A." by inserting "41-103,"

A motion by Senator V. Schmidt to amend **HB 2689** failed and the following amendment was rejected: on page 11, following line 29, by inserting:

"(c) The holder of a retailer's license or such licensee's employees, managers or agents shall not, directly or indirectly, have any financial interest in a club, drinking establishment, farm winery, microbrewery, caterer or holder of a temporary license, except as provided in K.S.A. 41-2623, and amendments thereto. When the spouse of the holder of a retailer's license applies for a club or drinking establishment license or a caterer's license, each spouse must file with the director an affidavit of no financial interest.";

And redesignating subsections accordingly;

On page 28, following line 22, by inserting:

"Sec. 26. K.S.A. 2011 Supp. 41-2623 is hereby amended to read as follows: 41-2623. (a) No license shall be issued under the provisions of this act to:

(1) Any person described in subsection (a)(1), (2), (4), (5), (6), (7), (8), (9), (12) or (13) of K.S.A. 41-311, and amendments thereto, except that the provisions of subsection (a)(7) of such section shall not apply to nor prohibit the issuance of a license for a class A club to an officer of a post home of a congressionally chartered service or fraternal organization, or a benevolent association or society thereof.

(2) A person who has had the person's license revoked for cause under the provisions of this act.

(3) A person who has not been a resident of this state for a period of at least one year immediately preceding the date of application.

(4) A person who has a beneficial interest in the manufacture, preparation or wholesaling or the retail sale of alcoholic liquors or a beneficial interest in any other club, drinking establishment or caterer licensed hereunder, except that:

(A) A license for premises located in a hotel may be granted to a person who has a beneficial interest in one or more other clubs or drinking establishments licensed hereunder if such other clubs or establishments are located in hotels.

(B) A license for a club or drinking establishment which is a restaurant may be issued to a person who has a beneficial interest in other clubs or drinking establishments which are restaurants.

(C) A caterer's license may be issued to a person who has a beneficial interest in a club or drinking establishment and a license for a club or drinking establishment may be issued to a person who has a beneficial interest in a caterer.

(D) A license for a class A club may be granted to an organization of which an officer, director or board member is a distributor or retailer licensed under the liquor control act if such distributor or retailer sells no alcoholic liquor to such club.

(E) Any person who has a beneficial interest in a microbrewery or farm winery licensed pursuant to the Kansas liquor control act may be issued any or all of the following: (1) Class B club license; (2) drinking establishment license; and (3) caterer's

license.

(F) The spouse a holder of a retailer's license issued under the Kansas liquor control act may be issued any or all of the following: (i) Drinking establishment license; and (ii) caterer's license.

(5) A copartnership, unless all of the copartners are qualified to obtain a license.

(6) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation would be ineligible to receive a license hereunder for any reason other than citizenship and residence requirements.

(7) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation, has been an officer, manager or director, or a stockholder owning in the aggregate more than 5% of the common or preferred stock, of a corporation which:

(A) Has had a license revoked under the provisions of the club and drinking establishment act; or

(B) has been convicted of a violation of the club and drinking establishment act or the cereal malt beverage laws of this state.

(8) A corporation organized under the laws of any state other than this state.

(9) A trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) of K.S.A. 41-311, and amendments thereto, shall not apply in determining whether a beneficiary would be eligible for a license.

(b) No club or drinking establishment license shall be issued under the provisions of the club and drinking establishment act to:

(1) A person who does not own the premises for which a license is sought, or does not, at the time the application is submitted, have a written lease thereon, except that an applicant seeking a license for a premises which is owned by a city or county, or is a stadium, arena, convention center, theater, museum, amphitheater or other similar premises may submit an executed agreement to provide alcoholic beverage services at the premises listed in the application in lieu of a lease.

(2) A person who is not a resident of the county in which the premises sought to be licensed are located.";

And renumbering sections accordingly;

On page 42, in line 16, after "41-2622," by inserting "41-2623,";

On page 1, in the title, in line 7, after "41-2622," by inserting "41-2623,"

A motion by Senator Holland to amend **HB 2689** failed and the following amendment was rejected: as further amended on March 29, 2012, on motion of Senator Abrams, on page 13 of the bill as printed with Senate Committee amendments, following line 5, in the language inserted on motion of Senator Abrams, by striking "20%" and inserting "51%"

HB 2647 be passed over and retain a place on the calendar.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Emler an emergency was declared by a 2/3 constitutional majority, and **HB 2562** and **Sub HB 2689** were advanced to Final Action and roll call.

HB 2562, AN ACT concerning alcoholic beverages; amending K.S.A. 41-2612, 79-41a01 and 79-41a04 and K.S.A. 2011 Supp. 41-260141-304, 41-306, 41-306a, 41-307,

41-308, 41-316, 41-320, 41-701, 41-2608, 41-2610, 41-2612, 41-2613, 41-2614, 41-2640, 41-2722, 79-4101, 79-4102, 79-4103, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08 and K.S.A. 2011 Supp. 41-102, 41-305, 41-308a, 41-310, 41-311, 41-317, 41-319, 41-719, 41-2601, 41-2622, 41-2629, 41-2645 and 79-41a03 and repealing the existing sections; also repealing K.S.A. 41-333, 41-334, 41-335, 41-336, 41-337, 41-338, 41-339, 41-340 and 41-341.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

Sub HB 2689, AN ACT concerning alcoholic beverages; amending K.S.A. 41-304, 41-306, 41-306a, 41-307, 41-308, 41-316, 41-320, 41-701, 41-2608, 41-2610, 41-2612, 41-2613, 41-2614, 41-2640, 41-2722, 79-4101, 79-4102, 79-4103, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08 and K.S.A. 2011 Supp. 41-102, 41-305, 41-308a, 41-310, 41-317, 41-319, 41-719, 41-2601, 41-2622, 41-2629, 41-2645 and 79-41a03 and repealing the existing sections; also repealing K.S.A. 41-333, 41-334, 41-335, 41-336, 41-337, 41-338, 41-339, 41-340 and 41-341.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 2; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Haley, Hensley, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: King, Pyle.

Present and Passing: Francisco, Holland.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: I voted yes on **Substitute for House Bill 2689** in order to advance the agricultural grape growing industry in Kansas. The grape industry in Kansas reported only 350 acres of fruit in the state in their latest report to the Senate Agriculture Committee. It was reported in later testimony that Kansas once had 5,000 acres of grapes grown in the state. It is obvious that this industry has much greater potential and should be supported as such. To grow this industry we must adequately deal with the effects of herbicides that kill grapes and destroy vineyards. Secondly, we must provide increased support to new and existing growers through our agricultural programs in our colleges and universities and through Departments of Agriculture and Commerce programs. — ALLEN C. SCHMIDT

MESSAGE FROM THE HOUSE

The House nonconcurrs in Senate amendments to **HB 2757**, requests a conference and has appointed Representatives Hayzlett, Prescott and Wetta as conferees on the part of the House.

ORIGINAL MOTION

On motion of Senator Umbarger, the Senate acceded to the request of the House for a conference on **HB 2757**.

The President appointed Senators Umbarger, Marshall and Kultala as conferees on the part of the Senate.

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Friday, March 30, 2012.

Journal of the Senate

FIFTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 30, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

In the book of Matthew, chapter 24, verses six through eight, Jesus spoke these words: “You will hear of wars and rumors of wars, but see to it that you are not alarmed. Such things must happen, but the end is still to come. Nation will rise against nation, and kingdom against kingdom. There will be famines and earthquakes in various places. All these are the beginning of birth pains.”

Once more the bombs are falling,
And once more we are informed
That we need to support our troops
Who wear the uniform.

No one in his proper mind
Considers war the norm;
Especially those of us
Who wore the uniform.

To free our world from chronic fear
And from the wicked swarm.
Our youth today are following those
Who once wore the uniform.

They have come in from the factories,
From the farms and college dorms,
To fight along with others
Who wear the uniform.

We call on You, once more, O God,
To protect from evil storm
Those who once again must fight
And wear the uniform.

I pray for all of them in the Name of Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator V. Schmidt rose on a Point of Personal Privilege to recognize Senator Brungardt and Senator Reitz in recognition of National Doctor Day.

Senator Morris rose on a Point of Personal Privilege to introduce his daughter, Susan Mikolajczak and grandson, Alec Mikolajczak, who were visiting the Capitol.

Senator Kelly rose on a Point of Personal Privilege to recognize her Executive Assistant, Judy Pfeifer, for the preparation for today's tribute to honor Vietnam Veterans.

Senator Owens rose on a Point of Personal Privilege to recognize Adjutant General Lee Tafanelli who was in attendance.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Kelly, Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1854—

A RESOLUTION designating March 30 as
"Welcome Home Vietnam Veterans Day."

WHEREAS, Members of the United States Armed Forces began serving in an advisory role to the Government of the Republic of South Vietnam in 1961; and

WHEREAS, In 1965, United States Armed Forces ground combat units arrived in Vietnam; and

WHEREAS, By the end of 1965, there were 80,000 United States troops in Vietnam, and by 1969, a peak of approximately 543,000 troops was reached; and

WHEREAS, On January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners of war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam; and

WHEREAS, On March 30, 1973, the United States Armed Forces completed the withdrawal of combat units and combat support units from South Vietnam; and

WHEREAS, More than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the Armed Forces were wounded; and

WHEREAS, The Vietnam War was an extremely divisive issue among the people of the United States and was also a conflict that caused a generation of veterans to wait too long for the United States public to acknowledge and honor the efforts and services of such veterans; and

WHEREAS, Members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were often wrongly criticized for the policy decisions made by four presidential administrations in the United States; and

WHEREAS, The establishment of a "Welcome Home Vietnam Veterans Day" would be an appropriate way to honor those members of the United States Armed Forces who served in South Vietnam and throughout Southeast Asia during the Vietnam War: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That March 30 shall hereby be designated as "Welcome Home Vietnam Veterans Day" in the state of Kansas in order to honor and recognize the contributions of veterans who served in the United States Armed Forces in Vietnam during war and during peace; and

Be it further resolved: That the people of Kansas are encouraged to observe "Welcome Home Vietnam Veterans Day" with appropriate ceremonies and activities that provide the appreciation Vietnam War veterans deserve but did not receive upon returning home from the war; and

Be it further resolved: That local communities are encouraged to promote opportunities for such veterans to assist younger veterans returning from the wars in Iraq and Afghanistan in rehabilitation from wounds, both seen and unseen, and to support the reintegration of younger veterans into civilian life; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Kelly.

Senator Kelly and members of the Senate introduced and welcomed the following veterans in recognition of "Welcome Home Vietnam Veterans Day":

Senator Pyle – Brad Stauffer, Dale Sheidegger and Gary McCloud.

Senator Kultula – Lynn Rolf, Jr. and Gonzalo Reyes.

Senator Holland – Fred Box, Harry Kirkham, Gene Pierson, Bill Golden, Gary DeRigne and Tom Steele.

Senator Huntington – Earl Boutell and Ray Calore.

Senator Owens – Ted Wright.

Senator Lynn – Jerry Bartlett and Glen Leonard.

Senator Pilcher-Cook – Jim Lund, Richard Hardy, Dean Howlett and Ron Peterson.

Senator Vratil – Alan Olsen.

Senator Apple – Jim Roy.

Senator Umbarger – Dale Allen.

Senator Longbine – Ron Whitney and Matthew Krause.

Senator Kelly – Bill Pfeifer, James Clowers, Carl Frett, Chris Brian, Gary Jackman, Leroy Bailey, Russell Estes, Theodore Bongardt, Larry Plumlee, Laro Hill, David Moran, Ken Smith, Rodger Beach, Roland Mayhew, Jim Gartner, James Brian and Ed Porubsky.

Senator Hensley – Jim McNeese, Floyd Wims, Hollis Peoples, Richard Rowser, Barry Greis, Jay Wheeler and Modesto Vasquez.

Senator V. Schmidt – Jeff Russell, Bruce Cubie, Thomas Allen, Michael Martinez, Robert Arnold, Terry Crowder, Ted Hischke, Ray Rhodd, Richard Nickum, and Gary Saville.

Senator Taddiken – Bob Roeder.

Senator Brungardt – Jerry Holtz.

Senator Kelsey – Terry Tole.

Senator Petersen – Larry Gunkel.

Senator McGinn – Larry Rowlinson, Senator Marshall, Senator Merrick, Senator Morris, Senator Owens, Representative Fawcett, Representative Gonzalez,

Representative Grange, Representative Montgomery, Representative Osterman, Representative Proehl and Representative Worley.

Senator Abrams – Michael Holland and Rodger Dwyer.

Senator Teichman – Clifford Sohm.

Senator Emler – Clyde Lindsey, Jack Lucas and Patrick Briggs.

Senator A. Schmidt – Stan Dreiling and Lambert Staab.

Senator Morris – Francis Forbes.

The Senate honored all Veterans with a standing ovation.

On emergency motion of Senator Kelly **SR 1854** was adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **HB 2758**, as amended by House Committee, be amended on page 1, in line 7, before "Section" by inserting "New"; following line 35, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 1-321 is hereby amended to read as follows: 1-321. When used in chapter 1 of the Kansas Statutes Annotated, and amendments thereto, the following terms shall have the meanings indicated:

(a) "Actively participate" means participation that is continuous as one's primary occupation.

(b) "Affiliated entity" means one that provides services to the CPA firm or provides services to the public that are complementary to those provided by the CPA firm.

(c) "AICPA" means the American institute of certified public accountants.

(d) "Attest" means providing the following financial statement services:

(1) Any audit or other engagement to be performed in accordance with the statements on auditing standards (SAS);

(2) any audit to be performed in accordance with the Kansas municipal audit guide;

(3) any review of a financial statement to be performed in accordance with the statements on standards for accounting and review services (SSARS);

(4) any engagement, except a compilation, to be performed in accordance with the statements on standards for attestation engagements (SSAE); and

(5) any engagement to be performed in accordance with the standards of the PCAOB.

(e) "Board" means the Kansas board of accountancy established under K.S.A. 1-201, and amendments thereto.

(f) "Certificate" means a certificate as a certified public accountant issued under K.S.A. 1-302, and amendments thereto, or a certificate as a certified public accountant issued after examination under the law of any other state.

(g) "Client" means a person or entity that agrees with a permit holder to receive any professional service.

(h) "Compilation" means providing a service to be performed in accordance with the statements on standards for accounting and review services (SSARS) or the statements on standards for attestation engagements (SSAE) the objective of which is to present in the form of financial statements, information that is the representation of management or owners, or both, without undertaking to express any assurance on the statements.

(i) "Directed" means the location to which the engagement letter is sent.

(j) "Equity capital" means (1) capital stock, capital accounts, capital contributions

or undistributed earnings of a registered firm as referred to in K.S.A. 1-308, and amendments thereto; and (2) loans and advances to a registered firm made or held by its owners. "Equity capital" does not include an interest in bonuses, profit sharing plans, defined benefit plans or loans to a registered firm from banks, financial institutions or other third parties that do not actively participate in such registered firm.

(k) "Firm" means:

(1) An individual who operates as a sole practitioner and who issues reports subject to peer review; or

(2) any business organization including, but not limited to, a general partnership, limited liability partnership, general corporation, professional corporation or limited liability company.

(l) "Good moral character" means lack of a history of professional dishonesty or other felonious acts.

(m) "Home office" means the location specified by the client as the address to which a service described in subsection ~~(d)~~ (e) of K.S.A. 1-322, and amendments thereto, is directed.

(n) "Active license" means a certificate or a permit to practice issued by another state that is currently in force and authorizes the holder to practice certified public accountancy.

(o) "Licensee" means the holder of a certificate or a permit to practice issued by this state or another state.

(p) "Manager" means a manager of a limited liability company.

(q) "Member" means a member of a limited liability company.

(r) "NASBA" means the national association of state boards of accountancy.

(s) "Nonattest" means providing the following services:

(1) The preparation of tax returns and providing advice on tax matters;

(2) the preparation of any compilation;

(3) management advisory, consulting, litigation support and assurance services, except for attest services;

(4) financial planning;

(5) valuation services; and

(6) any other financial service not included in the statements on auditing standards, the statements on standards for accounting and review services, the standards for attestation engagements as developed by the American institute of certified public accountants or as defined by the board.

(t) "PCAOB" means the public company accounting oversight board created by the Sarbanes-Oxley act of 2002.

(u) "Practice of certified public accountancy" means performing or offering to perform attest or nonattest services for the public while using the designation "certified public accountant" or CPA in conjunction with such services.

(v) "Practice of public accountancy" means performing or offering to perform attest or nonattest services for the public by a person not required to have a permit to practice or a firm not required to register with the board.

(w) "Principal place of business" means the office location designated by the licensee for purposes of substantial equivalency and reciprocity.

(x) "Professional" means arising out of or related to the specialized knowledge or skills associated with CPAs.

(y) "Report," when used with reference to financial statements, means an opinion, report or other form of language that states or implies assurance as the reliability of any financial statements and that also includes or is accompanied by any statement or implication that the person or firm issuing it has special knowledge or competence in accounting or auditing. Such a statement or implication of special knowledge or competence may arise from use, by the issuer of the report, of names or titles indicating that the person or firm is an accountant or auditor or from the language of the report itself. The term report includes any form of language which disclaims an opinion when such form of language is conventionally understood to imply any positive assurance as to the reliability of the financial statements referred to or special competence on the part of the person or firm issuing such language; and it includes any other form of language that is conventionally understood to imply such assurance or such special knowledge or competence.

(z) "Rule" means any rule or regulation adopted by the board.

(aa) "State" means any state of the United States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands and Guam; except that "this state" means the state of Kansas.

(bb) "Substantial equivalency" is a determination by the board of accountancy or its designee that the education, examination and experience requirements contained in the statutes and administrative rules of another jurisdiction are comparable to, or exceed the education, examination and experience requirements contained in the uniform accountancy act or that an individual CPA's education, examination and experience qualifications are comparable to or exceed the education, examination and experience requirements contained in the uniform accountancy act. In ascertaining substantial equivalency as used in this act, the board shall take into account the qualifications without regard to the sequence in which experience, education or examination requirements were attained.

(cc) "Uniform accountancy act" means model legislation issued by the AICPA and NASBA in existence on July 1, 2007.

Sec. 3. K.S.A. 2011 Supp. 1-321 is hereby repealed.;"

And by renumbering sections accordingly;

Also on page 1, in the title, in line 4, after "thereto" by inserting "; relating to the definition of home office; amending K.S.A. 2011 Supp. 1-321 and repealing the existing section"; and the bill be passed as amended.

On motion of Senator Emler the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

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

CHANGE OF REFERENCE

The President withdrew **HB 2729** from the Committee on **Natural Resources**, and referred the bill to the Committee on **Federal and State Affairs**.

MESSAGES FROM THE GOVERNOR

SB 252, SB 280; Sub SB 282; SB 290 approved on March 30, 2012.

Senator Hensley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1855—

A RESOLUTION in memory of Don Dunn.

WHEREAS, Don A. Dunn, 69, of Topeka, passed away March 16, 2012; and

WHEREAS, Mr. Dunn was born September 22, 1942 in Monroe, Louisiana, to William and Lula Johnson Dunn; and

WHEREAS, Mr. Dunn graduated from Richwood High School in 1960. In November of that same year, he married his high school sweetheart, Betty Willis; and

WHEREAS, Mr. Dunn attended Washburn University where he earned a bachelor of arts degree in sociology. He also served in the United States Air Force before he was honorably discharged; and

WHEREAS, After his military service, Mr. Dunn worked at the Goodyear Tire and Rubber Company plant in Topeka for 35 years. He was also a member and vice-president of Local Union 307, a member of the Goodyear Retirees Association and a member of the Mount Olive Primitive Baptist Church. He also volunteered for multiple local organizations; and

WHEREAS, After his retirement, Mr. Dunn worked for the Kansas Historical Society as a tour guide at the state capitol; and

WHEREAS, Mr. Dunn is survived by his wife, Betty, their two sons, Donald and Victor, daughter, Diane, god-daughter, Tennille Alexander, four grandchildren, Bria, Kendall, Noah and Larissa, a brother, Harold Johnson and two sisters, Billie White and Bertha Johnson; and

WHEREAS, Mr. Dunn will be missed for his kindness, willingness to listen and his hearty laugh. His life-long humanitarian spirit was an inspiration to others and he touched the lives of many people: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we extend our deepest sympathy to the family and friends of Don Dunn; and

Be it further resolved: That the Secretary of the Senate shall send 10 enrolled copies of this resolution to Mrs. Betty Dunn, 3617 SE Pinecrest Ct., Topeka, Kansas 66605.

On emergency motion of Senator Hensley **SR 1855** was adopted unanimously.

Senator Hensley and members of the Senate welcomed and recognized family and friends of Don Dunn, who passed away March 16, 2012. Mr. Dunn worked for the Kansas Historical Society as a tour guide at the state capitol and will be missed by many. The following family members introduced were: Mrs. Betty Dunn, Don's wife, Donald Dunn, son, Billie Dunn, sister, and Tenille Alexander, goddaughter. Also introduced were the following friends of Donald Dunn: Don Northcraft, President of Local Union #307 and his wife, Jan, Andrea Burton, Abby Dillard, Betty Phillips, Katherine Jones, Tillie Alexander, Jack Alexander, Dale Cushinberry and Robert Cushinberry.

Senator V. Schmidt introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1856—

A RESOLUTION in recognition of Meningitis Angels, the Kansas State and Local Health Departments, the Kansas Immunization Program, Northeast Kansas Area Schools and the Cruzline Drum Line all working together to educate on and eradicate vaccine preventable bacterial meningitis.

WHEREAS, Honoring those persons whose lives have been taken by bacterial meningitis and those who continue to struggle with bacterial meningitis and its consequences, and supporting all work for the eradication of bacterial meningitis in Kansas and the United States; and

WHEREAS, Recognizing the week of April 16-20 is declared Kansas Meningitis Awareness Week and honoring World Meningitis Day and Meningitis Angels across Kansas and around the world; and

WHEREAS, Meningococcal, pneumococcal, and HIB meningitis are forms of bacterial meningitis, an infection of the meninges, the thin lining that surrounds the brain and spinal cord; and

WHEREAS, Bacterial meningitis is a deadly, debilitating disease that especially affects infants, children, teenagers, young adults, and those with compromised immune systems; and

WHEREAS, Early symptoms of bacterial meningitis may include high fever, headache, and a stiff neck; and

WHEREAS, Thousands of infants, children, teenagers, and young adults are diagnosed with bacterial meningitis, in the United States each year: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we hereby declare the week of April 16 through 20 as the Kansas Meningitis Awareness Week and honor World Meningitis Day and Meningitis Angels across Kansas and around the world; and

Be it further resolved: That the Senate of the State of Kansas encourages all Kansans to work together to educate on and eradicate vaccine preventable bacterial meningitis; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator V. Schmidt.

On emergency motion of Senator V. Schmidt **SR 1856** was adopted unanimously.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Owens in the chair.

On motion of Senator Owens the following report was adopted:

Recommended **HB 2743** be passed.

The committee report on **HB 2077** recommending a **Senate Sub for HB 2077** be adopted, and the substitute bill be passed.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Senate Substitute for Substitute HB 2004** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 2, in line 24, by striking "or by any third-party contributor"; by striking all in line 26; in line 27, by striking "contributor are in an amount equal to or greater than" and inserting "account owner contributes at least";

And your committee on conference recommends the adoption of this report.

JEAN KURTIS SCHODORF

JOHN VRATIL

ANTHONY HENSLEY

Conferees on part of Senate

CLAY AURAND

JIM WARD

STEVE HUEBERT

Conferees on part of House

Senator Schodorf moved the Senate adopt the Conference Committee Report on **Senate Substitute for Substitute HB 2004**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2464** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 4, following line 3, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 21-5905 is hereby amended to read as follows: 21-5905. (a) Interference with the judicial process is:

(1) Communicating with any judicial officer in relation to any matter which is or may be brought before such judge, magistrate, master or juror with intent to improperly influence such officer;

(2) committing any of the following acts, with intent to influence, impede or obstruct the finding, decision, ruling, order, judgment or decree of such judicial officer or prosecutor on any matter then pending before the officer or prosecutor:

(A) Communicating in any manner a threat of violence to any judicial officer or any prosecutor;

(B) harassing a judicial officer or a prosecutor by repeated vituperative communication; or

(C) picketing, parading or demonstrating near such officer's or prosecutor's

residence or place of abode;

(3) picketing, parading or demonstrating in or near a building housing a judicial officer or a prosecutor with intent to impede or obstruct the finding, decision, ruling, order, judgment or decree of such judicial officer or prosecutor on any matter then pending before the officer or prosecutor;

(4) knowingly accepting or agreeing to accept anything of value as consideration for a promise:

(A) Not to initiate or aid in the prosecution of a person who has committed a crime; or

(B) to conceal or destroy evidence of a crime; or

(5) knowingly or intentionally in any criminal proceeding or investigation:

(A) Inducing a witness or informant to withhold or unreasonably delay in producing any testimony, information, document or thing;

(B) withholding or unreasonably delaying in producing any testimony, information, document or thing after a court orders the production of such testimony, information, document or thing;

(C) altering, damaging, removing or destroying any record, document or thing, with the intent to prevent it from being produced or used as evidence; or

(D) making, presenting or using a false record, document or thing with the intent that the record, document or thing, material to such criminal proceeding or investigation, appear in evidence to mislead a justice, judge, magistrate, master or law enforcement officer; or

~~(5)~~(6) when performed by a person summoned or sworn as a juror in any case:

(A) Intentionally soliciting, accepting or agreeing to accept from another any benefit as consideration to wrongfully give a verdict for or against any party in any proceeding, civil or criminal;

(B) intentionally promising or agreeing to wrongfully give a verdict for or against any party in any proceeding, civil or criminal; or

(C) knowingly receiving any evidence or information from anyone in relation to any matter or cause for the trial of which such juror has been or will be sworn, without the authority of the court or officer before whom such juror has been summoned, and without immediately disclosing the same to such court or officer.

(b) Interference with the judicial process as defined in:

(1) Subsection (a)(1) is a severity level 9, nonperson felony;

(2) subsection (a)(2) and (a)(3) is a class A nonperson misdemeanor;

(3) subsection (a)(4) is a:

(A) Severity level 8, nonperson felony if the crime is a felony; or

(B) class A nonperson misdemeanor if the crime is a misdemeanor;

(4) subsection (a)(5) is a:

(A) Severity level 8, nonperson felony if the matter or case involves a felony; or

(B) class A nonperson misdemeanor if the matter or case involves a misdemeanor;

~~(4)~~(5) subsection ~~(a)(5)(A)~~ (a)(6)(A) is a severity level 7, nonperson felony; and

~~(5)~~(6) subsection ~~(a)(5)(B) or (a)(5)(C)~~ (a)(6)(B) or (a)(6)(C) is a severity level 9, nonperson felony.

(c) Nothing in this section shall limit or prevent the exercise by any court of this state of its power to punish for contempt.";

And by renumbering sections accordingly;

On page 4, in line 4, before "22-3212" by inserting "21-5905 and"; also in line 4, by striking "is" and inserting "are";

On page 1, in the title, in line 1, after "concerning" by inserting "crimes, punishment and"; in line 2, after "depictions;" by inserting "interference with judicial process;"; also in line 2, before "22-3212" by inserting "21-5905 and"; in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

Senator Owens moved the Senate adopt the Conference Committee Report on **HB 2464**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2505** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 6, in line 9, after "conducted" by inserting "at which trust business is conducted";

And your committee on conference recommends the adoption of this report.

RUTH TEICHMAN

TY MASTERTSON

ALLEN C. SCHMIDT

Conferees on part of Senate

FORREST J. KNOX

RICHARD J. PROEHL

BOB GRANT

Conferees on part of House

Senator Teichman moved the Senate adopt the Conference Committee Report on **HB 2505**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2613** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 7, by inserting:

"Section 1. K.S.A. 2011 Supp. 21-5512 is hereby amended to read as follows: 21-5512. (a) Unlawful sexual relations is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy with a person who is not married to the offender if:

(1) The offender is an employee or volunteer of the department of corrections, or the employee or volunteer of a contractor who is under contract to provide services for a correctional institution, and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who is an inmate;

(2) the offender is a parole officer, volunteer for the department of corrections or the employee or volunteer of a contractor who is under contract to provide supervision services for persons on parole, conditional release or postrelease supervision and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who is an inmate who has been released on parole, conditional release or postrelease supervision and the offender has knowledge that the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is an inmate who has been released and is currently on parole, conditional release or postrelease supervision;

(3) the offender is a law enforcement officer, an employee of a jail, or the employee of a contractor who is under contract to provide services in a jail and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who is confined to such jail;

(4) the offender is a law enforcement officer, an employee of a juvenile detention facility or sanctions house, or the employee of a contractor who is under contract to provide services in such facility or sanctions house and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who is confined to such facility or sanctions house;

(5) the offender is an employee of the juvenile justice authority or the employee of

a contractor who is under contract to provide services in a juvenile correctional facility and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who is confined to such facility;

(6) the offender is an employee of the juvenile justice authority or the employee of a contractor who is under contract to provide direct supervision and offender control services to the juvenile justice authority and;

(A) The person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older and who has been:

(A) (i) Released on conditional release from a juvenile correctional facility under the supervision and control of the juvenile justice authority or juvenile community supervision agency; or

(B) (ii) placed in the custody of the juvenile justice authority under the supervision and control of the juvenile justice authority or juvenile community supervision agency; and

(B) the offender has knowledge that the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is currently under supervision;

(7) the offender is an employee of the department of social and rehabilitation services or the employee of a contractor who is under contract to provide services in a social and rehabilitation services institution or to the department of social and rehabilitation services and the person with whom the offender is engaging in consensual sexual intercourse, not otherwise subject to subsection (a)(2) of K.S.A. 2011 Supp. 21-5503, and amendments thereto, lewd fondling or touching, or sodomy, not otherwise subject to subsection (b)(3)(C) of K.S.A. 2011 Supp. 21-5504, and amendments thereto, is a person 16 years of age or older who is a patient in such institution or in the custody of the secretary of social and rehabilitation services;

(8) the offender is a worker, volunteer or other person in a position of authority in a family foster home licensed by the department of health and environment and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who is a foster child placed in the care of such family foster home;

~~(8) (9) the offender is a teacher or a other person in a position of authority and the person with whom the offender is engaging in consensual sexual intercourse, not otherwise subject to subsection (a)(3) of K.S.A. 2011 Supp. 21-5503, or subsection (b) (1) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, lewd fondling or touching, not otherwise subject to subsection (a) of K.S.A. 2011 Supp. 21-5506, or subsection (b) (2) or (b)(3) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, or sodomy, not otherwise subject to subsection (a) of K.S.A. 2011 Supp. 21-5504, or subsection (b)(1) or (b)(2) of K.S.A. 2011 Supp. 21-5504, and amendments thereto, lewd fondling or touching, or sodomy is a person 16 years of age or older who~~ is a student enrolled at the school where the offender is employed. If the offender is the parent of the student, the provisions of subsection (b) of K.S.A. 2011 Supp. 21-5604, and amendments thereto, shall apply, not this subsection;

~~(9)~~(10) the offender is a court services officer or the employee of a contractor who is under contract to provide supervision services for persons under court services supervision and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who has been placed on probation under the supervision and control of court services and the offender has knowledge that the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is currently under the supervision of court services; or

~~(10)~~(11) the offender is a community correctional services officer or the employee of a contractor who is under contract to provide supervision services for persons under community corrections supervision and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who has been assigned to a community correctional services program under the supervision and control of community corrections and the offender has knowledge that the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is currently under the supervision of community corrections.

(b) Unlawful sexual relations as defined in:

(1) Subsection (a)(5) is a severity level 4, person felony; and

(2) subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(6), (a)(7), (a)(8), (a)(9), ~~or (a)(10) or (a)(11)~~ is a severity level 5, person felony.

(c) (1) If an offender violates the provisions of this section by engaging in consensual sexual intercourse which would constitute a violation of K.S.A. 2011 Supp. 21-5503, and amendments thereto, the provisions of K.S.A. 2011 Supp. 21-5503, and amendments thereto, shall apply, not this section.

(2) If an offender violates the provisions of this section by engaging in consensual sexual intercourse which would constitute a violation of subsection (b)(1) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, the provisions of subsection (b)(1) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, shall apply, not this section.

(3) If an offender violates the provisions of this section by engaging in sodomy which would constitute a violation of subsection (a)(3), (a)(4) or (b) of K.S.A. 2011 Supp. 21-5504, and amendments thereto, the provisions of subsection (a)(3), (a)(4) or (b) of K.S.A. 2011 Supp. 21-5504, and amendments thereto, shall apply, not this section.

(4) If an offender violates the provisions of this section by engaging in lewd fondling or touching which would constitute a violation of subsection (b)(2) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, the provisions of subsection (b)(2) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, shall apply, not this section.

~~(e)~~(d) As used in this section:

(1) "Correctional institution" means the same as in K.S.A. 75-5202, and amendments thereto;

(2) "inmate" means the same as in K.S.A. 75-5202, and amendments thereto;

(3) "parole officer" means the same as in K.S.A. 75-5202, and amendments thereto;

(4) "postrelease supervision" means the same as in K.S.A. 2011 Supp. 21-6803, and amendments thereto;

(5) "juvenile detention facility" means the same as in K.S.A. 2011 Supp. 38-2302, and amendments thereto;

(6) "juvenile correctional facility" means the same as in K.S.A. 2011 Supp. 38-2302, and amendments thereto;

(7) "sanctions house" means the same as in K.S.A. 2011 Supp. 38-2302, and amendments thereto;

(8) "institution" means the same as in K.S.A. 76-12a01, and amendments thereto;

(9) "teacher" means and includes teachers, coaches, supervisors, principals, superintendents and any other professional employee in any public or private school offering any of grades kindergarten through 12;

(10) "community corrections" means the entity responsible for supervising adults and juvenile offenders for confinement, detention, care or treatment, subject to conditions imposed by the court pursuant to the community corrections act, K.S.A. 75-5290, and amendments thereto, and the revised Kansas juvenile justice code, K.S.A. 2011 Supp. 38-2301 *et seq.*, and amendments thereto;

(11) "court services" means the entity appointed by the district court that is responsible for supervising adults and juveniles placed on probation and misdemeanants placed on parole by district courts of this state; and

(12) "juvenile community supervision agency" means an entity that receives grants for the purpose of providing direct supervision to juveniles in the custody of the juvenile justice authority.";

And by renumbering sections accordingly;

On page 8, in line 25, after "Supp." by inserting "21-5512,";

On page 1, in the title, in line 2, after the second semicolon by inserting "relating to unlawful sexual relations;"; in line 3, after "Supp." by inserting "21-5512,";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

PAT COLLOTON

LANCE KINZER

MELODY McCRAY-MILLER

Conferees on part of House

Senator Owens moved the Senate adopt the Conference Committee Report on **HB 2613**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2684** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 9 through 36;

By striking all on pages 2 through 7;

On page 8, by striking all in lines 1 through 33 and inserting:

"Section 1. (a) The secretary of corrections shall establish the justice reinvestment working group.

(b) The working group shall consist of the following members:

(1) One senator appointed by the president of the senate;

(2) one representative appointed by the speaker of the house of representatives;

(3) one senator appointed by the minority leader of the senate;

(4) one representative appointed by the minority leader of the house of representatives;

(5) one member appointed by the governor;

(6) one member appointed by the attorney general;

(7) one member appointed by the chief justice of the supreme court;

(8) one member shall represent court services officers, appointed by the chief justice of the supreme court;

(9) the secretary of corrections;

(10) the director of victims services of the department of corrections;

(11) one member shall represent community corrections, appointed by the secretary of corrections;

(12) one member of the prisoner review board, appointed by the secretary of corrections;

(13) one member shall be a prosecuting attorney, appointed by the Kansas county and district attorneys association;

(14) one member shall represent public defenders, appointed by the executive director of the state board of indigents' defense services;

(15) one member shall represent mental health providers, appointed by the secretary for aging and disability services;

(16) one member shall be a sheriff, appointed by the Kansas sheriff's association; and

(17) one member shall be a law enforcement officer, appointed by the Kansas association of chiefs of police.

(c) The members appointed by the president of the senate and the speaker of the house of representatives shall serve as co-chairs of the working group. The secretary of corrections shall serve as vice-chairperson. The working group shall meet on call of either co-chair or on the request of nine members of the working group. Nine members of the working group shall constitute a quorum. All actions of the working group shall be taken by a majority of all members of the working group.

(d) The working group shall undertake a study of the data-driven, fiscally responsible policies and practices that can increase public safety and reduce recidivism

and spending on corrections in Kansas.

(e) On or before January 1, 2013, the working group shall submit a report of the working group's activities and recommendations regarding increased public safety and reducing recidivism and spending on corrections in Kansas to the secretary of the senate and the chief clerk of the house of representatives.

(f) The members of the working group attending meetings of such working group, or attending a subcommittee meeting thereof authorized by such working group, shall receive amounts provided for in subsection (e) of K.S.A. 75-3223, and amendments thereto, upon vouchers approved by the secretary of corrections or a person or persons designated by the secretary.";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 3 through 6 and inserting "establishing the justice reinvestment working group.";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

PAT COLLOTON

LANCE KINZER

JANICE L. PAULS

Conferees on part of House

Senator Owens moved the Senate adopt the Conference Committee Report on **HB 2684**.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Pilcher-Cook.

The Conference Committee Report was adopted

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2704** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 7, by inserting:

"Section 1. K.S.A. 2011 Supp. 45-221 is hereby amended to read as follows: 45-221. (a) Except to the extent disclosure is otherwise required by law, a public agency shall not be required to disclose:

(1) Records the disclosure of which is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2011 Supp. 75-4315d, and amendments thereto, or the disclosure of which is prohibited or restricted pursuant to specific authorization of federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2011 Supp. 75-4315d, and amendments thereto, to restrict or prohibit disclosure.

(2) Records which are privileged under the rules of evidence, unless the holder of the privilege consents to the disclosure.

(3) Medical, psychiatric, psychological or alcoholism or drug dependency treatment records which pertain to identifiable patients.

(4) Personnel records, performance ratings or individually identifiable records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries or actual compensation employment contracts or employment-related contracts or agreements and lengths of service of officers and employees of public agencies once they are employed as such.

(5) Information which would reveal the identity of any undercover agent or any informant reporting a specific violation of law.

(6) Letters of reference or recommendation pertaining to the character or qualifications of an identifiable individual, except documents relating to the appointment of persons to fill a vacancy in an elected office.

(7) Library, archive and museum materials contributed by private persons, to the extent of any limitations imposed as conditions of the contribution.

(8) Information which would reveal the identity of an individual who lawfully makes a donation to a public agency, if anonymity of the donor is a condition of the donation, except if the donation is intended for or restricted to providing remuneration or personal tangible benefit to a named public officer or employee.

(9) Testing and examination materials, before the test or examination is given or if it is to be given again, or records of individual test or examination scores, other than records which show only passage or failure and not specific scores.

(10) Criminal investigation records, except as provided herein. The district court, in an action brought pursuant to K.S.A. 45-222, and amendments thereto, may order disclosure of such records, subject to such conditions as the court may impose, if the court finds that disclosure:

(A) Is in the public interest;

(B) would not interfere with any prospective law enforcement action, criminal investigation or prosecution;

(C) would not reveal the identity of any confidential source or undercover agent;

(D) would not reveal confidential investigative techniques or procedures not known to the general public;

(E) would not endanger the life or physical safety of any person; and

(F) would not reveal the name, address, phone number or any other information which specifically and individually identifies the victim of any sexual offense in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto.

If a public record is discretionarily closed by a public agency pursuant to this subsection, the record custodian, upon request, shall provide a written citation to the specific provisions of paragraphs (A) through (F) that necessitate closure of that public record.

(11) Records of agencies involved in administrative adjudication or civil litigation, compiled in the process of detecting or investigating violations of civil law or administrative rules and regulations, if disclosure would interfere with a prospective administrative adjudication or civil litigation or reveal the identity of a confidential source or undercover agent.

(12) Records of emergency or security information or procedures of a public agency, or plans, drawings, specifications or related information for any building or facility which is used for purposes requiring security measures in or around the building or facility or which is used for the generation or transmission of power, water, fuels or communications, if disclosure would jeopardize security of the public agency, building or facility.

(13) The contents of appraisals or engineering or feasibility estimates or evaluations made by or for a public agency relative to the acquisition of property, prior to the award of formal contracts therefor.

(14) Correspondence between a public agency and a private individual, other than correspondence which is intended to give notice of an action, policy or determination relating to any regulatory, supervisory or enforcement responsibility of the public agency or which is widely distributed to the public by a public agency and is not specifically in response to communications from such a private individual.

(15) Records pertaining to employer-employee negotiations, if disclosure would reveal information discussed in a lawful executive session under K.S.A. 75-4319, and amendments thereto.

(16) Software programs for electronic data processing and documentation thereof, but each public agency shall maintain a register, open to the public, that describes:

- (A) The information which the agency maintains on computer facilities; and
- (B) the form in which the information can be made available using existing computer programs.

(17) Applications, financial statements and other information submitted in connection with applications for student financial assistance where financial need is a consideration for the award.

(18) Plans, designs, drawings or specifications which are prepared by a person other than an employee of a public agency or records which are the property of a private person.

(19) Well samples, logs or surveys which the state corporation commission requires to be filed by persons who have drilled or caused to be drilled, or are drilling or causing to be drilled, holes for the purpose of discovery or production of oil or gas, to the extent that disclosure is limited by rules and regulations of the state corporation commission.

(20) Notes, preliminary drafts, research data in the process of analysis, unfunded grant proposals, memoranda, recommendations or other records in which opinions are expressed or policies or actions are proposed, except that this exemption shall not apply when such records are publicly cited or identified in an open meeting or in an agenda of an open meeting.

(21) Records of a public agency having legislative powers, which records pertain to

proposed legislation or amendments to proposed legislation, except that this exemption shall not apply when such records are:

(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or

(B) distributed to a majority of a quorum of any body which has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(22) Records of a public agency having legislative powers, which records pertain to research prepared for one or more members of such agency, except that this exemption shall not apply when such records are:

(A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or

(B) distributed to a majority of a quorum of any body which has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(23) Library patron and circulation records which pertain to identifiable individuals.

(24) Records which are compiled for census or research purposes and which pertain to identifiable individuals.

(25) Records which represent and constitute the work product of an attorney.

(26) Records of a utility or other public service pertaining to individually identifiable residential customers of the utility or service, except that information concerning billings for specific individual customers named by the requester shall be subject to disclosure as provided by this act.

(27) Specifications for competitive bidding, until the specifications are officially approved by the public agency.

(28) Sealed bids and related documents, until a bid is accepted or all bids rejected.

(29) Correctional records pertaining to an identifiable inmate or release, except that:

(A) The name; photograph and other identifying information; sentence data; parole eligibility date; custody or supervision level; disciplinary record; supervision violations; conditions of supervision, excluding requirements pertaining to mental health or substance abuse counseling; location of facility where incarcerated or location of parole office maintaining supervision and address of a releasee whose crime was committed after the effective date of this act shall be subject to disclosure to any person other than another inmate or releasee, except that the disclosure of the location of an inmate transferred to another state pursuant to the interstate corrections compact shall be at the discretion of the secretary of corrections;

(B) ~~the ombudsman of corrections;~~ the attorney general, law enforcement agencies, counsel for the inmate to whom the record pertains and any county or district attorney shall have access to correctional records to the extent otherwise permitted by law;

(C) the information provided to the law enforcement agency pursuant to the sex offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, shall be subject to disclosure to any person, except that the name, address, telephone number or any other information which specifically and individually identifies the victim of any offender required to register as provided by the Kansas offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, shall not be disclosed; and

(D) records of the department of corrections regarding the financial assets of an offender in the custody of the secretary of corrections shall be subject to disclosure to the victim, or such victim's family, of the crime for which the inmate is in custody as set forth in an order of restitution by the sentencing court.

(30) Public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.

(31) Public records pertaining to prospective location of a business or industry where no previous public disclosure has been made of the business' or industry's interest in locating in, relocating within or expanding within the state. This exception shall not include those records pertaining to application of agencies for permits or licenses necessary to do business or to expand business operations within this state, except as otherwise provided by law.

(32) Engineering and architectural estimates made by or for any public agency relative to public improvements.

(33) Financial information submitted by contractors in qualification statements to any public agency.

(34) Records involved in the obtaining and processing of intellectual property rights that are expected to be, wholly or partially vested in or owned by a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, or an assignee of the institution organized and existing for the benefit of the institution.

(35) Any report or record which is made pursuant to K.S.A. 65-4922, 65-4923 or 65-4924, and amendments thereto, and which is privileged pursuant to K.S.A. 65-4915 or 65-4925, and amendments thereto.

(36) Information which would reveal the precise location of an archeological site.

(37) Any financial data or traffic information from a railroad company, to a public agency, concerning the sale, lease or rehabilitation of the railroad's property in Kansas.

(38) Risk-based capital reports, risk-based capital plans and corrective orders including the working papers and the results of any analysis filed with the commissioner of insurance in accordance with K.S.A. 40-2c20 and 40-2d20, and amendments thereto.

(39) Memoranda and related materials required to be used to support the annual actuarial opinions submitted pursuant to subsection (b) of K.S.A. 40-409, and amendments thereto.

(40) Disclosure reports filed with the commissioner of insurance under subsection (a) of K.S.A. 40-2,156, and amendments thereto.

(41) All financial analysis ratios and examination synopses concerning insurance companies that are submitted to the commissioner by the national association of insurance commissioners' insurance regulatory information system.

(42) Any records the disclosure of which is restricted or prohibited by a tribal-state gaming compact.

(43) Market research, market plans, business plans and the terms and conditions of managed care or other third-party contracts, developed or entered into by the university of Kansas medical center in the operation and management of the university hospital which the chancellor of the university of Kansas or the chancellor's designee determines would give an unfair advantage to competitors of the university of Kansas medical center.

(44) The amount of franchise tax paid to the secretary of revenue or the secretary of

state by domestic corporations, foreign corporations, domestic limited liability companies, foreign limited liability companies, domestic limited partnership, foreign limited partnership, domestic limited liability partnerships and foreign limited liability partnerships.

(45) Records, other than criminal investigation records, the disclosure of which would pose a substantial likelihood of revealing security measures that protect: (A) Systems, facilities or equipment used in the production, transmission or distribution of energy, water or communications services; (B) transportation and sewer or wastewater treatment systems, facilities or equipment; or (C) private property or persons, if the records are submitted to the agency. For purposes of this paragraph, security means measures that protect against criminal acts intended to intimidate or coerce the civilian population, influence government policy by intimidation or coercion or to affect the operation of government by disruption of public services, mass destruction, assassination or kidnapping. Security measures include, but are not limited to, intelligence information, tactical plans, resource deployment and vulnerability assessments.

(46) Any information or material received by the register of deeds of a county from military discharge papers (DD Form 214). Such papers shall be disclosed: To the military dischargee; to such dischargee's immediate family members and lineal descendants; to such dischargee's heirs, agents or assigns; to the licensed funeral director who has custody of the body of the deceased dischargee; when required by a department or agency of the federal or state government or a political subdivision thereof; when the form is required to perfect the claim of military service or honorable discharge or a claim of a dependent of the dischargee; and upon the written approval of the commissioner of veterans affairs, to a person conducting research.

(47) Information that would reveal the location of a shelter or a safehouse or similar place where persons are provided protection from abuse or the name, address, location or other contact information of alleged victims of stalking, domestic violence or sexual assault.

(48) Policy information provided by an insurance carrier in accordance with subsection (h)(1) of K.S.A. 44-532, and amendments thereto. This exemption shall not be construed to preclude access to an individual employer's record for the purpose of verification of insurance coverage or to the department of labor for their business purposes.

(49) An individual's e-mail address, cell phone number and other contact information which has been given to the public agency for the purpose of public agency notifications or communications which are widely distributed to the public.

(50) Information provided by providers to the local collection point administrator or to the 911 coordinating council pursuant to the Kansas 911 act, and amendments thereto, upon request of the party submitting such records.

(b) Except to the extent disclosure is otherwise required by law or as appropriate during the course of an administrative proceeding or on appeal from agency action, a public agency or officer shall not disclose financial information of a taxpayer which may be required or requested by a county appraiser or the director of property valuation to assist in the determination of the value of the taxpayer's property for ad valorem taxation purposes; or any financial information of a personal nature required or requested by a public agency or officer, including a name, job description or title

revealing the salary or other compensation of officers, employees or applicants for employment with a firm, corporation or agency, except a public agency. Nothing contained herein shall be construed to prohibit the publication of statistics, so classified as to prevent identification of particular reports or returns and the items thereof.

(c) As used in this section, the term "cited or identified" shall not include a request to an employee of a public agency that a document be prepared.

(d) If a public record contains material which is not subject to disclosure pursuant to this act, the public agency shall separate or delete such material and make available to the requester that material in the public record which is subject to disclosure pursuant to this act. If a public record is not subject to disclosure because it pertains to an identifiable individual, the public agency shall delete the identifying portions of the record and make available to the requester any remaining portions which are subject to disclosure pursuant to this act, unless the request is for a record pertaining to a specific individual or to such a limited group of individuals that the individuals' identities are reasonably ascertainable, the public agency shall not be required to disclose those portions of the record which pertain to such individual or individuals.

(e) The provisions of this section shall not be construed to exempt from public disclosure statistical information not descriptive of any identifiable person.

(f) Notwithstanding the provisions of subsection (a), any public record which has been in existence more than 70 years shall be open for inspection by any person unless disclosure of the record is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or by a policy adopted pursuant to K.S.A. 72-6214, and amendments thereto.

(g) Any confidential records or information relating to security measures provided or received under the provisions of subsection (a)(45) shall not be subject to subpoena, discovery or other demand in any administrative, criminal or civil action.":

And by renumbering sections accordingly;

On page 2, in line 15, by striking "10" and inserting "20"; in line 39, after "K.S.A." by inserting "74-7402, 74-7403, 74-7404, 74-7406, 74-7407, "; in line 40, after "Supp." by inserting "45-221, ";

On page 1, in the title, in line 1, after the second "the" by inserting "ombudsman of corrections; transfer or discharge of certain offenders;"; in line 3, after "Supp." by inserting "45-221, "; in line 4, after "K.S.A." by inserting "74-7402, 74-7403, 74-7404, 74-7406, 74-7407, ";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

PAT COLLOTON

LANCE KINZER

JANICE L. PAULS

Conferees on part of House

Senator Owens moved the Senate adopt the Conference Committee Report on **HB 2704**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2757** submits the following report:

The Senate recedes from all of its amendments to the bill;

And your committee on conference recommends the adoption of this report.

DWAYNE UMBARGER

BOB MARSHALL

KELLY KULTALA

Conferees on part of Senate

GARY K. HAYZLETT

WILLIAM R. PRESCOTT

VINCENT WETTA

Conferees on part of House

Senator Umbarger moved the Senate adopt the Conference Committee Report on **HB 2757**.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: King.

The Conference Committee Report was adopted

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 56, the following appointment, submitted by the Governor to the Senate for confirmation, was considered.

Senator Emler moved the following appointee be confirmed as recommended by the Committee on Public Health and Welfare.

By the Governor:

On the appointment to the:

Long Term Care Ombudsman:

Barbara J. Hickert, to serve a four year term to expire March 15, 2016.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Emler an emergency was declared by a 2/3 constitutional majority, and **S Sub for HB 2077** and **HB 2743** were advanced to Final Action and roll call.

S Sub for HB 2077, AN ACT concerning employment; creating the professional employer organization registration act.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Pilcher-Cook.

The substitute bill passed.

HB 2743, AN ACT concerning abstracters; relating to license fees; amending K.S.A. 58-2801 and repealing the existing section.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Marshall, Masterson, McGinn, Morris, Olson, Ostmeyer, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Lynn, Merrick, Pilcher-Cook, Pyle.

The bill passed.

On motion of Senator Emler the Senate recessed until 4:30 p.m.

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

MESSAGE FROM THE HOUSE

Announcing passage of **SB 40**, as amended by House Substitute **SB 40**.

Announcing passage of **SB 387**.

The House adopts the Conference Committee report on **SB 334**.

The House concurs in Senate amendments to **HB 2516**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2517**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2563**, and requests return of the bill.

The House adopts the Conference Committee report on **HB 2505**.

The House adopts the Conference Committee report on **House Substitute for SB 315**.

The House nonconcurrs in Senate amendments to **Substitute HB 2689**, requests a conference and has appointed Representatives Brunk, Patton and Loganbill as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **Substitute HB 2117**, requests a conference and has appointed Representatives Carlson, Kleeb and Dillmore as conferees on the part of the House.

The House announces the appointment of Representative Kleeb to replace Representative Brown as a conferee on **House Substitute SB 416**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **House Substitute for SB 315** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed as House Substitute for Senate Bill No. 315, as follows:

On page 11, in line 31, by striking "associated with the applicant" and inserting "proposing to acquire a"; also in line 31, by striking all after "company"; in line 32, by striking all before the period;

On page 13, in line 21, by striking "geographic";

On page 14, in line 19, by striking "geographic";

And your committee on conference recommends the adoption of this report.

FORREST KNOX

RICHARD J. PROEHL

BOB GRANT

Conferees on part of Senate

RUTH TEICHMAN

TY MASTERSON

ALLEN SCHMIDT

Conferees on part of House

Senator Teichman moved the Senate adopt the Conference Committee Report on **H Sub for SB 315**.

On roll call, the vote was: Yeas 37; Nays 1; Present and Passing 1; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Emler, Faust-Goudeau, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle,

Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Donovan.

Present and Passing: Francisco.

Absent or Not Voting: Merrick.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 334** submits the following report:

The House recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill as introduced, as follows:

On page 2, following line 3, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 8-247 is hereby amended to read as follows: 8-247. (a)

(1) All original licenses shall expire as follows:

(A) Licenses issued to persons who are at least 21 years of age, but less than 65 years of age shall expire on the sixth anniversary of the date of birth of the licensee which is nearest the date of application;

(B) licenses issued to persons who are 65 years of age or older shall expire on the fourth anniversary of the date of birth of the licensee which is nearest the date of application;

(C) any commercial drivers license shall expire on the fourth anniversary of the date of birth of the licensee which is nearest the date of application;

(D) licenses issued to an offender, as defined in K.S.A. 22-4902, and amendments thereto, who is required to register pursuant to the Kansas offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, shall expire every year on the date of birth of the licensee; or

(E) licenses issued to persons who are less than 21 years of age shall expire on the licensee's ~~twenty-first~~ 21st birthday.

(2) All renewals under: (A) Paragraph (1) (A) shall expire on every sixth anniversary of the date of birth of the licensee; (B) paragraph (1) (B) and (C) shall expire on every fourth anniversary of the date of birth of the licensee; (C) paragraph (1) (D) shall expire every year on the date of birth of the licensee; and (D) paragraph (1) (E), if a renewal license is issued, shall expire on the licensee's ~~twenty-first~~ 21st birthday. No driver's license shall expire in the same calendar year in which the original license or renewal license is issued, except that if the foregoing provisions of this section shall require the issuance of a renewal license or an original license for a period of less than six calendar months, the license issued to the applicant shall expire in accordance with the provisions of this subsection.

(b) If the driver's license of any person expires while such person is outside of the state of Kansas and such person is on active duty in the armed forces of the United States, or is the spouse or a person who is residing with and is a dependent of such person on active duty, the license of such person shall be renewable, without examination, at any time prior to the end of the sixth month following the discharge of such person from the armed forces, or within 90 days after residence within the state is reestablished, whichever time is sooner. If the driver's license of any person under this subsection expires while such person is outside the United States, the division shall

provide for renewal by mail, as long as the division has a photograph or digital image of such person maintained in the division's records. A driver's license renewed under the provisions of this subsection shall be renewed by mail only once.

(c) At least 30 days prior to the expiration of a person's license the division shall mail a notice of expiration or renewal application to such person at the address shown on the license. The division shall include with such notice a written explanation of substantial changes to traffic regulations enacted by the legislature.

(d) (1) Except as provided in paragraph (2), every driver's license shall be renewable on or before its expiration upon application and payment of the required fee and successful completion of the examinations required by subsection (e). Application for renewal of a valid driver's license shall be made to the division in accordance with rules and regulations adopted by the secretary of revenue. Such application shall contain all the requirements of subsection (b) of K.S.A. 8-240, and amendments thereto. Upon satisfying the foregoing requirements of this subsection, and if the division makes the findings required by K.S.A. 8-235b, and amendments thereto, for the issuance of an original license, the license shall be renewed without examination of the applicant's driving ability. If the division finds that any of the statements relating to revocation, suspension or refusal of licenses required under subsection (b) of K.S.A. 8-240, and amendments thereto, are in the affirmative, or if it finds that the license held by the applicant is not a valid one, or if the applicant has failed to make application for renewal of such person's license on or before the expiration date thereof, the division may require the applicant to take an examination of ability to exercise ordinary and reasonable control in the operation of a motor vehicle as provided in K.S.A. 8-235d, and amendments thereto.

(2) Any licensee, whose driver's license expires on their ~~twenty-first~~ 21st birthday, shall have 45 15 days from the date of expiration of such license to make application to renew such licensee's license. Such license shall continue to be valid for such 45 15 days or until such license is renewed, whichever occurs sooner. A licensee who renews under the provisions of this paragraph shall not be required by the division to take an examination of ability to exercise ordinary and reasonable control in the operation of a motor vehicle as provided in K.S.A. 8-235d, and amendments thereto.

(e) (1) Prior to renewal of a driver's license, the applicant shall pass an examination of eyesight. Such examination shall be equivalent to the test required for an original driver's license under K.S.A. 8-235d, and amendments thereto. A driver's license examiner shall administer the examination without charge and shall report the results of the examination on a form provided by the division.

(2) In lieu of the examination of the applicant's eyesight by the examiner, the applicant may submit a report on the examination of eyesight by a physician licensed to practice medicine and surgery or by a licensed optometrist. The report shall be based on an examination of the applicant's eyesight not more than three months prior to the date the report is submitted, and it shall be made on a form furnished by the division to the applicant.

(3) The division shall determine whether the results of the eyesight examination or report is sufficient for renewal of the license and, if the results of the eyesight examination or report is insufficient, the division shall notify the applicant of such fact and return the license fee. In determining the sufficiency of an applicant's eyesight, the division may request an advisory opinion of the medical advisory board, which is

hereby authorized to render such opinions.

(4) An applicant who is denied a license under this subsection (e) may reapply for renewal of such person's driver's license, except that if such application is not made within 90 days of the date the division sent notice to the applicant that the license would not be renewed, the applicant shall proceed as if applying for an original driver's license.

(5) When the division has good cause to believe that an applicant for renewal of a driver's license is incompetent or otherwise not qualified to operate a motor vehicle in accord with the public safety and welfare, the division may require such applicant to submit to such additional examinations as are necessary to determine that the applicant is qualified to receive the license applied for. Subject to paragraph (6) of this subsection, in so evaluating such qualifications, the division may request an advisory opinion of the medical advisory board which is hereby authorized to render such opinions in addition to its duties prescribed by subsection (b) of K.S.A. 8-255b, and amendments thereto. Any such applicant who is denied the renewal of such a driver's license because of a mental or physical disability shall be afforded a hearing in the manner prescribed by subsection (c) of K.S.A. 8-255, and amendments thereto.

(6) Seizure disorders which are controlled shall not be considered a disability. In cases where such seizure disorders are not controlled, the director or the medical advisory board may recommend that such person be issued a driver's license to drive class C or M vehicles and restricted to operating such vehicles as the division determines to be appropriate to assure the safe operation of a motor vehicle by the licensee. Restricted licenses issued pursuant to this paragraph shall be subject to suspension or revocation. For the purpose of this paragraph, seizure disorders which are controlled means that the licensee has not sustained a seizure involving a loss of consciousness in the waking state within six months preceding the application or renewal of a driver's license and whenever a person licensed to practice medicine and surgery makes a written report to the division stating that the licensee's seizures are controlled. The report shall be based on an examination of the applicant's medical condition not more than three months prior to the date the report is submitted. Such report shall be made on a form furnished to the applicant by the division. Any physician who makes such report shall not be liable for any damages which may be attributable to the issuance or renewal of a driver's license and subsequent operation of a motor vehicle by the licensee.

(f) If the driver's license of any person expires while such person is outside the state of Kansas, the license of such person shall be extended for a period not to exceed six months and shall be renewable, without a driving examination, at any time prior to the end of the sixth month following the original expiration date of such license or within 10 days after such person returns to the state, whichever time is sooner. This subsection (f) shall not apply to temporary drivers' licenses issued pursuant to subsection (b)(3) of K.S.A. 8-240, and amendments thereto.

(g) The division shall reference the website of the agency in a person's notice of expiration or renewal under subsection (c). The division shall provide the following information on the website of the agency:

(1) Information explaining the person's right to make an anatomical gift in accordance with K.S.A. 8-243, and amendments thereto, and the revised uniform anatomical gift act, K.S.A. 2011 Supp. 65-3220 through 65-3244, and amendments

thereto;

(2) information describing the organ donation registry program maintained by the Kansas federally designated organ procurement organization. The information required under this paragraph shall include, in a type, size and format that is conspicuous in relation to the surrounding material, the address and telephone number of Kansas' federally designated organ procurement organization, along with an advisory to call such designated organ procurement organization with questions about the organ donor registry program;

(3) information giving the applicant the opportunity to be placed on the organ donation registry described in paragraph (2);

(4) inform the applicant that, if the applicant indicates under this subsection a willingness to have such applicant's name placed on the organ donor registry described in paragraph (2), the division will forward the applicant's name, gender, date of birth and most recent address to the organ donation registry maintained by the Kansas federally designated organ procurement organization, as required by paragraph (6);

(5) the division may fulfill the requirements of paragraph (4) by one or more of the following methods:

(A) Providing such information on the website of the agency; or

(B) providing printed material to an applicant who personally appears at an examining station;

(6) if an applicant indicates a willingness under this subsection to have such applicant's name placed on the organ donor registry, the division shall within 10 days forward the applicant's name, gender, date of birth and most recent address to the organ donor registry maintained by the Kansas federally designated organ procurement organization. The division may forward information under this subsection by mail or by electronic means. The division shall not maintain a record of the name or address of an individual who indicates a willingness to have such person's name placed on the organ donor registry after forwarding that information to the organ donor registry under this subsection. Information about an applicant's indication of a willingness to have such applicant's name placed on the organ donor registry that is obtained by the division and forwarded under this paragraph shall be confidential and not disclosed.

(h) Notwithstanding any other provisions of law, any offender under subsection (a) (1)(D) who held a valid driver's license on the effective date of this act may continue to operate motor vehicles until the next anniversary of the date of birth of such offender. Upon such date such driver's license shall expire and the offender shall be subject to the provisions of this section.

(i) The director of the division of vehicles shall submit a report to the legislature at the beginning of the regular session in 2012 regarding the impact of not requiring a written test for the renewal of a driver's license, including any cost savings to the division.

Sec. 3. K.S.A. 2011 Supp. 8-2,101 is hereby amended to read as follows: 8-2,101. The division of vehicles may issue a restricted class C or M driver's license in accordance with the provisions of this section. A restricted class C license issued under this section shall entitle the licensee, while possessing the license, to operate any motor vehicle in class C, as designated in K.S.A. 8-234b, and amendments thereto. A restricted class M license shall entitle the licensee, while possessing such license, to operate a motorcycle.

(a) The division may issue a restricted class C or M driver's license to any person who:

- (1) Is at least 15 years of age;
- (2) has successfully completed an approved course in driver training;
- (3) has held an instructional permit issued under the provisions of K.S.A. 8-239-8-2,100, and amendments thereto, for a period of at least one year and has completed at least 25 hours of adult supervised driving or has obtained an instructional permit from another state or the district of Columbia which has equivalent or greater requirements; and
- (4) upon the written application of the person's parent or guardian, which shall be submitted to the division.

Any licensee issued a restricted license under this subsection, shall provide prior to reaching 16 years of age, a signed affidavit of either a parent or guardian, stating that the applicant has completed the required 25 hours prior to being issued a restricted license and 25 hours of additional adult supervised driving. Of the 50 hours required by this subsection, at least 10 of those hours shall be at night. The adult supervised driving shall be conducted by an adult who is at least 21 years of age and is the holder of a valid commercial driver's license, class A, B or C driver's license.

(b) (1) A restricted license issued under subsection (a) shall entitle a licensee who is at least 15 years of age but less than 16 years of age, to operate the appropriate motor vehicles at any time:

- (A) While going to or from or in connection with any job, employment or farm-related work;
- (B) on days while school is in session, over the most direct and accessible route between the licensee's residence and school of enrollment for the purposes of school attendance;
- (C) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or
- (D) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

(2) For a period of six months, a restricted license issued under subsection (a) shall entitle a licensee who is at least 16 years of age to operate the appropriate motor vehicles at any time:

- (A) From ~~5:00~~ a.m. to ~~9:00~~ p.m.;
- (B) while going to or from or in connection with any job, employment or farm-related work;
- (C) while going to or from authorized school activities;
- (D) while going directly to or from any religious worship service held by a religious organization;
- (E) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or
- (F) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating

a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

After such six-month period, if the licensee has complied with the provisions of this section, such restricted license shall entitle the licensee to operate the appropriate motor vehicles at any time without any of the restrictions required by this section.

(c) (1) The division may issue a restricted class C or M driver's license to any person who is under 17 years of age but at least 16 years of age, who:

(A) Has held an instructional permit issued under the provisions of K.S.A. ~~8-239-8-2,100~~, and amendments thereto, for a period of at least one year; and

(B) has submitted a signed affidavit of either a parent or guardian, stating that the applicant has completed at least 50 hours of adult supervised driving with at least 10 of those hours being at night. The required adult supervised driving shall be conducted by an adult who is at least 21 years of age and is the holder of a valid commercial driver's license, class A, B or C driver's license.

(2) For a period of six months, a restricted license issued under subsection (c)(1) shall entitle a licensee to operate the appropriate motor vehicles at any time:

(A) From ~~5:00~~ a.m. to ~~9:00~~ p.m.;

(B) while going to or from or in connection with any job, employment or farm-related work;

(C) while going to or from authorized school activities;

(D) while going directly to or from any religious worship service held by a religious organization;

(E) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

(F) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

After such six-month period, if the licensee has complied with the provisions of this section, such restricted license shall entitle the licensee to operate the appropriate motor vehicles at any time without any of the restrictions required by this section.

(d) (1) Any licensee issued a restricted license under subsection (a):

(A) Who is less than 16 years of age shall not operate any motor vehicle with nonsibling minor passengers; or

(B) who is at least 16 years of age, for a period of six months after reaching 16 years of age, shall not operate any motor vehicle with more than one passenger who is less than 18 years of age and who is not a member of the licensee's immediate family.

(2) Any licensee issued a restricted license under subsection (c), for a period of six months after such restricted license is issued, shall not operate any motor vehicle with more than one passenger who is less than 18 years of age and who is not a member of the licensee's immediate family.

(3) Any conviction for violating this subsection shall be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto.

(e) Any licensee issued a restricted license under this section shall not operate a wireless communication device while driving a motor vehicle, except that a licensee may operate a wireless communication device while driving a motor vehicle to report

illegal activity or to summons medical or other emergency help.

(f) (1) A restricted driver's license issued under this section is subject to suspension or revocation in the same manner as any other driver's license.

(2) A restricted driver's license shall be suspended in accordance with K.S.A. 8-291, and amendments thereto, for any violation of restrictions under this section.

(3) The division shall suspend the restricted driver's license upon receiving satisfactory evidence that the licensee has been involved in two or more accidents chargeable to the licensee and such suspended license shall not be reinstated for one year.

(g) Evidence of failure of any licensee who was required to complete the 50 hours of adult supervised driving under this section shall not be admissible in any action for the purpose of determining any aspect of comparative negligence or mitigation of damages.

(h) Any licensee issued a restricted license under:

(1) Subsection (a) who:

(A) Is under the age of 16 years and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(1) until the person reaches 17 years of age;

(B) is under 17 years of age but at least 16 years of age and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(2) until the person reaches 18 years of age; or

(C) fails to provide the affidavit required under subsection (a) shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(1) until the person provides such affidavit to the division or the person reaches 17 years of age, whichever occurs first.

(2) Subsection (c) who is under the age of 17 years and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (c) until the person reaches 18 years of age.

(i) This section shall be a part of and supplemental to the motor vehicle driver's license act.":

And by renumbering sections accordingly;

Also on page 2, in line 4, after "Supp." by inserting "8-247, 8-2,101 and"; also in line 4, by striking "is" and inserting "are";

On page 1, in the title, in line 1, by striking "motor vehicles"; and inserting "driver's licenses"; in line 2, by striking the first semicolon and inserting a comma; in line 3, after "requirements;" by inserting "applications to renew; restricted licenses;"; also in line 3, after "Supp." by inserting "8-247, 8-2,101 and"; in line 4, by striking "section"; and inserting "sections";

And your committee on conference recommends the adoption of this report.

GARY K. HAYZLETT

WILLIE PRESCOTT

VINCENT WETTA

Conferees on part of House

DWAYNE UMBARGER
BOB MARSHALL
KELLY KULTALA

Conferees on part of Senate

The motion of Senator Umbarger to adopt the conference committee report on **SB 334** failed.

On roll call, the vote was: Yeas 7; Nays 30; Present and Passing 2; Absent or Not Voting 1.

Yeas: Donovan, Emler, Marshall, Petersen, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Bruce, Brungardt, Faust-Goudeau, Haley, Hensley, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Masterson, McGinn, Morris, Olson, Ostmeyer, Owens, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Wagle.

Present and Passing: Francisco, Holland.

Absent or Not Voting: Merrick.

Senator Taddiken moved to reconsider the Senate's action. The motion carried.

The motion of Senator Taddiken to not adopt the conference committee report on **SB 334** and appoint new conferees prevailed.

The President appointed Senators Umbarger, Marshall and Kultala as second conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2572**, **HB 2694**,

Announcing passage of **SB 62**, as amended by **House Substitute for SB 62**; **SB 142**, as amended by **House Substitute for SB 142**; **SB 176**, as amended by **House Substitute for House Substitute for SB 176**.

The House nonconcur in Senate amendments to **HB 2649**, requests a conference and has appointed Representatives Powell, Kerschen and Williams as conferees on the part of the House.

Announcing a veto message from the Governor on **House Bill No. 2624**, AN ACT concerning counties; relating to oil and gas valuation depletion; distribution of trust fund moneys; administrative fee; amending K.S.A. 2011 Supp 19-101a and 79-4231 and repealing the existing sections, was received on March 26, 2012, and read on March 26, 2012.

There being no motion to reconsider **House Bill No. 2624**, the veto was sustained.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2572, **HB 2694** were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Owens moved the Senate nonconcur in House amendments to **H Sub for H Sub for SB 176** and a conference committee be appointed.

Senator Vratil made a substitute motion to concur in House amendments to **H Sub for H Sub for SB 176**.

Citing Rule 26 Senator Bruce made a motion to postpone until day certain April 25, 2012 at 10:00 a.m. The motion failed.

On roll call, the vote was: Yeas 14; Nays 24; Present and Passing 1; Absent or Not Voting 1.

Yeas: Abrams, Apple, Donovan, Love, Lynn, Masterson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Reitz, Steineger, Teichman, Wagle.

Nays: Bruce, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Marshall, McGinn, Morris, Owens, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Umbarger, Vratil.

Present and Passing: Olson.

Absent or Not Voting: Merrick.

The motion to concur failed.

Having voted on the prevailing side on **H Sub for H Sub for SB 176** Senator Hensley made a motion to reconsider the Senate's action and the motion failed.

On motion of Senator McGinn the Senate nonconcurrred in the House amendments to **H Sub for SB 40** and requested a conference committee be appointed.

The President appointed Senators McGinn, Vratil and Kelly as a conference committee on the part of the Senate.

On motion of Senator Brungardt the Senate nonconcurrred in the House amendments to **H Sub for SB 62** and requested a conference committee be appointed.

The President appointed Senators Brungardt, Reitz and Faust-Goudeau as a conference committee on the part of the Senate.

On motion of Senator Brungardt the Senate nonconcurrred in the House amendments to **H Sub for SB 142** and requested a conference committee be appointed.

The President appointed Senators Brungardt, Reitz and Faust-Goudeau as a conference committee on the part of the Senate.

ORIGINAL MOTIONS

On motion of Senator Donovan, the Senate acceded to the request of the House for a conference on **S Sub for HB 2117**.

The President appointed Senators Donovan, Apple and Holland as conferees on the part of the Senate.

On motion of Senator Taddiken, the Senate acceded to the request of the House for a conference on **HB 2649**.

The President appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

On motion of Senator Brungardt, the Senate acceded to the request of the House for a conference on **HB 2689**.

The President appointed Senators Brungardt, Reitz and Faust-Goudeau as conferees on the part of the Senate.

REPORT ON ENROLLED BILLS

H Sub for Sub HB 159; SB 320, SB 322, SB 330, SB 345, SB 366, SB 403, SB 417, SB 422 reported correctly enrolled, properly signed and presented to the Governor on March 30, 2012.

SCR 1616, SCR 1618 reported correctly enrolled, properly signed and presented to the Secretary of State on March 30, 2012.

SR 1847, SR 1848, SR 1849, SR 1850, SR 1851, SR 1852, SR 1853 reported correctly enrolled and properly signed and presented to the Secretary of the Senate on March 30, 2012.

REPORT ON ENGROSSED BILLS

SB 303, SB 424; H Sub for SB 74; SB 301 reported correctly engrossed March 29, 2012.

SB 387 reported correctly engrossed March 30, 2012.

MESSAGE FROM THE HOUSE

Announcing adoption of **HCR 5034**.

The House accedes to the request of the Senate for a conference on **House Substitute SB 425** and has appointed Representatives Rhoades, Kelley and Feuerborn as conferees on the part of the House.

HCR 5034, relating to the 2012 regular session of the legislature; extending such session beyond 90 calendar days; and providing for adjournment thereof, was introduced and read by title.

On emergency motion of Senator Emler, **HCR 5034** was adopted by voice vote.

On motion of Senator Emler and pursuant to **HCR 5034** the Senate adjourned until 10:00 a.m., Wednesday, April 25, 2012.

Journal of the Senate

FIFTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, April 25, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.

The roll was called with thirty-nine senators present.

Senator Steineger was excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Wrap-up time is Show-down time,

And results will be coming in.

It's when we find who loses,

And when we find who wins.

Of course, the problem is, O God

When both sides think they're right....

Animosity tends to smolder

And continue day and night.

I pray for both sides, Lord, today;

The losers and the winners.

All the winners are not angels,

And not all the losers sinners.

I pray that what the winners win

Won't be as bad as the losers think;

And what the losers lose

Is better than the winners think.

The poet Perry Gresham penned this verse:

“Truth crushed to earth will rise again,

The eternal years of God are hers;

But, error, wounded, writhes in pain

And dies amidst her worshipers.”

And Longfellow's 4th stanza of a hymn expresses it well:

“Then pealed the bells more loud and deep,

God is not dead, nor doth He sleep.

The wrong shall fail, the right prevail

With peace on earth, good will to men.”

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

POINT OF PERSONAL PRIVILEGE

Senator Morris rose on a Point of Personal Privilege to introduce his daughter, Stephanie Heger, grandson, Gavin Heger and his friend, Samuel Fabela who were paging in the Capitol.

Senator Donovan rose on a Point of Personal Privilege to introduce Bekah Henderson, her mother, Cathy Henderson, Matthew Weems, his mother, Leanne Weems, Beau Renyer, and Justin White who were all in attendance in support of the Special Olympians.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 469, AN ACT concerning confidentiality of health information; amending K.S.A. 2011 Supp. 65-6828 and repealing the existing section, by Committee on Ways and Means.

SB 470, AN ACT concerning congressional districts; providing for the redistricting thereof; repealing K.S.A. 2011 Supp. 4-136, 4-137, 4-138, 4-139, 4-140, 4-141 and 4-142, by Committee on Ways and Means.

SB 471, AN ACT concerning state board of education member districts; providing for the redistricting thereof; repealing K.S.A. 2011 Supp. 4-514, 4-515, 4-516, 4-517, 4-518, 4-519, 4-520, 4-521, 4-522, 4-523, 4-524 and 4-525, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **HB 2572**, **HB 2694**.

MESSAGES FROM THE GOVERNOR

SB 310 approved on March 30, 2012.

H Sub for Sub SB 159; **SB 320**, **SB 322**, **SB 330**, **SB 366**, **SB 403**, **SB 417**, **SB 422** approved on April 3, 2012.

House Sub for SB 74; SB 301, SB 303, SB 387; Sub for SB 397; SB 424 approved on April 6, 2012.

March 30, 2012

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate is an appointment made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback
Governor

Member, Kansas Bioscience Authority, Leon Harold Borck (R), Manhattan, pursuant to the authority vested in me by KSA 74-99b04 effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2016.

April 4, 2012

Message to the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback
Governor

Member, Board of Indigent Defense Services, Andrew D. Wimmer (R), Overland Park, pursuant to the authority vested in me by KSA 22-4522 effective upon the date of confirmation by the Senate, to serve a three year term, to expire January 15, 2014.

Member, Kansas Bioscience Authority, Dale A. Rodman (R), Topeka, pursuant to the authority vested in me by KSA 74-99b04 effective upon the date of conformation by the Senate, to serve a four year term, to expire March 15, 2016.

Member, Pooled Money Investment Board, Robert Chestnut (R), Lawrence, pursuant to the authority vested in me by KSA 75-4221a effective upon the date of confirmation by the Senate, to serve a four year term, to expire March 15, 2016.

April 24, 2012

Message to the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate is an appointment made by me as the Governor of the State of Kansas, pursuant to law.

Sam Brownback
Governor

Secretary, Department of Transportation, Michael Steven King (R), Hesston, pursuant to the authority vested in me by KSA 75-5001, effective upon the date of conformation by the Senate, to serve at the pleasure of the Governor.

MESSAGE FROM THE GOVERNOR

The passage and signing of the Dodd-Frank Act was an unprecedented expansion of federal power over the nation's economy and the states by the Obama Administration. While serving as a United States Senator, I vigorously opposed and voted against the Dodd-Frank Act.

Today the consequences of this wayward legislation are being felt here in Kansas. We are being coerced by unelected federal bureaucrats to enact bills such as **SB 345** and **HB 2505** that set up new regulatory frameworks not desired by Kansas voters. These federal officials are threatening to do harm to our state's economy if we do not acquiesce in passing state laws dictated from Washington.

Because we have little choice but to let these bills go into effect, I will allow them to become law without my signature. By not affixing my signature to these bills, however, I want to send a clear message that I have serious concerns about their constitutionality. Because of this, I have requested that Attorney General Derek Schmidt conduct an immediate review of Dodd-Frank in order to begin the process of defending Kansas from this unconstitutional incursion of federal authority over the states.

APRIL 25, 2012

2165

Pursuant to Article 2 Sec. 14 of the Kansas Constitution and KSA 45-305, **SB 345** and **HB 2505** have been delivered to the Secretary of State without my signature.

Date: April 9, 2012

Signed: Sam Brownback, Governor

MESSAGE FROM THE GOVERNOR

SB 353 – Veto message from the Governor

Recent indicators show the economic recovery in Kansas is underway, yet remains fragile. As I set forth in my Roadmap for Kansas, now is the time for government to get out of the way by reducing spending, cutting taxes, and returning to its core functions. Only when the state's economic role is limited to maintaining a fair and safe playing field for all can the resourcefulness, ingenuity, and hard work of Kansans in every field of labor be fully realized. Now is not the time to add layer after layer of regulatory fees, burdensome certification requirements, barriers to entry, and bureaucracy to our economy.

While **SB 353** deals only with one business, it is a clear example of the steady growth of state power over economic activity. By vetoing **SB 353**, I intend not only to prevent this small increase of government interference in the marketplace, but also to send the clear message that Kansas will not accept unnecessary government burdens on the free market. It is time to take the parking brake off of the dynamic economic engine that is the Kansas spirit, which if unleashed, will generate growth and prosperity for all.

Therefore, pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto **SB 353**.

Date: April 4, 2012

Signed: Sam Brownback, Governor

MESSAGE FROM THE GOVERNOR

House Substitute for Senate Bill 315 – Veto message from the Governor

The provisions of **Senate Bill 315** as introduced, and which are now contained in Sections 11 through 13 of **House Substitute for Senate Bill 315**, unnecessarily impair the prerogatives of the executive branch and take away an important tool for the efficient and uniform management of the executive branch of state government. The remaining provisions of **House Substitute for Senate Bill 315** represent good policy and should become law.

Therefore, pursuant to Article 2, Section 14 of the Kansas Constitution, I hereby veto **House Substitute for Senate Bill 315** and urge the Legislature to return the bill to me modified as set forth above before final adjournment.

Date: April 12, 2012

Signed: Sam Brownback, Governor

COMMUNICATIONS FROM STATE OFFICERS

Kansas Department of Administration

March 29, 2012

Martin Eckhardt, Director of Office of Management Analysis and Standards,

submitted a CD containing the 58th Annual Financial Report of the State of Kansas for the fiscal year ended June 30, 2011.

Office of the Attorney General

March 30, 2012

Pursuant to KSA 74-7303, Derek Schmidt, Kansas Attorney General, submitted the appointment of Suzanne Valdez as a member of the Crime Victims Compensation Board. Ms. Valdez is a reappointment to a four year term to the position that expired on March 15, 2012.

SECRETARY OF STATE
STATE OF ARIZONA

April 9, 2012

In compliance with a requirement to submit a copy of a resolution passed by the Fiftieth Legislature – Second Regular Session of the State Arizona, Ken Bennett, Secretary of State, State of Arizona, submitted a copy of House Concurrent Memorial 2007, a Concurrent Memorial requesting the Congress of the United States to propose, and to submit to the several states for ratification, a balanced budget amendment to the United States Constitution.

SECRETARY OF STATE
STATE OF LOUISIANA

April 10, 2012

Tom Schedler, Secretary of State, State of Louisiana, submitted a copy of Louisiana House Concurrent Resolution 87, regarding applying for an amendments convention to be called for the purpose of proposing an amendment to the Constitution of the United States which provides that an increase in federal debt requires approval from a majority of the legislatures of the separate states, pursuant to Article V of the Constitution of the United States.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 134**.

The House concurs in Senate amendments to **HB 2706**, and requests return of the bill.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Kultala and Holland introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1857—

A RESOLUTION congratulating and commending Sheriff David Zoellner.

WHEREAS, After 45 years in law enforcement, Sheriff David Zoellner will be retiring from the Leavenworth County Sheriff's office; and

WHEREAS, Sheriff Zoellner's interest in law enforcement began after he graduated from high school, but he had to wait until he was 21 years old to pursue that dream; and

WHEREAS, Sheriff Zoellner began his career in 1968 when he was hired by the Leavenworth police department as a patrolman. Ten months later he was hired by the Leavenworth county sheriff's office; and

WHEREAS, He graduated from basic training in May 1969 and began his career in the Leavenworth county sheriff's office as a road deputy; and

WHEREAS, Before becoming sheriff in Leavenworth county, Sheriff Zoellner worked his way up the ranks serving as a sergeant, lieutenant, captain and major. He was elected sheriff in 2004 and reelected in 2008; and

WHEREAS, Throughout his career, Sheriff Zoellner has been recognized for his outstanding work in law enforcement. Among his accolades are the 1972 merit award for arrest from the American federation of police, commendation for professional performance of duty in 1976 and Leavenworth county officer of the year in 2001; and

WHEREAS, Sheriff Zoellner looks forward to his retirement and spending more time with his family, including Janice, his wife of 41 years, their two children, their grandson and their grandchild on the way: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Sheriff David Zoellner on his many years of service to Leavenworth county and the state of Kansas. We extend our best wishes for continued success and happiness; and

Be it further resolved: That the Secretary of the Senate shall send two enrolled copies of this resolution to Senator Kultala.

On emergency motion of Senator Kultala **SR 1857** was adopted unanimously.

Senator Kultala introduced and congratulated Sheriff David Zellner upon his retirement of 45 years from the Leavenworth County Sheriff's office. Also in attendance were his wife, Janice Zellner, daughter, Kimberly Russell and grandson, Alex Russell. The Senate recognized Sheriff Zellner for his accomplishment with a standing ovation.

Senator Holland introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1858—

A RESOLUTION congratulating and commending the Jefferson County North girls basketball team for winning the 2012 Class 2A state championship.

WHEREAS, The Jefferson County North Lady Chargers defeated the two-time defending state champion Olpe Lady Eagles 51-40 on March 10, 2012, in Bramlage Coliseum in Manhattan; and

WHEREAS, The Lady Chargers captured the state title with a 25-1 record; and

WHEREAS, The Lady Chargers controlled the game the same way they had all year, with defense. The Lady Chargers held Olpe to 37 percent shooting for the game and only 11 percent from three-point range. They also forced 12 Olpe turnovers while committing only eight; and

WHEREAS, The Lady Chargers took a 26-15 lead into halftime and never allowed Olpe to get the lead below 10 points in the second half; and

WHEREAS, The Lady Chargers were led in the game by Jacee Kramer with 21 points; and

WHEREAS, The Jefferson County North Lady Chargers' championship season provided many thrills and exciting moments for the students, faculty and staff at Jefferson County North High School, as well as for the community: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the 2012 Jefferson County North girls basketball team and Head Coach Steve Noll for winning the Class 2A state championship. Their hard work and athletic achievements are points of pride for their families, school and community. We wish all the team members and coaches success in their future endeavors; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Tom Holland.

On emergency motion of Senator Holland **SR 1858** was adopted unanimously.

Senator Holland congratulated and commended the Jefferson County North girls basketball team for winning the 2012 Class 2A state championship. The Jefferson County North girls basketball team were introduced as follows: Katie Brickell, Emma Bassette, Mary Kern, Megan Domann, Jordan Kramer, Brandy Crail, Megan Gilliland, Kymee Noll, Morgan Wentz, Heather Polson, Randi Noll, Jacee Kramer, Mallory Kramer, Kylie Manville, Jamie Navinskey, Briana Page, Lindsey Vittitow, Jacinta Priest, and Rylie Farrar. Also in attendance were Denise Jennings, Superintendent, Gary Bedigrew, Principal, Steve Noll, Head Coach and Tonya Kramer, Assistant Coach.

The Senate acknowledged their achievement with a standing ovation.

Senator Holland introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1859—

A RESOLUTION congratulating and commending the Basehor-Linwood boys basketball team for winning the 2012 Class 4A state championship.

WHEREAS, The Basehor-Linwood Bobcats defeated the Ottawa Cyclones 56-52 to win the 2012 Class 4A state basketball championship on March 10, 2012, in Salina; and

WHEREAS, The Bobcats finished the season with a record of 23-3, avenging all three of their losses, including the state title victory over Ottawa; and

WHEREAS, Basehor-Linwood used a 21-8 run in the second quarter to shatter a 13-13 tie after the first quarter to take a 34-21 lead at halftime; and

WHEREAS, The Bobcats made several key plays to preserve the victory after Ottawa stormed back to tie the game at 52 with a minute left. Junior Ben Johnson scored the go-ahead bucket with 49 seconds left in the game and sophomore J.P. Downing swatted away a final Ottawa three point attempt with nine seconds left to seal the state championship. Sophomore Chase Younger led the Bobcats with 18 points in the championship game, including three big three-pointers; and

WHEREAS, The 2012 championship was Head Coach Mike McBride's second state title since 2009; and

WHEREAS, The Basehor-Linwood boys basketball team's hard work and athletic achievements provided many memorable moments to the students, faculty and staff of Basehor-Linwood High School and to the community: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the 2012 Basehor-Linwood boys basketball team for winning the Class 4A state championship. We wish all the team members and coaches continued success and happiness in the future; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Tom Holland.

On emergency motion of Senator Holland **SR 1859** was adopted unanimously.

Senator Holland congratulated and commended the Basehor-Linwood boy's

basketball team for winning the 2012 Class 4A state championship. The Basehor-Linwood boy's basketball team were introduced as follows: Brad Waterman, Ryan Shaffer, Colin Murphy, Ryan Murphy, Ben Johnson, Tanner Garver, Caleb Hiss, Matt Ogilvie, Chase Younger, Tim Sanders, Zachary McNabb, and JP Downing. Also in attendance were: David Howard, Superintendent, Sherry Reeves, Principal, Joe Keeler, Athletic Director, Mike McBride, Head Coach, Justin Oberndorfer, Assistant Coach and Bronson Schaake, Assistant Coach. The Senate acknowledged their achievement with a standing ovation.

Senator Emler introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1860—

A RESOLUTION congratulating the McPherson High School girls basketball team for winning the 2012 Class 4A State Basketball Championship.

WHEREAS, The McPherson High School girls basketball team won the 2012 Kansas State High School Activities Association Class 4A State Basketball Championship with a 34-27 victory over Holton in the state championship game at the Bicentennial Center in Salina. Their win ended the 51-game winning streak of defending state champions Holton; and

WHEREAS, The 2012 McPherson girls basketball team finished the season with a record of 25-1 and added to McPherson's rich tradition of excellence in girls basketball by winning the school's 8th state championship in girls basketball. The previous seven championships coming in Class 5A before the school dropped to 4A this year; and

WHEREAS, The members of the championship team are: Seniors Ashton Bruner and Tanner Hein, juniors Madison Lackey, Katelyn Loecker and Hailey Ruder, sophomores Janae Barnes, Brooke Bate, Alisa Becker, Reagan Beckwith, Abby Pedersen, Moira Pyle and Hannah Willems, freshmen Brianna Cooks and Madison Hoffman, and managers and filmer Megan Malm, Shelby Miller, Ivanna Moyer and Izzy Moyer. The head coach is Chris Strathman and the assistant coaches are Mike Reith, Shelly Prescott and Tim Ellet; and

WHEREAS, The accomplishments of the McPherson High School girls basketball team continue to inspire and amaze basketball fans across the state of Kansas: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the McPherson High School girls basketball team and Coach Chris Strathman be congratulated for winning the 2012 Kansas State High School Activities Association Class 4A State Basketball Championship. Their hard work and athletic ability are points of pride for their families, school and the community of McPherson. We extend our best wishes for their continued success and happiness in the future; and

Be it further resolved: That the Secretary of the Senate shall send 22 enrolled copies of this resolution to Senator Emler.

On emergency motion of Senator Emler **SR 1860** was adopted unanimously.

Senator Emler congratulated the McPherson High School girl's basketball team for winning the 2012 Class 4A State Basketball Championship. The McPherson girl's basketball team were introduced as follows: Ashton Bruner, Tanner Hein, Madison Lackey, Katelyn Loecker, Hailey Ruder, Janae Barnes, Brooke Bate, Alisa Becker,

Reagan Beckwith, Abby Pedersen, Moira Pyle, Hannah Willems, Brianna Cooks, and Madison Hoffman. Also in attendance were: Head Coach, Chris Strathman, Assistant Coaches, Mike Reith, Shelly Prescott, Tim Ellet and Representative Clark Shultz. The Senate acknowledged their achievement with a standing ovation.

Senator V. Schmidt introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1861—

A RESOLUTION congratulating and commending Angela L. (Angie) Barnes.

WHEREAS, Angela L. (Angie) Barnes retired on January 1, 2012, after serving four years in the Kansas Legislative Research Department, retiring as the head secretary; and

WHEREAS, Angie Barnes also served the people of the state of Kansas for over 20 years in the Kansas Department of Administration, Kansas Board of Technical Professions, Kansas Department of Education, Kansas Legislative Division of Post Audit and Kansas Legislative Research Department; and

WHEREAS, Angie Barnes worked for the state of Kansas at the Department of Administration from 1974 to 1977 as the executive secretary for Howard Schwartz; Board of Technical Professions from 1977 to 1982 as the executive secretary for Charlotte Olander; Department of Education in October 1998 as a secretary; Kansas Legislative Division of Post Audit in May 2001 as a secretary; and Kansas Legislative Research Department in November 2007 as a secretary III before being promoted to head secretary in December 2009; and

WHEREAS, Angie Barnes is known throughout Kansas Legislative Research Department for her kindness, helpful ways, dedication to see a project completed and her loyalty to the University of Kansas Jayhawks; and

WHEREAS, Angie Barnes was married to Donald E. Barnes on March 25, 1968. They have two daughters: Shelley Fitzpatrick and Traci Hency; and they are the proud grandparents of five grandchildren: Derrick Hart, Dylan Hart, Cooper Fitzpatrick, Josh Fitzpatrick and Anna De La Torre: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Angie Barnes for her more than 20 years of devoted service to the state of Kansas; and

Be it further resolved: That the Secretary of the Senate shall provide an enrolled copy of this resolution to Angela L. (Angie) Barnes, 428 Childers Street, PMB 23586, Pensacola, Florida 32513; Shelley and Brad Fitzpatrick, 2932 SW Sunnymede Ct., Topeka, Kansas 66611-1735; and Traci and John Hency, 3330 SW Eveningside Drive, Apt. 1, Topeka, Kansas 66614.

On emergency motion of Senator V. Schmidt **SR 1861** was adopted unanimously.

On motion of Senator Emler the Senate recessed until 2:30 p.m.

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

MESSAGE FROM THE HOUSE

The House nonconcurrs in Senate amendments to **HB 2562**, requests a conference and has appointed Representatives Kinzer, Patton and Pauls as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for SB 40** and has appointed Representatives Rhoades, Kelley and Feuerborn as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for SB 62** and has appointed Representatives Kinzer, Patton and Pauls as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 142** and has appointed Representatives Kinzer, Patton and Pauls as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 334** and has appointed Representatives Hayzlett, Prescott and Wetta as 2nd conferees on the part of the House.

On motion of Senator Emler, the Senate recessed until 3:10 p.m.

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

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **S Sub for HB 2454; HB 2471, HB 2502, HB 2503, HB 2568, HB 2655; S Sub for HB 2730; SB 134.**

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to Senate Substitute for HB 2454 submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2454, as follows:

On page 2, in line 4, by striking "13" and inserting "11"; in line 13, by striking "four" and inserting "and five"; also in line 13, by striking "; one"; by striking all in lines 14 and 15; in line 16, by striking "appointed by the Kansas humanities council"; in line 18, by striking "two" and inserting "three"; in line 35, by striking "Seven" and inserting "Six";

On page 5, in line 15, after "staff" by inserting "consisting of a director"; in line 17, striking all after the period; in line 18, by striking before the second "The";

On page 6, in line 36, by striking "executive";

On page 10, in line 31, by striking "executive";

On page 12, in line 43, by striking "executive";

And your committee on conference recommends the adoption of this report.

TERRIE HUNTINGTON

JEAN SCHODORF

LAURA KELLY

Conferees on part of Senate

LANA GORDON
MARVIN KLEEB
VALDENIA C. WINN

Conferees on part of House

Senator Huntington moved the Senate adopt the Conference Committee Report on **S Sub for HB 2454**.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Pilcher-Cook.

Absent or Not Voting: Steineger.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote yes on the **Senate Substitute for HB 2454** because it re-establishes a vehicle supporting the Arts in Kansas. The previous organization, The Kansas Arts Commission, had proven educational, economic, and quality of life benefits for citizens and communities. It is unfortunate that we lost a year of effective arts funding with the dismantling of the Kansas Arts Commission. I am hopeful the new Creative Arts Industry Commission (CAIC) will effectively restore the states commitment to promoting the arts. — ALLEN C. SCHMIDT

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to HB 2471 submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 2, in line 6, by striking all following "(3)"; by striking all in line 7; in line 8, by striking all before the semicolon; in line 15, by striking all following "(3)"; by striking all in line 16; in line 17, by striking all before the semicolon; in line 25, by striking all following "(3)"; by striking all in line 26; in line 27, by striking all before the semicolon;

On page 3, following line 21, by inserting:

"Sec. 2. On and after July 1, 2012, K.S.A. 2011 Supp. 39-923 is hereby amended to read as follows: 39-923. (a) As used in this act:

(1) "Adult care home" means any nursing facility, nursing facility for mental health, intermediate care facility for ~~the mentally retarded~~ people with intellectual disability, assisted living facility, residential health care facility, home plus, boarding care home and adult day care facility; all of which are classifications of adult care homes and are required to be licensed by the secretary of aging.

(2) "Nursing facility" means any place or facility operating 24 hours a day, seven days a week, caring for six or more individuals not related within the third degree of

relationship to the administrator or owner by blood or marriage and who, due to functional impairments, need skilled nursing care to compensate for activities of daily living limitations.

(3) "Nursing facility for mental health" means any place or facility operating 24 hours a day, seven days a week, caring for six or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who, due to functional impairments, need skilled nursing care and special mental health services to compensate for activities of daily living limitations.

(4) "Intermediate care facility for ~~the mentally retarded~~ people with intellectual disability" means any place or facility operating 24 hours a day, seven days a week, caring for ~~six~~ four or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who, due to functional impairments caused by ~~mental retardation~~ intellectual disability or related conditions, need services to compensate for activities of daily living limitations.

(5) "Assisted living facility" means any place or facility caring for six or more individuals not related within the third degree of relationship to the administrator, operator or owner by blood or marriage and who, by choice or due to functional impairments, may need personal care and may need supervised nursing care to compensate for activities of daily living limitations and in which the place or facility includes apartments for residents and provides or coordinates a range of services including personal care or supervised nursing care available 24 hours a day, seven days a week, for the support of resident independence. The provision of skilled nursing procedures to a resident in an assisted living facility is not prohibited by this act. Generally, the skilled services provided in an assisted living facility shall be provided on an intermittent or limited term basis, or if limited in scope, a regular basis.

(6) "Residential health care facility" means any place or facility, or a contiguous portion of a place or facility, caring for six or more individuals not related within the third degree of relationship to the administrator, operator or owner by blood or marriage and who, by choice or due to functional impairments, may need personal care and may need supervised nursing care to compensate for activities of daily living limitations and in which the place or facility includes individual living units and provides or coordinates personal care or supervised nursing care available on a 24-hour, seven-days-a-week basis for the support of resident independence. The provision of skilled nursing procedures to a resident in a residential health care facility is not prohibited by this act. Generally, the skilled services provided in a residential health care facility shall be provided on an intermittent or limited term basis, or if limited in scope, a regular basis.

(7) "Home plus" means any residence or facility caring for not more than 12 individuals not related within the third degree of relationship to the operator or owner by blood or marriage unless the resident in need of care is approved for placement by the secretary of the department of social and rehabilitation services, and who, due to functional impairment, needs personal care and may need supervised nursing care to compensate for activities of daily living limitations. The level of care provided to residents shall be determined by preparation of the staff and rules and regulations developed by the department on aging. An adult care home may convert a portion of one wing of the facility to a not less than five-bed and not more than 12-bed home plus facility provided that the home plus facility remains separate from the adult care home,

and each facility must remain contiguous. Any home plus that provides care for more than eight individuals after the effective date of this act shall adjust staffing personnel and resources as necessary to meet residents' needs in order to maintain the current level of nursing care standards. Personnel of any home plus who provide services for residents with dementia shall be required to take annual dementia care training.

(8) "Boarding care home" means any place or facility operating 24 hours a day, seven days a week, caring for not more than 10 individuals not related within the third degree of relationship to the operator or owner by blood or marriage and who, due to functional impairment, need supervision of activities of daily living but who are ambulatory and essentially capable of managing their own care and affairs.

(9) "Adult day care" means any place or facility operating less than 24 hours a day caring for individuals not related within the third degree of relationship to the operator or owner by blood or marriage and who, due to functional impairment, need supervision of or assistance with activities of daily living.

(10) "Place or facility" means a building or any one or more complete floors of a building, or any one or more complete wings of a building, or any one or more complete wings and one or more complete floors of a building, and the term "place or facility" may include multiple buildings.

(11) "Skilled nursing care" means services performed by or under the immediate supervision of a registered professional nurse and additional licensed nursing personnel. Skilled nursing includes administration of medications and treatments as prescribed by a licensed physician or dentist; and other nursing functions which require substantial nursing judgment and skill based on the knowledge and application of scientific principles.

(12) "Supervised nursing care" means services provided by or under the guidance of a licensed nurse with initial direction for nursing procedures and periodic inspection of the actual act of accomplishing the procedures; administration of medications and treatments as prescribed by a licensed physician or dentist and assistance of residents with the performance of activities of daily living.

(13) "Resident" means all individuals kept, cared for, treated, boarded or otherwise accommodated in any adult care home.

(14) "Person" means any individual, firm, partnership, corporation, company, association or joint-stock association, and the legal successor thereof.

(15) "Operate an adult care home" means to own, lease, establish, maintain, conduct the affairs of or manage an adult care home, except that for the purposes of this definition the word "own" and the word "lease" shall not include hospital districts, cities and counties which hold title to an adult care home purchased or constructed through the sale of bonds.

(16) "Licensing agency" means the secretary of aging.

(17) "Skilled nursing home" means a nursing facility.

(18) "Intermediate nursing care home" means a nursing facility.

(19) "Apartment" means a private unit which includes, but is not limited to, a toilet room with bathing facilities, a kitchen, sleeping, living and storage area and a lockable door.

(20) "Individual living unit" means a private unit which includes, but is not limited to, a toilet room with bathing facilities, sleeping, living and storage area and a lockable door.

(21) "Operator" means an individual who operates an assisted living facility or residential health care facility with fewer than 61 residents, a home plus or adult day care facility and has completed a course approved by the secretary of health and environment on principles of assisted living and has successfully passed an examination approved by the secretary of health and environment on principles of assisted living and such other requirements as may be established by the secretary of health and environment by rules and regulations.

(22) "Activities of daily living" means those personal, functional activities required by an individual for continued well-being, including but not limited to eating, nutrition, dressing, personal hygiene, mobility, ~~and~~ toileting.

(23) "Personal care" means care provided by staff to assist an individual with, or to perform activities of daily living.

(24) "Functional impairment" means an individual has experienced a decline in physical, mental and psychosocial well-being and as a result, is unable to compensate for the effects of the decline.

(25) "Kitchen" means a food preparation area that includes a sink, refrigerator and a microwave oven or stove.

(26) The term "intermediate personal care home" for purposes of those individuals applying for or receiving veterans' benefits means residential health care facility.

(27) "Paid nutrition assistant" means an individual who is paid to feed residents of an adult care home, or who is used under an arrangement with another agency or organization, who is trained by a person meeting nurse aide instructor qualifications as prescribed by 42 C.F.R. § 483.152, 42 C.F.R. § 483.160 and paragraph (h) of 42 C.F.R. § 483.35, and who provides such assistance under the supervision of a registered professional or licensed practical nurse.

(28) "Medicaid program" means the Kansas program of medical assistance for which federal or state moneys, or any combination thereof, are expended, or any successor federal or state, or both, health insurance program or waiver granted thereunder.

(b) The term "adult care home" shall not include institutions operated by federal or state governments, except institutions operated by the Kansas commission on veterans affairs, hospitals or institutions for the treatment and care of psychiatric patients, child care facilities, maternity centers, hotels, offices of physicians or hospices which are certified to participate in the medicare program under 42 code of federal regulations, chapter IV, section 418.1 *et seq.*, and amendments thereto, and which provide services only to hospice patients.

(c) Nursing facilities in existence on the effective date of this act changing licensure categories to become residential health care facilities shall be required to provide private bathing facilities in a minimum of 20% of the individual living units.

(d) Facilities licensed under the adult care home licensure act on the day immediately preceding the effective date of this act shall continue to be licensed facilities until the annual renewal date of such license and may renew such license in the appropriate licensure category under the adult care home licensure act subject to the payment of fees and other conditions and limitations of such act.

(e) Nursing facilities with less than 60 beds converting a portion of the facility to residential health care shall have the option of licensing for residential health care for less than six individuals but not less than 10% of the total bed count within a contiguous

portion of the facility.

(f) The licensing agency may by rule and regulation change the name of the different classes of homes when necessary to avoid confusion in terminology and the agency may further amend, substitute, change and in a manner consistent with the definitions established in this section, further define and identify the specific acts and services which shall fall within the respective categories of facilities so long as the above categories for adult care homes are used as guidelines to define and identify the specific acts.

Sec. 3. On and after July 1, 2012, K.S.A. 2011 Supp. 39-931 is hereby amended to read as follows: 39-931. (a) Whenever the licensing agency finds a substantial failure to comply with the requirements, standards or rules and regulations established under this act or that a receiver has been appointed under K.S.A. 39-958, and amendments thereto, it shall make an order denying, suspending or revoking the license after notice and a hearing in accordance with the provisions of the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto. Any applicant or licensee who is aggrieved by the order may appeal such order in accordance with the provisions of the Kansas judicial review act, K.S.A. 77-601 et seq., and amendments thereto.

(b) Except as provided in subsection (c), whenever the licensing agency denies, suspends or revokes a license under this section, the applicant or licensee shall not be eligible to apply for a new license or reinstatement of a license for a period of two years from the date of denial, suspension or revocation.

(c) (1) Any applicant or licensee issued an emergency order by the licensing agency denying, suspending or revoking a license under this section may apply for a new license or reinstatement of a license at any time upon submission of a written waiver of any right conferred upon such applicant or licensee under the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto, and the Kansas judicial review act, K.S.A. 77-601 et seq., and amendments thereto, to the licensing agency in a settlement agreement or other manner as approved by the licensing agency.

(2) Any licensee issued a notice of intent to take disciplinary action by the licensing agency under this section may enter into a settlement agreement or other manner as approved by the licensing agency, with the licensing agency, at any time upon submission of a written waiver of any right conferred upon such licensee under the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto, and the Kansas judicial review act, K.S.A. 77-601 et seq., and amendments thereto.

(d) No person shall operate an intermediate care facility for people with intellectual disability of five beds or less, as defined by subsection (a)(4) of K.S.A. 39-923, and amendments thereto, within this state unless such person:

- (A) Is issued a license by the licensing agency on or before January 1, 2012; or
- (B) participated in the medicaid program as an intermediate care facility for people with intellectual disability of five beds or less, on or before January 1, 2012.

Sec. 4. On and after July 1, 2012, K.S.A. 39-931a is hereby amended to read as follows: 39-931a. (a) As used in this section, the term "person" means any person who is an applicant for a license to operate an adult care home or who is the licensee of an adult care home and who has any direct or indirect ownership interest of 25% or more in an adult care home or who is the owner, in whole or in part, of any mortgage, deed of trust, note or other obligation secured, in whole or in part, by such facility or any of the property or assets of such facility, or who, if the facility is organized as a corporation, is

an officer or director of the corporation, or who, if the facility is organized as a partnership, is a partner.

(b) Pursuant to K.S.A. 39-931, and amendments thereto, the licensing agency may deny a license to any person and may suspend or revoke the license of any person who:

(1) Has willfully or repeatedly violated any provision of law or rules and regulations adopted pursuant to article 9 of chapter 39 of the Kansas Statutes Annotated and ~~acts amendatory of the provisions thereof or supplemental amendments~~ thereto;

(2) has had a license to operate an adult care home denied, suspended, revoked or limited, has been censured or has had other disciplinary action taken, or an application for a license denied, by the proper licensing authority of another state, territory, District of Columbia or other country, a certified copy of the record of such action of the other jurisdiction being conclusive evidence thereof;

(3) has failed or refused to comply with the medicaid requirements of title XIX of the social security act, or medicaid regulations under chapter IV of title 42 of the code of federal regulations, a certified copy of the record of such action being conclusive evidence thereof;

(4) has failed or refused to comply with the medicare requirements of chapter 7 of title 42 of the United States code, or medicare regulations under chapter IV of title 42 of the code of federal regulations, a certified copy of the record of such action being conclusive evidence thereof;

(5) has been convicted of a felony;

~~(3)~~ (6) has failed to assure that nutrition, medication and treatment of residents, including the use of restraints, are in accordance with acceptable medical practices; or

~~(4)~~ (7) has aided, abetted, sanctioned or condoned any violation of law or rules and regulations adopted pursuant to article 9 of chapter 39 of the Kansas Statutes Annotated; or

~~(5)~~ (8) has willfully admitted a person to a nursing facility in violation of K.S.A. 39-968, and amendments thereto.";

And by renumbering sections accordingly;

Also on page 3, following line 22, by inserting:

"Sec. 6. On and after July 1, 2012, K.S.A. 39-931a and K.S.A. 2011 Supp. 39-923, 39-931 are hereby repealed.";

On page 1, in the title, in line 1, by striking "the board of" and inserting "licensure and"; in line 2, after "amending" by inserting "K.S.A. 39-931a and"; also in line 2, after "Supp." by inserting "39-923, 39-931 and"; in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

VICKI SCHMIDT

PETE BRUNGARDT

LAURA KELLY

Conferees on part of Senate

BOB BETHELL

RON WORLEY

GERALDINE FLAHERTY

Conferees on part of House

Senator V. Schmidt moved the Senate adopt the Conference Committee Report on

HB 2471.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Steineger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2502** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, following line 6, by inserting:

"Section 1. K.S.A. 17-5903 is hereby amended to read as follows: 17-5903. As used in this act:

(a) "Corporation" means a domestic or foreign corporation organized for profit or nonprofit purposes.

(b) "Nonprofit corporation" means a corporation organized not for profit and which qualifies under section 501(c)(3) of the federal internal revenue code of 1986 as amended.

(c) "Limited partnership" has the meaning provided by K.S.A. 56-1a01, and amendments thereto.

(d) "Limited agricultural partnership" means a limited partnership founded for the purpose of farming and ownership of agricultural land in which:

(1) The partners do not exceed 10 in number;

(2) the partners are all natural persons, persons acting in a fiduciary capacity for the benefit of natural persons or nonprofit corporations, or general partnerships other than corporate partnerships formed under the laws of the state of Kansas; and

(3) at least one of the general partners is a person residing on the farm or actively engaged in the labor or management of the farming operation. If only one partner is meeting the requirement of this provision and such partner dies, the requirement of this provision does not apply for the period of time that the partner's estate is being administered in any district court in Kansas.

(e) "Corporate partnership" means a partnership, as defined in K.S.A. 56a-101, and amendments thereto, which has within the association one or more corporations or one or more limited liability companies.

(f) "Feedlot" means a lot, yard, corral, or other area in which livestock fed for slaughter are confined. The term includes within its meaning agricultural land in such acreage as is necessary for the operation of the feedlot.

(g) "Agricultural land" means land suitable for use in farming.

(h) "Farming" means the cultivation of land for the production of agricultural crops, the raising of poultry, the production of eggs, the production of milk, the production of

fruit or other horticultural crops, grazing or the production of livestock. Farming does not include the production of timber, forest products, nursery products or sod, and farming does not include a contract to provide spraying, harvesting or other farm services.

(i) "Fiduciary capacity" means an undertaking to act as executor, administrator, guardian, conservator, trustee for a family trust, authorized trust or testamentary trust or receiver or trustee in bankruptcy.

(j) "Family farm corporation" means a corporation:

(1) Founded for the purpose of farming and the ownership of agricultural land in which the majority of the voting stock is held by and the majority of the stockholders are persons related to each other, all of whom have a common ancestor within the third degree of relationship, by blood or by adoption, or the spouses or the stepchildren of any such persons, or persons acting in a fiduciary capacity for persons so related;

(2) all of its stockholders are natural persons or persons acting in a fiduciary capacity for the benefit of natural persons; and

(3) at least one of the stockholders is a person residing on the farm or actively engaged in the labor or management of the farming operation. A stockholder who is an officer of any corporation referred to in this subsection and who is one of the related stockholders holding a majority of the voting stock shall be deemed to be actively engaged in the management of the farming corporation. If only one stockholder is meeting the requirement of this provision and such stockholder dies, the requirement of this provision does not apply for the period of time that the stockholder's estate is being administered in any district court in Kansas.

(k) "Authorized farm corporation" means a Kansas corporation, other than a family farm corporation, all of the incorporators of which are Kansas residents, family farm corporations or family farm limited liability agricultural companies or any combination thereof, and which is founded for the purpose of farming and the ownership of agricultural land in which:

(1) The stockholders do not exceed 15 in number; and

(2) the stockholders are all natural persons, family farm corporations, family farm limited liability agricultural companies or persons acting in a fiduciary capacity for the benefit of natural persons, family farm corporations, family farm limited liability agricultural companies or nonprofit corporations; and

(3) if all of the stockholders are natural persons, at least one stockholder must be a person residing on the farm or actively engaged in labor or management of the farming operation. If only one stockholder is meeting the requirement of this provision and such stockholder dies, the requirement of this provision does not apply for the period of time that the stockholder's estate is being administered in any district court in Kansas.

(l) "Trust" means a fiduciary relationship with respect to property, subjecting the person by whom the property is held to equitable duties to deal with the property for the benefit of another person, which arises as a result of a manifestation of an intention to create it. A trust includes a legal entity holding property as trustee, agent, escrow agent, attorney-in-fact and in any similar capacity.

(m) "Family trust" means a trust in which:

(1) A majority of the equitable interest in the trust is held by and the majority of the beneficiaries are persons related to each other, all of whom have a common ancestor within the third degree of relationship, by blood or by adoption, or the spouses or

stepchildren of any such persons, or persons acting in a fiduciary capacity for persons so related; and

(2) all the beneficiaries are natural persons, are persons acting in a fiduciary capacity, other than as trustee for a trust, or are nonprofit corporations.

(n) "Authorized trust" means a trust other than a family trust in which:

(1) The beneficiaries do not exceed 15 in number;

(2) the beneficiaries are all natural persons, are persons acting in a fiduciary capacity, other than as trustee for a trust, or are nonprofit corporations; and

(3) the gross income thereof is not exempt from taxation under the laws of either the United States or the state of Kansas.

For the purposes of this definition, if one of the beneficiaries dies, and more than one person succeeds, by bequest, to the deceased beneficiary's interest in the trust, all of such persons, collectively, shall be deemed to be one beneficiary, and a husband and wife, and their estates, collectively, shall be deemed to be one beneficiary.

(o) "Testamentary trust" means a trust created by devising or bequeathing property in trust in a will as such terms are used in the Kansas probate code.

(p) "Poultry confinement facility" means the structures and related equipment used for housing, breeding, laying of eggs or feeding of poultry in a restricted environment. The term includes within its meaning only such agricultural land as is necessary for proper disposal of liquid and solid wastes and for isolation of the facility to reasonably protect the confined poultry from exposure to disease. As used in this subsection, "poultry" means chickens, turkeys, ducks, geese or other fowl.

(q) "Rabbit confinement facility" means the structures and related equipment used for housing, breeding, raising, feeding or processing of rabbits in a restricted environment. The term includes within its meaning only such agricultural land as is necessary for proper disposal of liquid and solid wastes and for isolation of the facility to reasonably protect the confined rabbits from exposure to disease.

(r) "Swine marketing pool" means an association whose membership includes three or more business entities or individuals formed for the sale of hogs to buyers but shall not include any trust, corporation, limited partnership or corporate partnership, or limited liability company other than a family farm corporation, authorized farm corporation, limited liability agricultural company, limited agricultural partnership, family trust, authorized trust or testamentary trust.

(s) "Swine production facility" means the land, structures and related equipment ~~owned or leased by a corporation or limited liability company and~~ used for housing, breeding, farrowing or feeding of swine. The term includes within its meaning only such agricultural land as is necessary for proper disposal of liquid and solid wastes in environmentally sound amounts for crop production and to avoid nitrate buildup and for isolation of the facility to reasonably protect the confined animals from exposure to disease.

(t) "Limited liability company" has the meaning provided by K.S.A. 17-7663, and amendments thereto.

(u) "Limited liability agricultural company" means a limited liability company founded for the purpose of farming and ownership of agricultural land in which:

(1) The members do not exceed 10 in number; and

(2) the members are all natural persons, family farm corporations, family farm limited liability agriculture companies, persons acting in a fiduciary capacity for the

benefit of natural persons, family farm corporations, family farm limited liability agricultural companies or nonprofit corporations, or general partnerships other than corporate partnerships formed under the laws of the state of Kansas; and

(3) if all of the members are natural persons, at least one member must be a person residing on the farm or actively engaged in labor or management of the farming operation. If only one member is meeting the requirement of this provision and such member dies, the requirement of this provision does not apply for the period of time that the member's estate is being administered in any district court in Kansas.

(v) "Dairy production facility" means the land, structures and related equipment used for housing, breeding, raising, feeding or milking dairy cows. The term includes within its meaning only such agricultural land as is necessary for proper disposal of liquid and solid wastes and for isolation of the facility to reasonably protect the confined cows from exposure to disease.

(w) "Family farm limited liability agricultural company" means a limited liability company founded for the purpose of farming and ownership of agricultural land in which:

(1) The majority of the members are persons related to each other, all of whom have a common ancestor within the third degree of relationship, by blood or by adoption, or the spouses or the stepchildren of any such persons, or persons acting in a fiduciary capacity for persons so related;

(2) the members are natural persons or persons acting in a fiduciary capacity for the benefit of natural persons; and

(3) at least one of the members is a person residing on the farm or actively engaged in the labor or management of the farming operation. If only one member is meeting the requirement of this provision and such member dies, the requirement of this provision does not apply for the period of time that the member's estate is being administered in any district court in Kansas.

(x) "Hydroponics" means the growing of vegetables, flowers, herbs, or plants used for medicinal purposes, in a growing medium other than soil.

Sec. 2. K.S.A. 17-5904 is hereby amended to read as follows: 17-5904. (a) No corporation, trust, limited liability company, limited partnership or corporate partnership, other than a family farm corporation, authorized farm corporation, limited liability agricultural company, family farm limited liability agricultural company, limited agricultural partnership, family trust, authorized trust or testamentary trust shall, either directly or indirectly, own, acquire or otherwise obtain or lease any agricultural land in this state. The restrictions provided in this section do not apply to the following:

(1) A *bona fide* encumbrance taken for purposes of security.

(2) Agricultural land when acquired as a gift, either by grant or devise, by a *bona fide* educational, religious or charitable nonprofit corporation.

(3) Agricultural land acquired by a corporation or a limited liability company in such acreage as is necessary for the operation of a nonfarming business. Such land may not be used for farming except under lease to one or more natural persons, a family farm corporation, authorized farm corporation, family trust, authorized trust or testamentary trust. The corporation shall not engage, either directly or indirectly, in the farming operation and shall not receive any financial benefit, other than rent, from the farming operation.

(4) Agricultural land acquired by a corporation or a limited liability company by

process of law in the collection of debts, or pursuant to a contract for deed executed prior to the effective date of this act, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise, if such corporation divests itself of any such agricultural land within 10 years after such process of law, contract or procedure, except that provisions of K.S.A. 9-1102, and amendments thereto, shall apply to any bank which acquires agricultural land.

(5) A municipal corporation.

(6) Agricultural land which is acquired by a trust company or bank in a fiduciary capacity or as a trustee for a nonprofit corporation.

(7) Agricultural land owned or leased or held under a lease purchase agreement as described in K.S.A. 12-1741, and amendments thereto, by a corporation, corporate partnership, limited corporate partnership or trust on the effective date of this act if: (A) Any such entity owned or leased such agricultural land prior to July 1, 1965, provided such entity shall not own or lease any greater acreage of agricultural land than it owned or leased prior to the effective date of this act unless it is in compliance with the provisions of this act; (B) any such entity was in compliance with the provisions of K.S.A. 17-5901, prior to its repeal by this act, provided such entity shall not own or lease any greater acreage of agricultural land than it owned or leased prior to the effective date of this act unless it is in compliance with the provisions of this act, and absence of evidence in the records of the county where such land is located of a judicial determination that such entity violated the provisions of K.S.A. 17-5901, prior to its repeal shall constitute proof that the provisions of this act do not apply to such agricultural land, and that such entity was in compliance with the provisions of K.S.A. 17-5901, prior to its repeal; or (C) any such entity was not in compliance with the provisions of K.S.A. 17-5901, prior to its repeal by this act, but is in compliance with the provisions of this act by July 1, 1991.

(8) Agricultural land held or leased by a corporation or a limited liability company for use as a feedlot, a poultry confinement facility or rabbit confinement facility.

(9) Agricultural land held or leased by a corporation for the purpose of the production of timber, forest products, nursery products or sod.

(10) Agricultural land used for *bona fide* educational research or scientific or experimental farming.

(11) Agricultural land used for the commercial production and conditioning of seed for sale or resale as seed or for the growing of alfalfa by an alfalfa processing entity if such land is located within 30 miles of such entity's plant site.

(12) Agricultural land owned or leased by a corporate partnership or limited corporate partnership in which the partners associated therein are either natural persons, family farm corporations, authorized farm corporations, limited liability agricultural companies, family trusts, authorized trusts or testamentary trusts.

(13) Any corporation, either domestic or foreign, or any limited liability company, organized for coal mining purposes which engages in farming on any tract of land owned by it which has been strip mined for coal.

(14) Agricultural land owned or leased by a limited partnership prior to the effective date of this act.

(15) Except as provided by K.S.A. 17-5908, as it existed before the effective date of this act, and K.S.A. 1998 Supp. 17-5909, agricultural land held or leased by a corporation or a limited liability company for use as a swine production facility in any

county which, before the effective date of this act, has voted favorably pursuant to K.S.A. 17-5908, as it existed before the effective date of this act, either by county resolution or by the electorate.

(16) Agricultural land held or leased by a corporation ~~or trust~~, limited liability company, limited partnership or corporate partnership for use as a swine production facility in any county where the voters, after the effective date of this act, have voted pursuant to K.S.A. 17-5908, and amendments thereto, to allow establishment of swine production facilities within the county.

(17) Agricultural land held or leased by a corporation ~~or a trust~~, limited liability company, limited partnership or corporate partnership for use as a dairy production facility in any county which has voted favorably pursuant to K.S.A. 17-5907 and amendments thereto, either by county resolution or by the electorate.

(18) Agricultural land held or leased by a corporation or a limited liability company used in a hydroponics setting.

(b) Production contracts entered into by a corporation, trust, limited liability company, limited partnership or corporate partnership and a person engaged in farming for the production of agricultural products shall not be construed to mean the ownership, acquisition, obtainment or lease, either directly or indirectly, of any agricultural land in this state.

(c) Any corporation, trust, limited liability company, limited partnership or corporate partnership, other than a family farm corporation, authorized farm corporation, limited liability agricultural company, family farm limited liability agricultural company, limited agricultural partnership, family trust, authorized trust or testamentary trust, violating the provisions of this section shall be subject to a civil penalty of not more than \$50,000 and shall divest itself of any land acquired in violation of this section within one year after judgment is entered in the action. The district courts of this state may prevent and restrain violations of this section through the issuance of an injunction. The attorney general or district or county attorney shall institute suits on behalf of the state to enforce the provisions of this section.

(d) Civil penalties sued for and recovered by the attorney general shall be paid into the state general fund. Civil penalties sued for and recovered by the county attorney or district attorney shall be paid into the general fund of the county where the proceedings were instigated.";

Also on page 1, in line 10, before "to" by inserting ", as defined in K.S.A. 17-5903, and amendments thereto,"; also in line 10, after "county" by inserting "by a corporation, trust, limited liability company, limited partnership or corporate partnership"; in line 27, before "to" by inserting ", as defined in K.S.A. 17-5903, and amendments thereto,"; in line 28, after "county" by inserting "by a corporation, trust, limited liability company, limited partnership or corporate partnership";

On page 2, in line 9, by striking "business"; by striking all in line 10; in line 11, by striking "facility" and inserting "corporation, trust, limited liability company, limited partnership or corporate partnership"; also in line 11, before "own" by inserting ", either directly or indirectly,"; by striking all in line 27; in line 28, by striking all before "be" and inserting "corporation, trust, limited liability company, limited partnership or corporate partnership"; in line 29, before "own" by inserting ", either directly or indirectly,";

On page 3, by striking all in lines 5 through 9;

On page 4, in line 16, before "to" by inserting ", as defined in K.S.A. 17-5903, and amendments thereto,"; also in line 16, after "county" by inserting "by a corporation, trust, limited liability company, limited partnership or corporate partnership"; in line 32, before "to" by inserting ", as defined in K.S.A. 17-5903, and amendments thereto,"; in line 33, after "county" by inserting "corporation, trust, limited liability company, limited partnership or corporate partnership";

On page 5, in line 4, by striking "business entity not already authorized by Kansas law to form a"; in line 5, by striking "swine production facility" and inserting "corporation, trust, limited liability company, limited partnership or corporate partnership"; in line 6, before "own" by inserting ", either directly or indirectly,"; in line 22, by striking "business entity not"; in line 23, by striking all before "be" and inserting "corporation, trust, limited liability company, limited partnership or corporate partnership"; in line 24, before "own" by inserting ", either directly or indirectly,";

On page 6, by striking all in lines 1 through 5; following line 5, by inserting:
 "Sec. 5. K.S.A. 2011 Supp. 79-32,154 is hereby amended to read as follows: 79-32,154. As used in this act, the following words and phrases shall have the meanings respectively ascribed to them herein:

(a) "Facility" shall mean any factory, mill, plant, refinery, warehouse, feedlot, building or complex of buildings located within the state, including the land on which such facility is located and all machinery, equipment and other real and tangible personal property located at or within such facility used in connection with the operation of such facility. The word "building" shall include only structures within which individuals are customarily employed or which are customarily used to house machinery, equipment or other property.

(b) "Qualified business facility" shall mean a facility which satisfies the requirements of paragraphs (1) and (2) of this subsection.

(1) Such facility is employed by the taxpayer in the operation of a revenue producing enterprise, as defined in subsection (c). Such facility shall not be considered a qualified business facility in the hands of the taxpayer if the taxpayer's only activity with respect to such facility is to lease it to another person or persons. If the taxpayer employs only a portion of such facility in the operation of a revenue producing enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of a revenue producing enterprise, the portion employed by the taxpayer in the operation of a revenue producing enterprise shall be considered a qualified business facility, if the requirements of paragraph (2) of this subsection are satisfied.

(2) If such facility was acquired by the taxpayer from another person or persons, such facility was not employed, immediately prior to the transfer of title to such facility to the taxpayer, or to the commencement of the term of the lease of such facility to the taxpayer, by any other person or persons in the operation of a revenue producing enterprise and the taxpayer continues the operation of the same or substantially identical revenue producing enterprise, as defined in subsection (i), at such facility.

(c) "Revenue producing enterprise" shall mean:

(1) The assembly, fabrication, manufacture or processing of any agricultural, mineral or manufactured product;

(2) the storage, warehousing, distribution or sale of any products of agriculture, aquaculture, mining or manufacturing;

- (3) the feeding of livestock at a feedlot;
- (4) the operation of laboratories or other facilities for scientific, agricultural, aquacultural, animal husbandry or industrial research, development or testing;
- (5) the performance of services of any type;
- (6) the feeding of aquatic plants and animals at an aquaculture operation;
- (7) the administrative management of any of the foregoing activities; or
- (8) any combination of any of the foregoing activities.

"Revenue producing enterprise" shall not mean a swine production facility as defined in K.S.A. 17-5903, and amendments thereto, that is owned or leased by a corporation or limited liability company.

(d) "Qualified business facility employee" shall mean a person employed by the taxpayer in the operation of a qualified business facility during the taxable year for which the credit allowed by K.S.A. 79-32,153, and amendments thereto, is claimed:

(1) A person shall be deemed to be so engaged if such person performs duties in connection with the operation of the qualified business facility on: (A) A regular, full-time basis; (B) a part-time basis, provided such person is customarily performing such duties at least 20 hours per week throughout the taxable year; or (C) a seasonal basis, provided such person performs such duties for substantially all of the season customary for the position in which such person is employed. The number of qualified business facility employees during any taxable year shall be determined by dividing by 12 the sum of the number of qualified business facility employees on the last business day of each month of such taxable year. If the qualified business facility is in operation for less than the entire taxable year, the number of qualified business facility employees shall be determined by dividing the sum of the number of qualified business facility employees on the last business day of each full calendar month during the portion of such taxable year during which the qualified business facility was in operation by the number of full calendar months during such period. Notwithstanding the provisions of this subsection, for the purpose of computing the credit allowed by K.S.A. 79-32,153, and amendments thereto, in the case of an investment in a qualified business facility, which facility existed and was operated by the taxpayer or related taxpayer prior to such investment, the number of qualified business facility employees employed in the operation of such facility shall be reduced by the average number, computed as provided in this subsection, of individuals employed in the operation of the facility during the taxable year preceding the taxable year in which the qualified business facility investment was made at the facility.

(2) For taxable years commencing after December 31, 1997, in the case of a taxpayer claiming a credit against the premium tax and privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto or the privilege tax as measured by net income of financial institutions imposed pursuant to chapter 79 article 11 of the Kansas Statutes Annotated, "qualified business employee" shall not mean any person who is employed in the operation of a qualified business facility in the state due to the merger, acquisition or other reconfiguration of the taxpayer unless such employee's position represents a net gain of total positions created by the taxpayer and the employee's position was not in existence at the time of the merger acquisition or other reconfiguration of the taxpayer.

(e) "Qualified business facility investment" shall mean the value of the real and tangible personal property, except inventory or property held for sale to customers in

the ordinary course of the taxpayer's business, which constitutes the qualified business facility, or which is used by the taxpayer in the operation of the qualified business facility, during the taxable year for which the credit allowed by K.S.A. 79-32,153, and amendments thereto, is claimed. The value of such property during such taxable year shall be: (1) Its original cost if owned by the taxpayer; or (2) eight times the net annual rental rate, if leased by the taxpayer. The net annual rental rate shall be the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals. The qualified business facility investment shall be determined by dividing by 12 the sum of the total value of such property on the last business day of each calendar month of the taxable year. If the qualified business facility is in operation for less than an entire taxable year, the qualified business facility investment shall be determined by dividing the sum of the total value of such property on the last business day of each full calendar month during the portion of such taxable year during which the qualified business facility was in operation by the number of full calendar months during such period. Notwithstanding the provisions of this subsection, for the purpose of computing the credit allowed by K.S.A. 79-32,153, and amendments thereto, in the case of an investment in a qualified business facility, which facility existed and was operated by the taxpayer or related taxpayer prior to such investment the amount of the taxpayer's qualified business facility investment in such facility shall be reduced by the average amount, computed as provided in this subsection, of the investment of the taxpayer or a related taxpayer in the facility for the taxable year preceding the taxable year in which the qualified business facility investment was made at the facility.

(f) "Commencement of commercial operations" shall be deemed to occur during the first taxable year for which the qualified business facility is first available for use by the taxpayer, or first capable of being used by the taxpayer, in the revenue producing enterprise in which the taxpayer intends to use the qualified business facility.

(g) "Qualified business facility income" shall mean the Kansas taxable income derived by the taxpayer from the operation of the qualified business facility. If a taxpayer has income derived from the operation of a qualified business facility as well as from other activities conducted within this state, the Kansas taxable income derived by the taxpayer from the operation of the qualified business facility shall be determined by multiplying the taxpayer's Kansas taxable income by a fraction, the numerator of which is the property factor, as defined in paragraph (1), plus the payroll factor, as defined in paragraph (2), and the denominator of which is two. In the case of financial institutions, the property and payroll factors shall be computed utilizing the specific provisions of the apportionment method applicable to financial institutions, if enacted, and the qualified business facility income shall be based upon net income.

(1) The property factor is a fraction, the numerator of which is the average value of the taxpayer's real and tangible personal property owned or rented and used in connection with the operation of the qualified business facility during the tax period, and the denominator of which is the average value of all the taxpayer's real and tangible personal property owned or rented and used in this state during the tax period. The average value of all such property shall be determined as provided in K.S.A. 79-3281 and 79-3282, and amendments thereto.

(2) The payroll factor is a fraction, the numerator of which is the total amount paid during the tax period by the taxpayer for compensation to persons qualifying as qualified business facility employees, as determined under subsection (d), at the

qualified business facility, and the denominator of which is the total amount paid in this state during the tax period by the taxpayer for compensation. The compensation paid in this state shall be determined as provided in K.S.A. 79-3283, and amendments thereto.

The formula set forth in this subsection (g) shall not be used for any purpose other than determining the qualified business facility income attributable to a qualified business facility.

(h) "Related taxpayer" shall mean: (1) A corporation, partnership, trust or association controlled by the taxpayer; (2) an individual, corporation, partnership, trust or association in control of the taxpayer; or (3) a corporation, partnership, trust or association controlled by an individual, corporation, partnership, trust or association in control of the taxpayer. For the purposes of this act, "control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least 80% of the total combined voting power of all classes of stock entitled to vote and at least 80% of all other classes of stock of the corporation; "control of a partnership or association" shall mean ownership of at least 80% of the capital or profits interest in such partnership or association; and "control of a trust" shall mean ownership, directly or indirectly, of at least 80% of the beneficial interest in the principal or income of such trust.

(i) "Same or substantially identical revenue producing enterprise" shall mean a revenue producing enterprise in which the products produced or sold, services performed or activities conducted are the same in character and use, are produced, sold, performed or conducted in the same manner and to or for the same type of customers as the products, services or activities produced, sold, performed or conducted in another revenue producing enterprise.;

And by renumbering sections accordingly;

Also on page 6, in line 6, after "K.S.A." by inserting "17-5903, 17-5904, "; also in line 6, after "17-5908" by inserting "and K.S.A. 2011 Supp. 79-32,154";

On page 1, in the title, in line 3, after "K.S.A." by inserting "17-5903, 17-5904, "; also in line 3, after "17-5908" by inserting "and K.S.A. 2011 Supp. 79-32,154";

And your committee on conference recommends the adoption of this report.

MARK TADDIKEN
RUTH TEICHMAN
MARCI FRANCISCO

Conferees on part of Senate

LARRY R. POWELL
DAN KERSCHEN
JERRY D. WILLIAMS

Conferees on part of House

Senator Taddiken moved the Senate adopt the Conference Committee Report on **HB 2502**.

On roll call, the vote was: Yeas 35; Nays 4; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Hensley, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Francisco, Haley, Holland, A. Schmidt.

Absent or Not Voting: Steineger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to HB 2503 submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 5, following line 40, by inserting:

"Sec. 5. K.S.A. 2011 Supp. 2-907 is hereby amended to read as follows: 2-907. The Kansas poultry improvement association of Manhattan, ~~Kan.~~ Kansas, whose articles of incorporation are recorded in the office of the secretary of state, is hereby designated and declared to be the official state agency for the state of Kansas, for the purpose of carrying out the national poultry improvement plan. The Kansas poultry improvement association shall cooperate with the United States department of agriculture, Kansas state university of agriculture and applied science, Kansas department of agriculture and the Kansas ~~livestock~~ animal health commissioner for the purpose of promoting the poultry industry and its allied branches and shall supervise and administer the national improvement plan in this state.

Sec. 6. K.S.A. 2-909 is hereby amended to read as follows: 2-909. As used in the poultry disease control act, except where the context clearly requires a different meaning, the following words and phrases shall have the meaning ascribed thereto.

(a) "Commissioner" means the ~~livestock~~ animal health commissioner of the ~~state of Kansas~~ department of agriculture.

(b) "Fowl typhoid" means a disease of poultry caused by salmonella gallinarum.

(c) "Hatchery" means a premises with equipment which is operated or controlled by a person for the production of baby poultry.

(d) "Person" means any individual, partnership, firm or corporation.

(e) "Plan" means the national poultry improvement plan contained in sections 145.1 ~~to through~~ 145.54, inclusive, of title 9 of the code of federal regulations and the auxiliary provisions thereto which are contained in sections 147.1 ~~to through~~ 147.48, inclusive, of title 9 of the code of federal regulations, ~~and any amendments or supplements to such plan or provisions thereto.~~

(f) "Poultry" means any domesticated birds which are bred for the primary purpose of producing eggs or meat or of being exhibited and which may include chickens, turkeys, waterfowl and game birds, but which shall not include doves or pigeons.

(g) "Pullorum" means a disease of poultry caused by salmonella pullorum.

Sec. 7. K.S.A. 2011 Supp. 32-951 is hereby amended to read as follows: 32-951.

(a) Except as provided further, a game breeder permit is required to engage in the business of raising and selling game birds, game animals, furbearing animals or such other wildlife as required by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto.

(b) Any person who desires to engage in the business described in subsection (a) may apply to the secretary for a game breeder permit. The application shall give the name and residence of the applicant, the description of the premises, the number and kind of birds or animals which it is proposed to propagate and any other information

required by the secretary. The fee prescribed pursuant to K.S.A. 32-988, and amendments thereto, shall accompany the application.

(c) If the secretary determines that the application is made in good faith and that the premises are suitable for engaging in the business described in subsection (a), the secretary may issue such permit. The permit shall expire on June 30 of each year.

(d) Game breeders shall make such reports of their activities to the secretary as required by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto. In addition to any other penalty prescribed by law, failure to make such reports or to comply with the laws of the state of Kansas or rules and regulations of the secretary shall be grounds for the secretary to refuse to issue, refuse to renew, suspend or revoke such permit.

(e) The secretary shall adopt, in accordance with K.S.A. 32-805, and amendments thereto, such rules and regulations as necessary to implement the provisions of this section.

(f) Any person who is engaged in the business of raising domesticated deer shall not be required to have a game breeder permit as required by this section. As used in this section, "domesticated deer" means any member of the family cervidae which was legally obtained and is being sold or raised in a confined area for: (1) Breeding stock; ~~for (2) any carcass, skin or part of such animal;~~ ~~for (3) exhibition;~~ or ~~for (4) companionship.~~

(g) The secretary, on a quarterly basis, shall transmit to the livestock animal health commissioner a current list of persons issued a game breeder permit issued pursuant to this section who are raising or selling any member of the family cervidae.

(h) Any person holding a game breeder permit from the secretary is hereby authorized to recapture any game bird that such game breeder is permitted to raise or sell whenever any such game bird has escaped from confinement for any reason. The authorized area for such recapture is hereby limited to a one-quarter mile radius of the game breeder's operation from which the escape from confinement occurred, provided the game breeder has the prior approval of the owner of the land upon which the recapture will occur and has notified the department prior to the recapture.

Sec. 8. K.S.A. 47-122a is hereby amended to read as follows: 47-122a. (a) Whenever the owner or the owner's authorized agent allows any livestock to run at large, in violation of K.S.A. 47-122, and amendments thereto, and such livestock remains on the property of another person, ~~the sheriff of the county in which such livestock are running at large,~~ at the request of such person upon whose property the livestock are running at large, the sheriff of the county in which such livestock are running at large may take such livestock into custody and retain them in a secure holding area.

(b) The county sheriff shall give notice to the owner or the owner's authorized agent within 24 hours after taking such livestock into custody that the owner or the owner's authorized agent has 10 days within which to claim such livestock and to pay all actual costs for taking up, keeping and feeding of such livestock.

(c) If the owner or the owner's authorized agent fails to claim the livestock and to pay all actual costs within the ten-day period, the county sheriff shall cause the livestock to be delivered to a public livestock market or to a secure holding area approved by the livestock animal health commissioner. If the livestock is delivered to the market, the county sheriff shall cause such livestock to be sold at such market to the

highest bidder for cash. Livestock held in a secure holding area other than a livestock market shall be advertised by the county sheriff in the official county newspaper and sold to the highest bidder for cash.

(d) The county sheriff shall pay out of the proceeds from the sale of such livestock, all actual costs for taking up, keeping and feeding of such livestock. Any proceeds remaining in the hands of the sheriff after payment of all actual costs, shall be paid to the owner of the livestock or the owner's authorized agent. If the owner or the owner's authorized agent is not known or cannot be located, the proceeds remaining after the payment of actual costs shall be paid to the county treasurer of the county in which the livestock were running at large. Such funds shall be deposited by the county treasurer in the county's special stray fund provided for in K.S.A. 47-239, and amendments thereto.

(e) In counties having a consolidated law enforcement department, the provisions of this section relating to sheriffs shall be deemed to refer to such department.

Sec. 9. K.S.A. 47-230 is hereby amended to read as follows: 47-230. (a) Any person may take up any stray found upon ~~his such person's~~ premises; or upon any public thoroughfare adjoining thereto, ~~and he.~~ Within 24 hours after taking up the stray, such person shall report such the taking up to the sheriff of the county in which the stray is taken up within twenty-four (24) hours after the taking up of such stray. In giving such notice, the taker-up shall describe said stray to the sheriff by stating the kind. The report shall include a description of the stray, including the type of animal, color, weight, size, sex and age, the marks, brands or other distinguishing features of the animal, if any there may be, the place where the animal is kept and the address of the taker-up such person who took up the stray. The sheriff ~~upon being given such notice shall~~ shall then notify the state ~~livestock animal health~~ commissioner and the owners of all registered brands found on ~~said animal the stray.~~ If the sheriff and the ~~livestock animal health~~ commissioner ~~or his, or the commissioner's~~ duly authorized representatives find and establish the ~~ownership of said animal owner of the stray,~~ a record to that effect shall be kept, ~~and said animal shall be then released to the established owner.~~ *Provided,* That said owner has paid all costs accrued in said stray proceeding and has paid to the taker-up reasonable compensation for keeping and feeding said stray, as determined and agreed to by both the sheriff and the state livestock commissioner or his authorized representative, together with the cost for any damage which said stray may have caused.

(b) Subject to the agreement of both the sheriff and the animal health commissioner, or the commissioner's duly authorized representative, the stray shall be released to the established owner upon payment of:

(1) All costs accrued in the stray proceeding, including the cost for any damage which the stray may have caused while in the sheriff's control; and

(2) reasonable compensation to the person taking up the stray for the costs of keeping and feeding such stray, including the cost for any damage which the stray may have caused.

Sec. 10. K.S.A. 47-239 is hereby amended to read as follows: 47-239. (a) The notice for the sale of the stray shall be published for one (+) issue in a publication or publications having general circulation in the area where ~~said such~~ stray was taken up, ~~which.~~ Such notice shall describe the stray ~~animal~~ by stating the kind of animal, sex, age, and brands. The notice shall not contain any statement as to the color of the stray ~~animal~~, or as to any marks or other distinguishing features; and it shall not contain the

name or address of the ~~taker up of such animal~~ person who took up such stray. Out of the proceeds from the sale of ~~said stray animal such stray~~, the sheriff shall pay the ~~taker up of such animal person who took up such stray~~, reasonable compensation for his keeping and feeding ~~of the same, and the stray~~. The sheriff also shall pay all costs of the stray proceedings. Any proceeds remaining in the hands of the sheriff after payment of feeding and sale costs, shall be paid by ~~him~~ the sheriff to the treasurer of the county in which the stray ~~animal~~ was taken up. Such funds shall be placed by the county treasurer in a special stray fund.

(b) At any time prior to the expiration to six (6) months following the date of such deposit with the county treasurer, a claimant may appear before the sheriff and submit evidence of ownership of ~~said stray animal such stray~~. If such evidence is acceptable and satisfactory to the sheriff and to the state livestock animal health commissioner or ~~his~~ the commissioner's authorized representative, for purpose of establishing ownership of ~~said stray animal such stray~~, the sheriff shall direct the county treasurer to disburse the remainder of the proceeds from the sale of ~~said stray animal to said such stray to the~~ claimant.

(c) Upon the expiration of a period of six (6) months following the receipt of deposit of proceeds from the sale of any stray ~~animal~~, without any such directive having been received from the sheriff, the county treasurer shall pay the remaining proceeds to the livestock animal health commissioner to be remitted, deposited and credited as provided by K.S.A. 47-417a, and amendments thereto.

Sec. 11. K.S.A. 47-414 is hereby amended to read as follows: 47-414. As used in this act, except where the context clearly indicates a different meaning:

(a) "Person" means every natural person, firm, copartnership, association or corporation;

(b) "livestock" means cattle, sheep, horses, mules or asses;

(c) "brand" means any permanent identifying mark upon the surface of any livestock, except upon horns and hoofs, made by any acid, chemical, a hot iron or cryogenic branding; and, also in the case of sheep shall include the identifying marks made by paint or tar;

(d) "commissioner" means the livestock animal health commissioner of the Kansas department of agriculture;

(e) "board" means the animal health board, created in K.S.A. 74-4001, and amendments thereto;

(f) "cryogenic branding" means a brand produced by application of extreme cold temperature.

Sec. 12. K.S.A. 47-414a is hereby amended to read as follows: 47-414a. (a) Whenever in any statutes of this state the terms "livestock commissioner," "livestock brand commissioner" or "brand commissioner" are used, or the term "commissioner" is used to refer to the livestock brand commissioner, such terms shall be construed to mean the livestock animal health commissioner appointed by the Kansas animal health board secretary of agriculture pursuant to K.S.A. ~~75-1901~~ 74-5.119, and amendments thereto.

(b) Whenever the term "board" is used in the acts contained in K.S.A. 47-414 ~~to through 47-433, inclusive, and any acts amendatory thereof and amendments thereto~~, such term shall be construed to mean the Kansas animal health board created in K.S.A. 74-4001, and amendments thereto.

Sec. 13. K.S.A. 47-416 is hereby amended to read as follows: 47-416. It shall be the duty of the ~~livestock animal health~~ commissioner to keep all books and records and to record all brands used for the branding or marking of livestock in Kansas. The commissioner shall receive applications for the recording of any and all brands and the commissioner shall decide on the availability and desirability of any brand or brands sent in for recording.

The commissioner may appoint an assistant commissioner in charge of brands and brand inspectors, special investigators, examiners, deputy assistants and employees necessary to carry out the provisions of the acts contained in article 4 of chapter 47 of the Kansas Statutes Annotated, and ~~any acts amendatory thereof~~ amendments thereto, subject to approval of the board.

Sec. 14. K.S.A. 47-416a is hereby amended to read as follows: 47-416a. Each special investigator, appointed by the ~~livestock animal health~~ commissioner, pursuant to K.S.A. 47-416, and amendments thereto, shall have the authority to make arrests, conduct searches and seizures and carry firearms while investigating violations of the provisions of article 4 of chapter 47 of the Kansas Statutes Annotated and ~~acts amendatory of the provisions thereof and supplemental~~ amendments thereto, and while investigating livestock theft. The director as defined in K.S.A. 74-5602, and amendments thereto, is authorized to offer and carry out a special course of instruction for special investigators performing law enforcement duties under authority of this section. Such special investigators shall not carry firearms without having first successfully completed such special law enforcement training course.

Sec. 15. K.S.A. 47-417 is hereby amended to read as follows: 47-417. (a) Any person may adopt a brand for the purpose of branding livestock in accordance with authorized rules and regulations of the ~~livestock animal health~~ commissioner of the Kansas ~~animal health department~~ department of agriculture division of animal health. Such person shall have the exclusive right to use such brand in this state, after registering such brand with the ~~livestock animal health~~ commissioner.

(b) Any person desiring to register a livestock brand shall forward to the commissioner a facsimile of such brand and shall accompany the same with the registration fee in the amount provided under this section. Each person making application for the registering of ~~a an available~~ an available livestock brand ~~which is available~~ shall be issued a certificate of brand title ~~which~~. Such brand title shall be valid for a period ending four years subsequent to the next April 1, following date of issuance.

(c) For the purpose of revising the brand records, the ~~livestock animal health~~ commissioner shall collect a renewal fee in the amount provided under this section on all brands upon which the recording period expires. Any person submitting such renewal fee shall be entitled to a renewal of registration of such person's livestock brand for a five-year period from the date of expiration of registration of such person's livestock brand as shown by such person's last certificate of brand title.

(d) The livestock brand of any person whose registration expires and who fails to pay such renewal fee within a grace period of 60 days after expiration of the registration period shall be placed in a delinquency status. The use of a delinquent brand shall be unlawful. If the owner of any delinquent registered brand the registration of which has expired fails to renew registration of such brand within 120 days after such brand became delinquent, such failure shall constitute an abandonment of all claim to any property right in such brand.

(e) Upon the expiration of such delinquency period without any request for renewal and required remittance from the last record owner of a brand; or such owner's heirs, legatees or assigns, and with the termination of property rights by abandonment, the livestock animal health commissioner is authorized to receive and accept an application for such brand to the same extent as if such brand had never been issued to anyone as a registered brand.

(f) The livestock animal health commissioner shall determine annually the amount of funds which will be required for the purposes for which the brand registration and renewal fees are charged and collected and shall fix and adjust from time to time each such fee in such reasonable amount as may be necessary for such purposes, except that in no case shall either the brand registration fee or the renewal fee exceed \$55. The amounts of the brand registration fee and the renewal fee in effect on the day preceding the effective date of this act shall continue in effect until the livestock animal health commissioner fixes different amounts for such fees under this section.

Sec. 16. K.S.A. 2011 Supp. 47-417a is hereby amended to read as follows: 47-417a. (a) The livestock animal health commissioner ~~may~~, when brand inspectors or examiners are available, may provide brand inspection. When brand inspection is requested and provided, the livestock animal health commissioner shall charge and collect from the person making the request, a brand inspection fee of not to exceed \$.75 per head on cattle and \$.05 per head on sheep and other livestock. No inspection charge shall be made or collected at any licensed livestock market where brand inspection is otherwise available.

(b) The livestock animal health commissioner shall remit all moneys received under the statutes contained in article 4 of chapter 47 of the Kansas Statutes Annotated, and amendments thereto, except K.S.A. 47-434 through 47-445, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the livestock brand fee fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the livestock animal health commissioner or by a person or persons designated by the commissioner.

Sec. 17. K.S.A. 47-418a is hereby amended to read as follows: 47-418a. Any person who willfully brands or causes to be branded any cattle in any manner other than as required or authorized by K.S.A. 47-418, and amendments thereto, or as required by the laws of this state and the rules and regulations of the livestock animal health commissioner, or any person who falsely brands or causes to be falsely branded any cattle in such a manner as to incorrectly designate the disease control identification or ownership of livestock, shall be deemed guilty of a class A misdemeanor.

Sec. 18. K.S.A. 47-420 is hereby amended to read as follows: 47-420. (a) It shall be unlawful for any person to use any brand for branding any livestock unless such brand has been duly registered in the office of the livestock animal health commissioner at Topeka, except: (1) The use of a single numeral digit (~~0 to 9~~), zero to nine, in conjunction with the registered brand of the owner may be used; for the purpose of determining the age of the branded animal, such number to be applied at least six inches from such registered brand; (2) the use of serial numbers in conjunction with the registered brand of the owner may be used for the purpose of identifying individual

animals, such numbers to be applied at least six inches from the registered brand; (3) the use of numbers in conjunction with the registered brand of the owner may be used for the purpose of identifying herds of the same owner for feeding or experimental purposes, such numbers to be applied at least six inches from the registered brand; and (4) the use of a digital system of branding livestock may be used for the purpose of identifying animals in a licensed feedlot. Such feedlot brand may be used in conjunction with the registered brand of the owner, such brand to be applied at least six inches from such registered brand or may be used on animals which are not branded with a registered brand of the owner, subject to conditions, limitations and requirements applicable to the use of a feedlot brand as prescribed in K.S.A. 47-446, and amendments thereto. The age, serial, herd or feedlot brand shall not be construed as a part of the registered brand; and the use of such numeral or numerals in conjunction with a registered brand shall not be unlawful. Before any person uses any such serial or herd brand in conjunction with a registered brand, such person shall first obtain a permit from the livestock animal health commissioner authorizing such use.

(b) The livestock animal health commissioner is authorized to receive applications for permits for such serial or herd brands and issue permits thereon. All applications for such permits shall be accompanied by a permit fee of \$1.50. No such fee shall be required if the application for such permit is submitted in conjunction with an original application for the registered brand or in conjunction with a request for renewal of registration of a registered brand.

Sec. 19. K.S.A. 47-422 is hereby amended to read as follows: 47-422. Any brand recorded with the Kansas animal health board registered with the animal health commissioner of the Kansas department of agriculture in compliance with the requirements of this act shall be the property of the person causing such record to be made ~~and~~. Such brand shall be subject to sale, assignment, transfer, devise, and descent as other personal property. Instruments of writing evidencing the sale, assignment or transfer of such brand shall be recorded by the livestock animal health commissioner; ~~and~~. The fee for recording such instruments of writing shall be \$15. Such instruments shall have the same force and effect as recorded instruments affecting real estate; ~~and~~. A certified copy of the record of any such instrument may be introduced in evidence the same as ~~is now provided for~~ certified copies of instruments affecting real estate. Any brand recorded with the Kansas animal health department department of agriculture division of animal health shall not be used by any person other than the recorded owner. Any person violating any provision of this section shall be guilty of a class C misdemeanor.

Sec. 20. K.S.A. 47-428 is hereby amended to read as follows: 47-428. The livestock animal health commissioner and the commissioner's deputies or assistants are hereby authorized to enter upon any private lands to make any inspections necessary for the purpose of carrying out the provisions of this act or any of the provisions of article 4 of chapter 47 of the Kansas Statutes Annotated ~~or any~~ and amendments thereto. The commissioner and the commissioner's deputies or assistants may accept proof of ownership of livestock from any person in possession of animals bearing the recorded brands of another party as sufficient to exclude and exempt such animals from being classified as stray animals under the provisions of this act.

Sec. 21. K.S.A. 47-429 is hereby amended to read as follows: 47-429. All moneys received from the sale of branded stray livestock shall be paid to the state livestock

animal health commissioner, ~~regardless of the provisions of notwithstanding~~ article 2 of chapter 47 of the Kansas Statutes Annotated ~~and acts amendatory, and amendments~~ thereto, or any other provision of law relating to the disposition of the moneys received from the sale of branded stray animals. The commissioner or the commissioner's deputies are hereby authorized and directed to receive and receipt for all moneys received from the sale of branded stray livestock and shall pay the same to the state treasurer, ~~and~~. The state treasurer shall credit the such amount ~~so paid~~ to the livestock brand fee fund.

Sec. 22. K.S.A. 47-432 is hereby amended to read as follows: 47-432. There is hereby created a livestock brand emergency revolving fund for the use of the state ~~livestock~~ animal health commissioner for the purpose of paying expenses and costs of establishing the ownership of livestock which are mingled as a result of sudden or extreme storm conditions or other unforeseen occurrences.

Sec. 23. K.S.A. 47-433 is hereby amended to read as follows: 47-433. The livestock brand emergency revolving fund may be used to provide for the compensation, subsistence and travel of emergency livestock brand inspectors and other necessary temporary employees and to provide for such transactions which demand immediate attention. Emergency livestock brand inspectors and other needed personnel may be employed by the ~~livestock~~ animal health commissioner, Kansas ~~animal health department, department of agriculture division of animal health~~ or by the assistant commissioner in charge of brands, on a temporary basis for services in the establishment of the ownership of livestock which may have been mingled as a result of sudden or extreme storm conditions; or other unforeseen occurrences. Personnel employed under this act shall be in the unclassified service and shall be exempt from the provisions of subsection (b) of K.S.A. 75-2935, and amendments thereto, requirements of the civil service law and processing by the division of personnel services of the department of administration. Such revolving fund shall not be used to pay any regular employees, or for current accounts, which are payable monthly. Advanced payments may be made from such revolving fund by the commissioner or assistant commissioner for subsistence and travel of employees and for other necessary emergency purposes when deemed necessary. A settlement, based on an approved accounting for any advance payments, shall be completed prior to the certification to the director of accounts and reports for payment of any compensation earned. The assistant commissioner shall comply with supplemental procedures as the controller may require, but payments for services, subsistence and travel from the livestock brand emergency revolving fund shall be made by voucher method, showing periods of time worked.

Sec. 24. K.S.A. 47-434 is hereby amended to read as follows: 47-434. As used in this act:

- (a) "Commissioner" means the state ~~livestock~~ animal health commissioner;
- (b) "brand inspection area" means any county which has been designated as such by the board of county commissioners of such county in the manner provided by K.S.A. 47-435, and amendments thereto;
- (c) "resident owner of cattle " means any resident of a county who has owned one or more head of cattle at any time during the 12 preceding months;
- (d) "brand inspection" means the inspection of brands, marks; and other identifying characteristics of cattle or sheep, or both, for the purpose of determining the ownership

thereof; and

(e) "person" means any individual, firm, association, partnership or corporation.

Sec. 25. K.S.A. 47-435 is hereby amended to read as follows: 47-435. (a) Whenever a petition is submitted to the board of county commissioners, signed by not less than 51% of the resident owners of cattle, as determined by an enumeration taken and verified for this purpose by a qualified elector of the county, requesting that the county be designated a brand inspection area, it shall be the duty of the board of county commissioners, within 10 days after receipt of such petition, to make a determination as to the sufficiency of the qualifications and numbers of signers. If such petition is found sufficient the board shall adopt a resolution declaring the county a brand inspection area, and shall immediately file a certified copy of such resolution with the ~~livestock~~ animal health commissioner. In every case, the date of filing of the certified copy of the resolution of the board of county commissioners declaring the county a brand inspection area with the commissioner shall be the date the county shall qualify as a brand inspection area.

(b) Any and all counties which have been ~~so~~ designated as a brand inspection area; and which are adjacent to and contiguous with other counties so designated, shall ~~be~~ ~~and~~ constitute a part of a basic brand inspection area. From and after the effective date of this act, the counties of Hamilton, Kearny and Wichita shall be and are hereby designated and declared to be a part of a basic brand inspection area. Such basic brand inspection area shall be subject to enlargement by the addition of other contiguous counties.

(c) Whenever a petition is submitted to the board of county commissioners, signed by not less than 51% of the resident owners of cattle, as determined by an enumeration taken and verified for this purpose by a qualified elector of the county, requesting that the county no longer be designated a brand inspection area and that its status as a brand inspection area be terminated, it shall be the duty of the board of county commissioners, within 10 days after receipt of such petition, to make a determination as to the sufficiency of the qualifications and numbers of signers. If such petition is found sufficient the board shall adopt a resolution declaring that the county is no longer a brand inspection area; and shall immediately file a certified copy of such resolution with the ~~livestock~~ animal health commissioner. Thereupon the county shall be terminated as a brand inspection area, but the termination as a brand inspection area by a county within a basic brand inspection area shall not affect the existence of such basic brand inspection area as to the remaining counties therein.

Sec. 26. K.S.A. 2011 Supp. 47-437 is hereby amended to read as follows: 47-437. (a) The ~~livestock~~ animal health commissioner shall charge and collect a fee of not to exceed \$.75 per head on all cattle and not to exceed \$.05 per head on all sheep inspected in brand inspection areas of the state. In addition to the per head fee, the ~~livestock~~ animal health commissioner may charge and collect an on-site inspection fee and a mileage fee for each mile necessarily and actually traveled in going to and returning from the place of inspection. The ~~livestock~~ animal health commissioner, when brand inspectors are available, may provide brand inspection in other areas where brand inspection is requested and the commissioner shall charge and collect inspection fees in the same manner as prescribed for the collection of such fees in brand inspection areas. The owner or seller of cattle or sheep inspected shall be responsible for the payment of the inspection fees and such fees shall be collected in such manner as the ~~livestock~~

animal health commissioner shall prescribe or authorize by rule or regulation.

(b) When the livestock animal health commissioner determines that the fees collected under this section are yielding more than is required for the purposes for which such fees are collected, the commissioner may reduce such fees for such period as the commissioner deems justified. In the event the livestock animal health commissioner, after reducing such fees, finds that sufficient revenues are not being produced by the reduced fees to properly administer and enforce this act and acts of which this section is amendatory or supplemental, the commissioner may increase such fees to such rate as will, in the commissioner's judgment, produce sufficient revenue for the purposes provided in this section, but not exceeding \$.75 per head on cattle and not to exceed \$.05 per head on sheep.

(c) The livestock animal health commissioner shall remit all moneys received under K.S.A. 47-434 through 47-445, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the county option brand fee fund, except any amounts received for brand inspection services of livestock outside of a county option area. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the livestock animal health commissioner or by a person or persons designated by the commissioner. All amounts received for inspection of livestock outside of a county option area shall be deposited to the credit of the livestock brand fee fund.

Sec. 27. K.S.A. 47-441 is hereby amended to read as follows: 47-441. It shall be unlawful for any person in any brand inspection area, including the owner of cattle, the shipper, motor carrier, railroad company, other carrier or corporation, or the agent or servant of any such person, carrier or corporation, to move, drive, ship or transport, in any manner, any cattle from any point in a brand inspection area, to any point outside such area other than another brand inspection area, unless such cattle ~~shall have~~ have been inspected for brands by the state livestock animal health commissioner, the commissioner's inspectors or examiners; or some person deputized by the commissioner to perform such inspection, unless such cattle are accompanied by a brand inspection certificate. The livestock animal health commissioner and the commissioner's inspectors and deputies may give permission for such movement of cattle without inspection when: (1) There is no change of ownership involved; or (2) shipment of such cattle is to a market where Kansas brand inspection is maintained. No such inspection shall be required in any case where any such cattle are being moved from a feedlot the operator of which has been licensed pursuant to K.S.A. 47-1503, and amendments thereto. It shall be unlawful for any motor carrier, railroad company or other carrier transporting any cattle from any brand inspection area to any market to permit the owner, the shipper or the party in charge of cattle to change the billing from consignment point to a point other than to a market where Kansas brand inspection is maintained, unless such carrier has or first secures an authorized brand inspection certificate for such cattle.

Sec. 28. K.S.A. 47-442 is hereby amended to read as follows: 47-442. (a) It shall be unlawful for any person in any brand inspection area to move any cattle within such area unless such cattle have been first inspected for brands by the livestock animal health commissioner or the commissioner's inspectors or deputies except that cattle may

be moved without such inspection when: (1) Cattle are moved to a market where Kansas brand inspection is maintained; or (2) cattle are moved from a feedlot the operator of which has been licensed pursuant to K.S.A. 47-1503, and amendments thereto, except that when any such cattle are moved to any such feedlot the same cattle shall be inspected at the time they enter such feedlot. ~~The livestock commissioner shall have the authority~~

(b) In any case where as a result of a natural or man-made disaster cattle have strayed or have become mixed, the animal health commissioner shall have the authority to conduct a one time brand inspection of the cattle in any such feedlot.

(c) Any person who purchases cattle from within a brand inspection area without receiving a bill of sale and a brand inspection certificate shall be deemed as counseling, aiding and abetting the seller in the unlawful sale of such livestock.

Sec. 29. K.S.A. 47-446 is hereby amended to read as follows: 47-446. Feedlot brands may be lawfully applied to livestock which ~~livestock~~ are not branded with a registered brand of the owner and which are in the custody of, and upon the premises of, a feedlot operator licensed under the provisions of article 15 of chapter 47 of the Kansas Statutes Annotated, ~~and acts amendatory thereof or supplemental amendments~~ thereto, subject to the following conditions, limitations and requirements: (1) Such feedlot brand shall not be construed as evidence of ownership identification; (2) livestock which are branded with a feedlot brand shall be held by the licensed feedlot operator under quarantine upon ~~said feed lot~~ such feedlot premises until (a) either released by said such feedlot operator for movement to slaughter or (b) released by the livestock animal health commissioner; or ~~his~~ such commissioner's authorized representative, by issuance of a permit authorizing such livestock to be moved from the feedlot premises for grazing purposes; ~~Any such permit, if issued, shall be subject to the requirement that only shall be issued if such livestock, have been branded with a registered brand of the owner of the livestock before release from licensed feedlot premises, shall be branded with a registered brand of the owner of the livestock.~~

Sec. 30. K.S.A. 47-448 is hereby amended to read as follows: 47-448. The ~~livestock animal health~~ commissioner is authorized to enter into reciprocity agreements with any livestock commissioner or brand inspection agency of any other state or the United States, for cooperation in the administration of brand inspection laws and laws for the control, suppression and eradication of contagious diseases among domestic animals.

The ~~livestock animal health~~ commissioner may set and charge fees for brand inspection of animals subject to any reciprocity agreement, ~~and~~ Such fees shall not be limited by or subject to the provisions of K.S.A. 47-417a or 47-437, ~~and amendments thereto~~, or any other law prescribing fees for brand inspection.

Sec. 31. K.S.A. 47-605 is hereby amended to read as follows: 47-605. For the purpose of this act, the ~~livestock animal health~~ commissioner is hereby authorized and empowered to administer oaths and affirmations.

Sec. 32. K.S.A. 47-607 is hereby amended to read as follows: 47-607. (a) It shall be unlawful for any person or persons to bring, drive or transport any cattle, calves, sheep, swine, horses, mules, goats, domesticated deer, as defined in K.S.A. 47-1001, and amendments thereto, any creature of the ratite family that is not indigenous to this state, including, but not limited to, ostriches, emus and rheas, or any other animal that may be used in the preparation of meat or meat products into the state of Kansas, without first

having caused such animal or animals to be inspected and passed under certificate of health as required by the livestock animal health commissioner of this state.

(b) All shipments and movements of livestock into the state of Kansas upon a public highway shall be accompanied by any such certificates of health or permits required by the livestock animal health commissioner. The livestock animal health commissioner shall prescribe, by rules and regulations, procedure whereby certificates of health and other required statements and declarations may be submitted to the commissioner at the time of shipment.

(c) The livestock animal health commissioner is authorized to issue a special quarantine on such conditions as the commissioner deems necessary to prevent the spread of infectious and contagious diseases in the state of Kansas and on the condition that, if any such livestock upon inspection by an authorized veterinarian are found not to be free and clear of infectious and contagious diseases, ~~the same such livestock~~ shall be: (1) ~~Forthwith~~

(1) Disposed of by the owner or possessor thereof either by: (A) Sale at a public market for immediate slaughter; (B) delivery at a licensed disposal plant; or (C) return to place of origin; or

(2) held by the owner or possessor thereof under quarantine of and subject to the orders and rules and regulations of the livestock animal health commissioner.

Sec. 33. K.S.A. 47-607a is hereby amended to read as follows: 47-607a. When the livestock animal health commissioner of this state determines that a special permit is required to move any or all kinds or species of livestock into or through the state of Kansas, the livestock animal health commissioner may declare that no person or persons, firm, corporation, railway, aerial or motor transportation company, or individual owner of a truck, or the agents thereof, shall ship, trail, permit to cross the state line or in any manner transport any class of livestock into the state of Kansas from any other area, state or states designated by the livestock animal health commissioner, without first obtaining a special permit, by wire, letter or telephone, from the livestock animal health commissioner at Topeka, Kansas. Such special permit or the authorized permit number of such special permit shall accompany such shipment of livestock into the state of Kansas.

Sec. 34. K.S.A. 47-607d is hereby amended to read as follows: 47-607d. The livestock animal health commissioner may adopt such rules and regulations as necessary to carry out the purposes of this act.

Sec. 35. K.S.A. 47-608 is hereby amended to read as follows: 47-608. The livestock animal health commissioner is hereby authorized and directed to cooperate with the secretary of agriculture of the United States; or any officer or authority of the general government, in the suppression and extirpation of contagious diseases among domestic animals and in the enforcement and execution of all acts of congress to prevent the importation and exportation of diseased animals and the spread of infectious or contagious diseases among domestic animals.

Sec. 36. K.S.A. 47-610 is hereby amended to read as follows: 47-610. The state livestock animal health commissioner is hereby directed to protect the health of domestic animals of the state from all contagious or infectious diseases and for this purpose is hereby authorized and empowered to establish, maintain and enforce such quarantine, sanitary and other regulations as necessary. If the livestock animal health commissioner requires the assistance of technical knowledge, experience or skill to

carry out the duties of the livestock animal health commissioner, the livestock animal health commissioner may command the services of any competent veterinarian or may call upon the dean of the college of veterinary medicine, Kansas state university at Manhattan, Kansas, for that purpose. In case the dean of the college of veterinary medicine, Kansas state university is called, the dean shall receive actual and necessary expenses in the performance of such duties as full compensation for such services. If any other veterinarian is employed, such veterinarian shall receive such actual and necessary expenses and reasonable compensation for such services.

Sec. 37. K.S.A. 2011 Supp. 47-611 is hereby amended to read as follows: 47-611.

(a) When the animal health commissioner determines that a quarantine and other regulations are necessary to prevent the spread among domestic animals of any contagious or infectious disease, the commissioner shall notify the governor of such determination, and the governor shall issue a proclamation announcing the boundary of such quarantine and the orders and rules and regulations prescribed by the commissioner, ~~which.~~ Such proclamation shall be published in the Kansas register, except that the commissioner, if the area affected by the quarantine is limited in extent, may dispense with the proclamation of the governor and give such notice as the commissioner shall deem sufficient to make the quarantine effective.

(b) Upon a determination by the governor that a quarantine or other regulations are necessary to prevent the spread among domestic animals of any contagious or infectious disease, the governor shall direct the commissioner to establish a quarantine pursuant to this section.

(c) The governor may require and direct the cooperation and assistance of any state agency in enforcing such quarantine or other regulations pursuant to subsection (a) or (b).

(d) The commissioner shall establish such quarantine immediately and shall give and enforce such directions, rules and regulations as to separating, isolating, handling and treating, feeding and caring for such diseased animals, animals exposed to the disease and animals within the quarantine which have not been immediately exposed, as the commissioner deems necessary to prevent those classes of animals from coming into contact with one another.

(e) The livestock animal health commissioner or the commissioner's designee is hereby authorized and empowered to enter any grounds and premises to carry out the provisions of this act.

Sec. 38. K.S.A. 2011 Supp. 47-612 is hereby amended to read as follows: 47-612. Whenever the livestock animal health commissioner determines that certain animals within the state are capable of communicating infectious or contagious disease, the commissioner may issue an order to the sheriff of the county or to any agent, inspector or authorized representative of the livestock animal health commissioner in which such animals are found, commanding such individuals to take into custody and keep such animals subject to such quarantine regulations as the livestock animal health commissioner may prescribe, until such time as the commissioner directs such person to deliver such animals to their owner or owners or to the agent of the owner or owners. Before any animals are delivered, ~~there shall be paid by the owner of such animals~~ shall pay to the livestock animal health commissioner all the fees, costs and expenses of taking, detaining and holding and caring for the animals. In case such fees, costs and expenses are not paid at the time fixed by the livestock animal health commissioner, the

officer having custody of such animals shall advertise, in the same manner as provided by law in case of sale of personal property on execution, that the officer will sell such animals or such portion of such animals as may be necessary to pay such fees, costs and expenses, together with the costs and expenses of such sale. At the time and place advertised the officer shall sell as many of the animals as may be necessary to pay for such fees, costs and expenses and the costs and expenses of such sale. Upon such sale the officer shall without delay pay to the owner any amount received in excess of the fees, costs and expenses, including, but not limited to, legal fees of such officer. Any officer performing any of the duties directed in this section or any other section of this act shall receive the same compensation for such services as is prescribed by law for similar services. In case such fees, costs and expenses cannot be collected by sale of such animals, such fees, costs and expenses shall be paid by the state of Kansas unless payment or indemnity for the costs of taking into custody, keeping and selling such animals may be obtained from the United States government.

Sec. 39. K.S.A. 47-613 is hereby amended to read as follows: 47-613. The sheriff to whom the existence of any contagious or infectious disease of domestic animals is reported shall proceed without delay to the place where such domestic animal or animals are and examine the same, and shall report immediately the result of such examination to the livestock animal health commissioner. The sheriff shall enforce such temporary quarantine regulations as the livestock animal health commissioner may direct to prevent the spread of such disease, until the livestock animal health commissioner provides and orders suitable permanent quarantine rules and regulations. No sheriff who takes or detains such animals under the provisions of this act shall be liable to the owner or owners of such animals for any damages by reason of such taking or detention or by reason of the performance of any other duties directed by law.

Sec. 40. K.S.A. 47-616 is hereby amended to read as follows: 47-616. When any animal or animals are killed under the provisions of this act by order of the commissioner, the owner of such animal or animals shall be paid for such animal or animals such proportion of the appraised value as fixed by the appraisal as provided by law. The right of indemnity on account of animals killed by order of the commissioner under the provisions of this act shall not extend to: (a) ~~To~~ Animals killed on account of rabies; (b) ~~to~~ the owner of animals which have been brought into the state in a diseased condition, or from a state, country, territory or district in which the disease with which the animal is infected or to which it has been exposed exists; (c) ~~to~~ any animal which has been brought into the state in violation of any law or quarantine regulations thereof, or the owner of which has violated any of the provisions of this act or disregarded any rule and regulation or order of the livestock animal health commissioner; (d) ~~to~~ any animal which came into the possession of the claimant with the claimant's knowledge that such animal was diseased or was suspected of being diseased or of having been exposed to any contagious or infectious disease; ~~nor or~~ (e) ~~to~~ any animal belonging to the United States.

Sec. 41. K.S.A. 47-618 is hereby amended to read as follows: 47-618. The animal health commissioner shall have power to call upon any sheriff, undersheriff or deputy sheriff to execute his the commissioner's orders, ~~and~~ Such officers shall obey the orders of said the commissioner; and for performing such services shall receive mileage and fees as is now provided for service in process in civil actions; ~~and in addition thereto shall receive~~. For killing and disposing of diseased animals, in accordance with the rules

prescribed by the livestock animal health commissioner, such officers shall receive the following fees: (1) For the first animal, not to exceed five dollars (\$5); \$5; (2) for each additional animal, not to exceed two dollars (\$2) \$2; but in no case shall the amount exceed the actual cost of doing such work; and. Such fees shall be paid by the board of county commissioners of the county in which the services are rendered. Any such officer may arrest on view and take before any judge of a court of competent jurisdiction of the county any person found violating the provisions of this act, and such officer shall immediately notify the county or district attorney of such arrest, and ~~he~~ such county or district attorney shall prosecute the person so offending according to law.

Sec. 42. K.S.A. 47-619 is hereby amended to read as follows: 47-619. ~~The owner or owners of any stockyards doing business in this state,~~ When requested by the livestock animal health commissioner, the owner or owners of any stockyards doing business in this state shall keep constantly in their employ a competent inspector of livestock appointed by the commissioner whose compensation shall be fixed and duties prescribed by the livestock animal health commissioner. The livestock animal health commissioner shall prescribe that portion of the compensation which shall be paid by the owner or owners of the stockyards. It shall be the duty of such inspector to work in conjunction with the United States government authorities to prohibit and prevent any stock affected with any contagious or infectious disease to be driven or shipped out of any such stockyards except to some licensed rendering establishment.

Sec. 43. K.S.A. 47-620 is hereby amended to read as follows: 47-620. Whenever the state livestock animal health commissioner has good reason to believe that any contagious or infectious disease has become epidemic in certain localities in other states, territories or countries, or that there are conditions which render domestic animals from such infected districts liable to convey such disease, the livestock animal health commissioner shall publish an order prohibiting the entrance of any livestock of the kind diseased into the state from such infected district.

Sec. 44. K.S.A. 47-622 is hereby amended to read as follows: 47-622. It shall be the duty of the owner or person in charge of any domestic animal or animals who discovers, or has reason to believe that any domestic animal owned by such person or in such person's charge or keeping is affected with any contagious or infectious disease, to immediately report such fact or belief to the livestock animal health commissioner. It shall be the duty of any person who discovers the existence of any such contagious or infectious disease among the domestic animals of any person to immediately report this information ~~at once~~ to the livestock animal health commissioner.

Sec. 45. K.S.A. 2011 Supp. 47-624 is hereby amended to read as follows: 47-624. (a) In addition to any other penalty provided by law, any person who has in such person's possession any domestic animal affected with any contagious or infectious disease, knowing such animal to be so affected, ~~who may incur a civil penalty imposed under subsection (b) if such person:~~

- (1) ~~Permits such animal to run at large; or who~~
- (2) ~~keeps such animal where other domestic animals, not affected with or previously exposed to such disease, may be exposed to such contagious or infectious disease; or who~~
- (3) ~~sells, ships, drives, trades or gives away such diseased and infected animal or animals which have been exposed to such infection or contagion, except by sale, trade~~

or gift to a regularly licensed disposal plant; or who

~~(4)~~ moves or drives any domestic animal in violation of the rules and regulations, directions or orders establishing and regulating quarantine ~~may incur a civil penalty imposed under subsection (b) in the amount of not less than \$250 nor more than \$1,000 for each such violation and, in the case of a continuing violation, every day such violation continues shall be deemed a separate violation.~~

~~(b)~~ Any owner of any domestic animal which has been affected with or exposed to any contagious or infectious disease may dispose of the same after such owner obtains from the livestock animal health commissioner a bill of health for such animal.

~~(b)~~ (c) Any duly authorized agent of the commissioner, upon a finding that any person, or agent or employee thereof, has violated any of the provisions ~~stated above of subsection (a)~~, may impose a civil penalty upon such person as provided in this section. Such penalty shall be an amount not less than \$250 nor more than \$1,000 for each such violation and in the case of a continuing violation, every day such violation continues shall be deemed a separate violation.

~~(e)~~ (d) No civil penalty shall be imposed pursuant to this section except upon the written order of the duly authorized agent of the commissioner to the person who committed the violation. Such order shall state the violation, the penalty to be imposed and the right of the person to appeal to the commissioner. Any such person, within 20 days after notification, may make written request to the commissioner for a hearing in accordance with the provisions of the Kansas administrative procedure act. The commissioner shall affirm, reverse or modify the order and shall specify the reasons therefor.

~~(d)~~ (e) Any person aggrieved by an order of the commissioner made under this section may appeal such order to the district court in the manner provided by the Kansas judicial review act.

~~(e)~~ (f) Any civil penalty recovered pursuant to the provisions of this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

Sec. 46. K.S.A. 47-626 is hereby amended to read as follows: 47-626. The state livestock animal health commissioner may employ such persons and purchase such supplies, appliances and materials as may be necessary to carry into full effect all the orders given by the livestock animal health commissioner as provided by law. No labor shall be employed and no material or supplies purchased by the livestock animal health commissioner except such additional labor, material and supplies as may be necessary to carry into effect the quarantine and other regulations prescribed by the commissioner. The director of accounts and reports shall draw warrants upon the treasurer of state for the necessary amount upon vouchers properly verified by the person performing such labor or furnishing such material and approved by the livestock animal health commissioner.

Sec. 47. K.S.A. 47-627 is hereby amended to read as follows: 47-627. If the livestock animal health commissioner finds the disease known as the itch or mange existing among domestic animals, the livestock animal health commissioner shall order all animals so affected to be properly treated as the commissioner deems necessary.

Sec. 48. K.S.A. 47-629 is hereby amended to read as follows: 47-629. It shall be unlawful for any person to inject any virulent hog cholera virus into any hog; in the

state of Kansas; unless such person first obtains a permit from the livestock animal health commissioner authorizing such injection. A permit to inject virulent hog cholera virus may be issued by the livestock animal health commissioner upon application to the livestock animal health commissioner upon a form provided by the livestock animal health commissioner. Such permit shall be issued only to persons who are sufficiently informed as to qualify to safely handle and use such virus; ~~and~~. Such permit shall state ~~such the~~ conditions, limitations and regulations as the livestock animal health commissioner deems necessary for the protection of the health of the domestic animals of this state from infectious or contagious diseases. Such permit shall be issued for a definite period which duration shall be fixed by the livestock animal health commissioner as the livestock animal health commissioner deems necessary to prevent the spread of infectious or contagious diseases. The permit holder shall comply with the requirements of such permit.

Sec. 49. K.S.A. 47-629a is hereby amended to read as follows: 47-629a. It shall be unlawful for any person to sell or offer for sale virulent hog cholera virus to another unless the vendor is: (1) A manufacturer thereof; or (2) a distributor of veterinarian supplies, authorized by the livestock animal health commissioner to handle and sell such virus; or (3) a veterinarian licensed under the Kansas veterinary practice act.

Sec. 50. K.S.A. 47-629b is hereby amended to read as follows: 47-629b. It shall be unlawful for any person to sell; or offer for sale; any virulent hog cholera virus to another unless the purchaser is: (1) A holder of a permit from the livestock animal health commissioner, currently in effect, authorizing such person to inject virulent hog cholera virus; or (2) a distributor of veterinarian supplies authorized by the livestock animal health commissioner to handle and sell such virus.

Sec. 51. K.S.A. 47-629c is hereby amended to read as follows: 47-629c. Any person who violates any provision of this act, or any provision of a permit to inject virulent hog cholera virus issued by the livestock animal health commissioner, and any person who fails to comply with any provision of this act or any provision of such a permit, shall be guilty of a misdemeanor and upon conviction shall be fined ~~in a sum of~~ not less than \$25 or more than \$500 or shall be imprisoned in the county jail for not more than six months, or both.

Sec. 52. K.S.A. 47-631 is hereby amended to read as follows: 47-631. (a) The livestock animal health commissioner, whenever the livestock animal health commissioner deems it necessary, shall formulate and announce the rules under which the tuberculin test for tuberculosis in domestic animals shall be applied ~~and~~. For all proceedings ~~subsequent to~~ pursuant to such application:

(1) No tuberculin shall be used other than that furnished by the United States government;

(2) no person other than one indicated for that purpose by the livestock animal health commissioner shall inject any tuberculin into any animal in this state; ~~and~~

(3) all charts giving the temperature and conditions existing at the time the animal was tested, accompanied by a history and description of the animal, shall be submitted, immediately after the test is made, to the state livestock animal health commissioner; ~~who shall thereupon. The animal health commissioner shall then render an opinion a decision~~ thereon, which ~~decision~~ shall be final and shall be recorded in the office of the livestock animal health commissioner.

(b) The state livestock animal health commissioner shall ~~at once~~ immediately apply

the quarantine and other regulations issued under the provisions of this act to animals found infected with tuberculosis.

Sec. 53. K.S.A. 47-632 is hereby amended to read as follows: 47-632. Whenever the livestock animal health commissioner ~~shall have decided~~ determines that any domestic animal is affected with tuberculosis ~~he or she shall at once, the commissioner shall immediately~~ condemn ~~said such~~ animal and quarantine the herd ~~wherein in which~~ it is found. Whereupon, the owner shall sell such diseased animal for immediate slaughter under state or federal inspection, subject to a post-mortem examination under the direction of the livestock animal health commissioner. ~~Said Such~~ owner shall be indemnified by the state livestock animal health commissioner, from funds appropriated therefor, in an amount equal to ~~one hundred dollars (\$100)~~ \$100 for each condemned grade bovine animal and ~~two hundred dollars (\$200)~~ \$200 for each registered bovine animal.

Sec. 54. K.S.A. 47-632a is hereby amended to read as follows: 47-632a. The livestock animal health commissioner shall not be required to examine the records in the county where condemned animals are situated to determine names and rights of lien claimants or mortgagees.

Sec. 55. K.S.A. 47-633a is hereby amended to read as follows: 47-633a. The livestock animal health commissioner may order the condemnation of an entire herd of domestic animals when tuberculosis of any animal within such herd has been diagnosed. In such event, the livestock animal health commissioner shall indemnify the owner of such herd in an amount not to exceed ~~fifty percent (50%)~~ 50% of the difference between the salvage value and the appraised value of the animals in the condemned herd. Such payment by the commissioner shall be from funds appropriated therefor, but in no event shall such payment exceed the sum of ~~four hundred dollars (\$400)~~ \$400 per head for registered bovine animals, the sum of ~~two hundred dollars (\$200)~~ \$200 per head for grade bovine animals. Such compensation shall not be paid, and the premises from which the herd was taken shall not be restocked, until such premises have been cleaned and disinfected and, ~~subsequent thereto,~~ have been inspected and approved by the livestock animal health commissioner, or ~~his or her~~ the commissioner's authorized representative. Appraisals of animals condemned shall be made by the livestock animal health commissioner, or ~~his or her~~ the commissioner's authorized representative, and by the owner. If ~~said such~~ appraisers cannot agree, a disinterested third party, who has knowledge of livestock values in such locality, shall be selected as an arbitrator by the commissioner and the owner, at the expense of the owner. The determination of values by ~~said such~~ arbitrator shall be final.

Sec. 56. K.S.A. 47-634 is hereby amended to read as follows: 47-634. The disinfection of the premises where a diseased animal or animals coming within the provisions of this act have been kept shall be under the supervision of the livestock animal health commissioner, or the designee of the livestock animal health commissioner. The livestock animal health commissioner, ~~in addition,~~ shall designate the materials to be used and the method of their application. The cost of such material together with the necessary labor of disinfecting shall be paid by the owner of such animals. Except for disinfection, the premises shall be kept in quarantine until such time as the livestock animal health commissioner may determine.

Sec. 57. K.S.A. 47-635 is hereby amended to read as follows: 47-635. The provisions of this act shall ~~be construed to~~ include all contagious or infectious diseases

among all kinds of domestic animals, including, but not limited to, horses, mules, asses, cattle, sheep, goats, llamas, swine, dogs, cats, poultry, birds, nonhuman primates, ferrets, domesticated deer, as defined in K.S.A. 47-1001, and amendments thereto, all creatures of the ratite family, including, but not limited to, ostriches, emus and rheas and exotic animals as defined by rules and regulations in 9 C.F.R. § 1.1, pursuant to 7 U.S.C. § 2131 *et seq.* The state ~~livestock animal health~~ commissioner is given the same power over any domestic animal afflicted with rabies as is conferred upon the ~~livestock animal health~~ commissioner in relation to other diseases of domestic animals.

Sec. 58. K.S.A. 47-646a is hereby amended to read as follows: 47-646a. It shall be lawful for any authorized representative of the ~~livestock animal health~~ commissioner, any sheriff, any city marshal or any law enforcement officer at any time to kill any dog which may be found unconfined in violation of any rabies quarantine or other quarantine order issued by the state ~~livestock animal health~~ commissioner or issued by the secretary of health and environment.

Sec. 59. K.S.A. 47-650 is hereby amended to read as follows: 47-650. Upon the presentation to the state ~~livestock animal health~~ commissioner of a petition signed by 50 farmers who are resident taxpayers of any county in this state asking that they be permitted to establish a county hog cholera-control organization in their county, such commissioner shall notify in writing the president of Kansas state university; and the inspector in charge of the office of the United States department of agriculture, animal plant health inspection service, veterinary services, that a meeting will be held at the county seat of the county at a certain date and hour to perfect the organization prayed for in the petition. All persons attending such meeting shall proceed to perfect the establishment of the _____ county hog cholera-control organization by choosing a president, vice-president, secretary and treasurer and one farmer from each township in the county, who ~~shall~~, in connection with such officers, ~~shall~~ constitute the executive board of the _____ county hog cholera-control organization.

Sec. 60. K.S.A. 47-651 is hereby amended to read as follows: 47-651. Upon the completion of the establishment of such organization, the state ~~livestock animal health~~ commissioner ~~shall~~, upon the recommendation of the executive board, ~~shall~~ appoint a competent person as deputy state ~~livestock animal health~~ commissioner for the county. Such county deputy ~~livestock animal health~~ commissioner shall perform all services and discharge all duties in the county hog cholera control work in exact conformity with the rules and regulations promulgated by the ~~livestock animal health~~ commissioner.

Sec. 61. K.S.A. 47-653 is hereby amended to read as follows: 47-653. The county deputy ~~livestock animal health~~ commissioner shall receive a reasonable compensation, to be determined by the state ~~livestock animal health~~ commissioner, in an amount not to exceed \$100 per month and necessary travel expenses while absent from home in the discharge of the duties of such position.

Sec. 62. K.S.A. 47-653a is hereby amended to read as follows: 47-653a. It shall be unlawful for any person to sell or to use hog cholera vaccines in the state of Kansas unless the hog cholera vaccine is first approved by the state ~~livestock animal health~~ commissioner.

Sec. 63. K.S.A. 47-653b is hereby amended to read as follows: 47-653b. The state ~~livestock animal health~~ commissioner is hereby authorized and empowered to adopt rules and regulations designating which hog cholera vaccines may be sold or used in this state.

Sec. 64. K.S.A. 47-653d is hereby amended to read as follows: 47-653d. In order to prevent the spread of hog cholera; and to reduce the danger of the spread thereof, the livestock animal health commissioner, or the authorized representative of the livestock animal health commissioner, may destroy or require the destruction of any swine which the livestock animal health commissioner has determined to be affected with or exposed to hog cholera. Prior to such destruction there shall be an appraisal of the value of any swine, which shall be made jointly by the owner of such swine and the livestock animal health commissioner, or the authorized representative of the livestock animal health commissioner. If the appraisers cannot agree, a disinterested third party who has knowledge of livestock values in such locality shall be selected by the commissioner and the owner, at the expense of the owner, as an arbitrator. The arbitrator's determination of the value of such swine shall be final.

Sec. 65. K.S.A. 47-653e is hereby amended to read as follows: 47-653e. The owner or custodian of such swine, immediately after the determination of its appraised value, shall cause such swine to be disposed of in the manner directed by the livestock animal health commissioner or the authorized representative of the livestock animal health commissioner. Any owner or custodian of swine who fails to dispose of swine as directed by the livestock animal health commissioner, upon conviction, shall be guilty of a misdemeanor and shall be punished in the manner provided in K.S.A. 47-607c, and amendments thereto.

Sec. 66. K.S.A. 47-653f is hereby amended to read as follows: 47-653f. On presentation to the livestock animal health commissioner of acceptable evidence that disposition of such swine has been made in the prescribed manner, the owner of such swine shall be entitled to indemnity, to be paid by the state, in an amount equal to the amount of indemnity paid by the federal government for such destruction of swine. Such indemnification by the state shall not exceed \$40 per head for grade swine and shall not exceed \$60 per head for purebred swine. Indemnities shall not be paid on swine which have been brought or moved into Kansas in violation of the import regulations of this state; and indemnity shall not be paid on any swine which have been allowed to mingle with swine so brought or moved into Kansas.

Indemnification payments shall be made from legislative appropriations for such purpose to the livestock animal health commissioner. The director of accounts and reports is hereby authorized and directed to draw warrants upon the state treasurer for the amounts and for the purposes provided herein upon duly executed vouchers approved by the livestock animal health commissioner.

Sec. 67. K.S.A. 47-653g is hereby amended to read as follows: 47-653g. The livestock animal health commissioner is hereby authorized to cooperate with any department, agency or officer of the federal government in the control and eradication of hog cholera, including the sharing in the payment of indemnities for swine destroyed pursuant to this act.

Sec. 68. K.S.A. 47-653h is hereby amended to read as follows: 47-653h. Any motor vehicle used in the hauling or transporting of swine from the premises where diseased or exposed swine have been under hog cholera quarantine to a destination where such swine are to be slaughtered, including a licensed disposal plant, shall be thoroughly cleaned and disinfected after unloading such swine. Such cleaning and disinfection shall be made under the supervision of the livestock animal health commissioner, or the authorized representative of the livestock animal health commissioner, and with a

disinfectant which has been approved by the livestock animal health commissioner.

Sec. 69. K.S.A. 47-654 is hereby amended to read as follows: 47-654. It shall be unlawful for any person to ship into Kansas or offer for sale in Kansas any food for livestock contained in sacks which have not been first thoroughly disinfected or fumigated in accordance with the requirements of the livestock animal health commissioner. It shall be unlawful for any person to offer for sale in Kansas any food for livestock manufactured within the state that is contained in sacks which have not been first thoroughly disinfected or fumigated in accordance with the requirements of the livestock animal health commissioner.

Sec. 70. K.S.A. 47-655 is hereby amended to read as follows: 47-655. It shall be unlawful for any person to sell or offer for sale any old or secondhand sacks until ~~the same~~ such sacks have been thoroughly disinfected or fumigated as required by the livestock animal health commissioner.

Sec. 71. K.S.A. 47-657 is hereby amended to read as follows: 47-657. (a) The state livestock animal health commissioner, whenever the commissioner deems it necessary, shall formulate and announce the rules under which approved test for brucellosis in cattle shall be applied and for all proceedings subsequent to such application:

(1) No person or laboratory other than those indicated for that purpose by the livestock animal health commissioner shall test cattle for brucellosis;

(2) all charts showing result of test and conditions existing at the time of test, together with a history and description of cattle, shall be submitted to the livestock animal health commissioner immediately upon completion of test and the livestock animal health commissioner shall render an opinion thereon, ~~which~~ Such decision shall be final; and shall be recorded in the office of the livestock animal health commissioner.

(b) The livestock animal health commissioner may at once apply the quarantine and other regulations issued under the provisions of law to animals found infected with brucellosis.

Sec. 72. K.S.A. 47-658a is hereby amended to read as follows: 47-658a. Whenever the state ~~livestock commissioner shall have decided~~ animal health commissioner determines that any domestic animal is affected with brucellosis, ~~he or his authorized representatives the animal health commissioner or the authorized representative of the animal health commissioner,~~ may proceed at once to identify such reactor animal by causing ~~said such~~ reactor animal to be branded with the letter "B" on the left jaw by hot iron: ~~Provided,~~ The livestock animal health commissioner may approve the use of other methods for the identification of brucellosis reactors.

Sec. 73. K.S.A. 47-658b is hereby amended to read as follows: 47-658b. Any animal determined to be a reactor animal to brucellosis shall be sold for slaughter within ~~fifteen (15)~~ 15 days after being properly identified. Such animal being shipped to be sold for slaughter shall be accompanied by an official shipping permit issued by the livestock animal health commissioner or ~~his~~ the authorized representative of the animal health commissioner. Under unusual circumstances, the livestock animal health commissioner may extend the period for sale for slaughter up to a maximum of an additional ~~thirty (30)~~ 30 days following the proper identification of such reactor.

Sec. 74. K.S.A. 47-660 is hereby amended to read as follows: 47-660. The secretary of agriculture of the United States, authorized officers of the bureau of animal industry of such department, the state livestock animal health commissioner of Kansas and the authorized deputies of such officials shall have free access to enter upon the

premises of any and all persons who own or are in possession of domestic animals and free access to inspect and examine all such domestic animals which are:

- (a) ~~Which are~~ Affected with any infectious or contagious disease; ~~or~~
- (b) ~~which are~~ suspected or reported to be affected with any infectious or contagious disease; ~~or~~
- (c) ~~which are~~ located within any area which has been designated as a tuberculosis modified accredited area or brucellosis modified accredited area by the secretary of agriculture of the United States, or by an officer or authority under the United States department of agriculture, animal plant health inspection service, veterinary services or by the state livestock animal health commissioner; ~~or~~
- (d) ~~which are~~ within a herd that has been designated as accredited tuberculosis free or accredited brucellosis free; or
- (e) ~~which are~~ located upon the premises of an owner who has a herd of domestic animals which has been accredited as tuberculosis free or brucellosis free.

Sec. 75. K.S.A. 47-666 is hereby amended to read as follows: 47-666. Whenever the livestock animal health commissioner has decided that any swine is affected with vesicular exanthema and that it is necessary to order the animals killed in order to prevent the spread of such disease in Kansas, the livestock animal health commissioner shall proceed with the appraisal, condemnation and killing of the same such swine as authorized under K.S.A. 47-614 and 47-615, and amendments ~~to such sections thereto~~. The owner of such diseased animals which have been so killed and disposed of shall be entitled to receive from the state of Kansas $\frac{1}{3}$ of the difference between the appraised value of the animals and the salvage proceeds, if any, received by the owner from the destruction and disposal of such animals.

The livestock animal health commissioner shall draw a voucher upon the director of accounts and reports of the state of Kansas in favor of the owner of such diseased animals for the amount of indemnity for which such owner is entitled, and the director of accounts and reports is hereby authorized and directed to accept such vouchers so drawn by the state livestock animal health commissioner, such amounts to be paid for out of the funds appropriated for such purposes.

Sec. 76. K.S.A. 47-667 is hereby amended to read as follows: 47-667. As used in this act, unless the context otherwise requires: (a) "Commissioner" means the livestock animal health commissioner appointed by the ~~Kansas animal health board pursuant to K.S.A. 75-1901~~ secretary of agriculture pursuant to K.S.A. 74-5,119, and amendments thereto.

(b) "SPF" swine means specific pathogen free swine, which conform to the regulations and health standards prescribed by the commissioner.

(c) "Person" means any individual, partnership, firm, association or corporation.

Sec. 77. K.S.A. 2011 Supp. 47-672 is hereby amended to read as follows: 47-672. (a) The livestock animal health commissioner of the Kansas ~~animal health department~~ department of agriculture division of animal health is hereby authorized to supervise the operation of cattle and other animal dipping equipment which is used in the control and eradication of scabies in cattle and other animals and which is made available by the federal government for use by livestock producers and others under the supervision of the livestock animal health commissioner. The livestock animal health commissioner is hereby authorized to fix, charge and collect a fee from the owner of such cattle and other animals which are dipped as provided in this section, in an amount of not more

than \$5 per head, to recover all or part of the costs of operating and maintaining such cattle and other animal dipping equipment.

(b) All moneys received by the livestock animal health commissioner for fees under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal disease control fund, which is hereby created. All expenditures from the animal disease control fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the livestock animal health commissioner or by a person or persons designated by the livestock animal health commissioner.

Sec. 78. K.S.A. 47-673 is hereby amended to read as follows: 47-673. (a) The livestock animal health commissioner is hereby authorized to take control of any pseudorabies infected herd of swine from the owner. A pseudorabies infected herd of swine is a herd that has been determined to be infected with pseudorabies virus by official pseudorabies testing procedures conducted at approved veterinary diagnostic laboratories from adequate samples collected from the herd by an accredited veterinarian.

(b) For any such herd, the livestock animal health commissioner shall develop and monitor a mandatory infected herd plan to eradicate the virus from the owner's premises. If, in the opinion of the livestock animal health commissioner, sufficient progress toward pseudorabies free status, as defined in the state-federal-industry pseudorabies eradication program as in effect on the effective date of this act, is not being made, the livestock animal health commissioner shall order the depopulation of such herd.

(c) Whenever any swine are depopulated under provisions of this act by order of the livestock animal health commissioner, the owner of such swine shall be paid for such swine in an amount determined by the livestock animal health commissioner from funds appropriated for such purpose by the legislature.

(d) The livestock animal health commissioner may adopt rules and regulations as necessary to carry out the purposes of this act.

Sec. 79. K.S.A. 2011 Supp. 47-674 is hereby amended to read as follows: 47-674. (a) The livestock animal health commissioner is authorized to cooperate with the United States department of agriculture, other state governmental officials, tribal officials and representatives of private industry, and subject to the provisions of subsection (d), to promulgate rules and regulations, to define premises where animals are located and to develop and implement a voluntary premises registration and animal identification and tracking system for Kansas.

(b) In the development of such system, the livestock animal health commissioner shall ensure that:

(1) The requirements are consistent with the federal program and with the United States animal identification plan;

(2) the costs and paperwork requirements are minimized for the registrant and the state; and

(3) the program is not duplicative of or in conflict with proposed federal requirements.

(c) The livestock animal health commissioner is authorized to prepare for the

implementation of a premises registration program for Kansas prior to implementation of a national animal identification or premises registration system. Such acts in preparation shall include, but not be limited to, public hearings, educational meetings, development of proposed rules and regulations and cooperative development with the department of agriculture of a proposal regarding infrastructure necessary for such implementation.

(d) If the United States department of agriculture issues proposed or final uniform methods and rules or regulations for the implementation of a voluntary national animal identification and tracking system or premises registration system, or the congress of the United States enacts requirements for a voluntary national animal identification and tracking system or premises registration system, the livestock animal health commissioner is authorized to promulgate such rules and regulations as may be reasonably necessary to implement voluntary premises registration and the national animal identification and tracking system to the extent authorized by federal requirements.

(e) Subject to appropriations therefor, the livestock animal health commissioner is authorized to hire, in accordance with the civil service act, not more than two employees for the purpose of carrying out the provisions of this section.

(f) The livestock animal health commissioner is authorized to enter into agreements with federal agencies or officials, other state agencies or officials, tribal officials or the owner of animals or such owner's authorized agent to coordinate efforts and share records and data systems pursuant to law to maximize the efficiency and effectiveness of this section.

(g) Any data or records provided or obtained pursuant to this section to an official of the Kansas department of agriculture division of animal health department shall be considered confidential by the Kansas department of agriculture division of animal health department and shall not be disclosed to the public. The provisions of subsection (b) of K.S.A. 45-229, and amendments thereto, shall not apply to the provisions of this subsection.

(h) Any federal financial aid or assistance, grants, gifts, bequests, money or aid of any kind for premises registration or animal identification and tracking in Kansas, shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the premises registration and animal identification fund, which fund is hereby created. All expenditures from such fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the livestock animal health commissioner or by a person designated by the livestock animal health commissioner and shall be used solely for the administration of the voluntary premises registration or animal identification and tracking system.

(i) The livestock animal health commissioner shall form study groups representing the various animal species to be affected by the provisions of this section. Each such study group shall include representatives for each such specie selected by the livestock animal health commissioner and shall include assistance from the secretary of agriculture or the secretary's designees. Each such study group shall make recommendations to the livestock animal health commissioner regarding the development of premises registration, animal identification and tracking for purposes of

such systems, appropriations and fees necessary in administration of the program, enforcement provisions necessary in administration of the program and other issues related to the administration of the program.

~~(j) The livestock commissioner shall prepare a report and present such report to the legislature by February 1, 2006, on the status of the state and federal voluntary premises registration and animal identification and tracking systems. Such report shall include the recommendations of the livestock commissioner, appropriations and fees necessary in administration of the system, enforcement provisions necessary in administration of the system and any other recommendation deemed necessary by the livestock commissioner to carry out the provisions of this section.~~

Sec. 80. K.S.A. 2011 Supp. 47-816 is hereby amended to read as follows: 47-816. As used in the Kansas veterinary practice act:

(a) "Animal" means any mammalian animal other than human and any fowl, bird, amphibian, fish or reptile, wild or domestic, living or dead.

(b) "Board" means the state board of veterinary examiners.

(c) "Companion animal" means any dog, cat or other domesticated animal possessed by a person for purposes of companionship, security, hunting, herding or providing assistance in relation to a physical disability but shall exclude any animal raised on a farm or ranch and used or intended for use as food.

(d) "Clock hour of continuing education" means 60 minutes of participation in a continuing education program or activity which meets the minimum standards for continuing education according to rules and regulations adopted by the board.

(e) "Direct supervision" means the supervising licensed veterinarian:

(1) Is on the veterinary premises or in the same general area in a field setting;

(2) is quickly and easily available;

(3) examines the animal prior to delegating any veterinary practice activity to the supervisee and performs any additional examination of the animal required by good veterinary practice; and

(4) delegates only those veterinary practice activities which are consistent with rules and regulations of the board regarding employee supervision.

(f) "Licensed veterinarian" means a veterinarian who is validly and currently licensed to practice veterinary medicine in this state.

(g) "Indirect supervision" means that the supervising licensed veterinarian:

(1) Is not on the veterinary premises or in the same general area in a field setting, but has examined the animal and provided either written or documented oral instructions or a written protocol for treatment of the animal patient, except that in an emergency, the supervising licensed veterinarian may provide oral instructions prior to examining the animal and subsequently examine the animal and document the instruction in writing;

(2) delegates only those veterinary practice tasks which are consistent with the rules and regulations of the board regarding employee supervision; and

(3) the animal being treated is not anesthetized as defined in rules and regulations.

(h) "Practice of veterinary medicine" means any of the following:

(1) To diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, defect, injury or other physical or mental condition; including the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthesia or other therapeutic or diagnostic substance or technique on any animal,

including, but not limited to, acupuncture, surgical or dental operations, animal psychology, animal chiropractic, theriogenology, surgery, including cosmetic surgery, any manual, mechanical, biological or chemical procedure for testing for pregnancy or for correcting sterility or infertility or to render service or recommendations with regard to any of the above and all other branches of veterinary medicine.

(2) To represent, directly or indirectly, publicly or privately, an ability and willingness to do any act described in paragraph (1).

(3) To use any title, words, abbreviation or letters in a manner or under circumstances which induce the belief that the person using them is qualified to do any act described in paragraph (1). Such use shall be *prima facie* evidence of the intention to represent oneself as engaged in the practice of veterinary medicine.

(4) To collect blood or other samples for the purpose of diagnosing disease or conditions. This shall not apply to unlicensed personnel employed by the United States department of agriculture, ~~the Kansas animal health department~~ or the Kansas department of agriculture who are engaged in such personnel's official duties.

(5) To apply principles of environmental sanitation, food inspection, environmental pollution control, animal nutrition, zoonotic disease control and disaster medicine in the promotion and protection of public health in the performance of any veterinary service or procedure.

(i) "School of veterinary medicine" means any veterinary college or division of a university or college that offers the degree of doctor of veterinary medicine or its equivalent, which conforms to the standards required for accreditation by the American veterinary medical association and which is recognized and approved by the board.

(j) "Veterinarian" means a person who has received a doctor of veterinary medicine degree or the equivalent from a school of veterinary medicine.

(k) "Veterinary premises" means any premises or facility where the practice of veterinary medicine occurs, including, but not limited to, a mobile clinic, outpatient clinic, satellite clinic or veterinary hospital or clinic, but shall not include the premises of a veterinary client, research facility, a federal military base, Kansas state university college of veterinary medicine or any premises wherein the practice of veterinary medicine occurs no more than three times per year as a public service outreach of a registered veterinary premises.

(l) "Graduate veterinary technician" means a person who has graduated from an American veterinary medical association accredited school approved by the board.

(m) "Registered veterinary technician" means a person who is a graduate veterinary technician, has passed the examinations required by the board for registration and is registered by the board.

(n) "Veterinary-client-patient relationship" means:

(1) The veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal or animals and the need for medical treatment, and the client, owner or other caretaker has agreed to follow the instruction of the veterinarian;

(2) there is sufficient knowledge of the animal or animals by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal or animals. This means that the veterinarian has recently seen or is personally acquainted with the keeping and care of the animal or animals by virtue of an examination of the animal or animals, or by medically appropriate and timely visits to

the premises where the animal or animals are kept, or both; and

(3) the practicing veterinarian is readily available for followup in case of adverse reactions or failure of the regimen of therapy.

(o) "Veterinary prescription drugs" means such prescription items as defined by 21 U.S.C. ~~See~~ § 353, as in effect on July 1, 2001.

(p) "Veterinary corporation" means a professional corporation of licensed veterinarians incorporated under the professional corporation act of Kansas, cited at K.S.A. 17-2706 *et seq.*, and amendments thereto.

(q) "Veterinary partnership" means a partnership pursuant to the Kansas uniform partnership act, cited at K.S.A. 56a-101 *et seq.*, and amendments thereto, formed by licensed veterinarians engaged in the practice of veterinary medicine.

(r) "Person" means any individual, corporation, partnership, association or other entity.

Sec. 81. K.S.A. 47-1001 is hereby amended to read as follows: 47-1001. As used in this act, except where the context clearly indicates a different meaning:

(a) "Commissioner" means the ~~livestock~~ animal health commissioner of the state of Kansas.

(b) "Livestock" means and includes cattle, swine, sheep, goats, horses, mules, domesticated deer, all creatures of the ratite family that are not indigenous to this state, including, but not limited to, ostriches, emus and rheas, and any other animal as deemed necessary by the commissioner established through rules and regulations.

(c) "Person" means and includes any individual, partnership, corporation or association.

(d) "Producer" means any person engaged in the business of breeding, grazing or feeding livestock.

(e) "Consignor" means any person who ships or delivers to any public livestock market livestock for handling, sale or resale at a public livestock market.

(f) "Public livestock market" means any place, establishment or facility commonly known as a "livestock market," "livestock auction market," "sales ring," "stockyard," "community sale" as such term is used in article 10 of chapter 47 of the Kansas Statutes Annotated, and amendments thereto, which includes any business conducted or operated for compensation or profit as a public market for livestock, consisting of pens, or other enclosures, and their appurtenances, in which livestock are received, held, sold or kept for sale or shipment except that this term shall not apply to any livestock market where federal veterinary inspection is regularly maintained.

(g) "Public livestock market operator" means any person who, in this state, receives on consignment, or solicits from the producer or consignor thereof, or holds in trust or custody for another, any livestock for sale or exchange, on behalf of such producer or consignor at a public livestock market, or sells, or offer for sale, at a public livestock market, for the account of the producer or consignor thereof, any livestock or directly or indirectly owns, conducts or operates a public livestock market. The term "public livestock market operator" shall not be construed to include any packer or agent of a packer who receives or purchases livestock for prompt slaughter.

(h) "Packer" means any person engaged in the business of buying livestock for purposes of slaughter, or of manufacturing or preparing meats or meat food products for sale or shipment, or of manufacturing or preparing livestock products for sale or shipment, or of marketing meats, meat food products, livestock products, dairy

products, poultry or poultry products.

(i) "Board" means any three members of the Kansas animal health board designated by the chairperson of the Kansas animal health board for each particular hearing. The chairperson may be included in such designation.

(j) "Dealer" as used in article 10 of chapter 47 of the Kansas Statutes Annotated, ~~to which this act is amendatory and supplemental and amendments thereto,~~ shall have the same meaning as the term "public livestock market operator."

(k) "Domesticated deer" means any member of the family cervidae which was legally obtained and is being sold or raised in a confined area for breeding stock; for any carcass, skin or part of such animal; for exhibition; or for companionship.

(l) "Occasional livestock sale" means livestock auctions or sales, that receive on consignment, or solicits from the producer or consignor thereof, or holds in trust or custody for another, any livestock for sale or exchange, on behalf of such producer or consignor at such auction or sale, or sells, or offers for sale, at such auction or sale, for the account of the producer or consignor thereof, any livestock or directly or indirectly owns, conducts or operates such auction or sale and such auctions or sales are held 12 or less times per year.

(m) "Electronic auction" means a live audio-visual broadcast of an actual auction where livestock are offered for sale and shall include auctions conducted by satellite communications and over the internet.

Sec. 82. K.S.A. 47-1001d is hereby amended to read as follows: 47-1001d. (a) The livestock animal health commissioner, through rules and regulations, may exempt occasional livestock sales or issue a license for such occasional livestock sales at a fee of not more than \$100 without a hearing.

(b) All livestock consigned and delivered on the premises of any licensed occasional livestock sale, before being offered for sale, shall be inspected by a licensed veterinarian who shall visually examine each animal consigned to such sale, for the purpose of determining its condition of health and freedom of clinical signs of infectious or contagious animal diseases that are determined to be reportable by the livestock animal health commissioner. Such veterinarian may issue certificates of inspections, on a form to be approved by the commissioner.

(c) Licensed occasional livestock sales shall not: (1) Collect a fee per head pursuant to K.S.A. 47-1011, and amendments thereto; (2) collect an inspection fee per head pursuant to K.S.A. 47-1008, and amendments thereto; or (3) be required to furnish a bond in the manner required by K.S.A. 47-1002, and amendments thereto.

Sec. 83. K.S.A. 2011 Supp. 47-1001e is hereby amended to read as follows: 47-1001e. (a) Each livestock market operator shall pay annually, on or before June 30, a renewal market license fee in an amount set by the Kansas animal health board and adopted by rules and regulations of the commissioner of not more than \$250 to the commissioner for each public livestock market operated by such operator, which payment shall constitute a renewal until June 30 of the following year. The renewal market license fee established by this section on the day preceding the effective date of this act shall continue in effect until a different renewal market license fee is set as provided under this section.

(b) Any person who owns or operates an electronic auction which is simulcast into the state of Kansas and at which livestock located in the state of Kansas are offered for sale, shall apply to the livestock animal health commissioner for an electronic auction

license. A license shall be granted to such person upon a showing that such person meets the bond requirements, as established in K.S.A. 47-1002, and amendments thereto, and has paid an annual fee in an amount set by the Kansas animal health board and adopted by rules and regulations of the commissioner of not more than \$250. Any such license shall expire on June 30 of each year.

Sec. 84. K.S.A. 2011 Supp. 47-1008 is hereby amended to read as follows: 47-1008. (a) Livestock shall not be offered for sale or sold at any licensed public livestock market if such livestock:

(1) Is infected with a disease that permanently renders the livestock unfit for human consumption;

(2) has severe neoplasia;

(3) has severe actinomycosis;

(4) is unable to rise to its feet by itself; or

(5) has an obviously fractured long bone or other fractures or dislocation of a joint that renders the livestock unable to bear weight on the affected limb without that limb collapsing.

(b) If, in the judgment of an accredited veterinarian, the livestock consigned and delivered on the premises of any licensed public livestock market is in any of the conditions described in subsection (a), such veterinarian shall euthanize humanely the livestock or direct the consignor to immediately remove the livestock from the premises of the public livestock market. All expenses incurred for euthanasia and disposal of the livestock under the provisions of this subsection shall be the responsibility of the consignor. Collection of expenses shall not be the responsibility of the consignee.

(c) All livestock consigned and delivered on the premises of any licensed public livestock market, before being offered for sale, shall be inspected by a veterinarian authorized by the commissioner who shall visually examine or test, or both, each animal consigned to such market, for the purpose of determining its condition of health and freedom of clinical signs of infectious or contagious animal diseases that are determined to be reportable by the livestock animal health commissioner. Such regulatory veterinary services shall be contracted for by the livestock animal health commissioner who shall select an accredited veterinarian for each public livestock market. The public livestock market operator, for each public livestock market, shall submit to the livestock animal health commissioner a list of accredited veterinarians to be considered for the position or positions. Such veterinarian shall be authorized to make all required examinations and tests, and to issue certificates of inspection at the public livestock market where such veterinarian serves. All livestock sold, resold, exchanged or transferred, or offered for sale or exchange at a livestock market shall be treated as may be necessary to prevent the spread of contagious or infectious diseases. A certificate of inspection, on a form to be approved by the commissioner, shall be issued to the purchaser by the inspector. For the visual inspection of livestock offered for sale, there shall be collected by the market operator from the consignor a fee which shall be determined by negotiation between the market operator and the market veterinarian but shall not be less than \$.07 per head, except that no fee for inspection shall be collected unless the inspection actually has been made. If the charges per head collected on all livestock inspected at a livestock market on any sales day do not amount to a minimum per diem of \$40 or any amount greater than \$40 negotiated by the operator, the market operator shall be required to supply sufficient funds to provide such amount. Any

amount lesser or greater than the \$40 amount specified, shall be determined by negotiation between the market operator and the market veterinarian. A copy of any agreement or contract shall be on file with the commissioner. Payments for veterinary services rendered under a contract as provided in this section shall be paid from the veterinary inspection fee fund, and for such services rendered prior to the end of a fiscal year, payment may be made within 90 days after the end of the fiscal year.

(d) Livestock market operators shall pay amounts received and amounts due under this section to the ~~livestock~~ animal health commissioner. The commissioner shall remit all such amounts received to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the veterinary inspection fee fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the commissioner or by a person or persons designated by such commissioner.

(e) The ~~livestock~~ animal health commissioner shall promulgate rules and regulations as may be necessary to carry out the purposes of this section, including, but not limited to, rules and regulations designating any disease as a disease that renders livestock or the carcasses thereof permanently unfit for human consumption. The ~~livestock~~ animal health commissioner shall promulgate all such rules and regulations in accordance with existing antemortem inspection regulations promulgated by the United States department of agriculture food safety and inspection service, as in effect on July 1, 1997.

(f) All livestock sold by a licensed electronic auction, before being delivered to an out-of-state buyer, shall have a health certificate issued by a licensed, accredited veterinarian. Kansas buyers shall be furnished a health certificate upon request.

Sec. 85. K.S.A. 2011 Supp. 47-1011a is hereby amended to read as follows: 47-1011a. (a) The public livestock market operator shall collect from the consignor of cattle sold at a public livestock market, where brand inspection of such cattle is requested, by the public livestock market operator, as a brand inspection fee, in addition to amounts specified in K.S.A. 47-1011, and amendments thereto, a sum of not more than \$.40 per head on all such cattle. Such amount shall be determined by the ~~livestock~~ animal health commissioner. If a public livestock market operator requests brand inspection at a public livestock market pursuant to this section, the public livestock market operator shall contract with the ~~livestock~~ animal health commissioner to perform such brand inspection services.

(b) Where cattle consigned to, or sold at, such public livestock market originate in, and have brand inspection clearance from a county option brand inspection area, operating under K.S.A. 47-434 through 47-445, and amendments thereto, such livestock brand inspection fee under this section shall not be required.

(c) The public livestock market operator shall pay all amounts received under this section to the ~~livestock~~ animal health commissioner.

(d) The ~~livestock~~ animal health commissioner shall remit all amounts received under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the livestock market brand inspection fee fund. All expenditures from such fund shall be made in accordance

with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the ~~livestock animal health~~ commissioner or by a person or persons designated by the commissioner.

Sec. 86. K.S.A. 2011 Supp. 47-1201 is hereby amended to read as follows: 47-1201. As used in this act, except where the context clearly indicates a different meaning:

(a) "Commissioner" means the ~~livestock animal health~~ commissioner of the state of Kansas.

(b) "Person" means any individual, partnership, firm, corporation or association.

(c) "Disposal plant" means a place of business or a location where the carcasses of domestic animals or packing house refuse is purchased, received or unloaded and where such carcasses or refuse are processed for the purpose of obtaining the hide, skin, grease, residue, or any other byproduct from the animal or refuse, in any way whatsoever.

(d) "Substation" means a concentration site equipped with at least one storage building and operated and maintained for the temporary deposit or storage of the carcasses of domestic animals pending final delivery of the carcasses to the disposal plant.

(e) "Place of transfer" means a reloading site, authorized for use in direct transferring of carcasses of domestic animals from vehicles making original pickup or loading to a line vehicle for the transportation of the carcasses to the disposal plant.

(f) "Carcasses of domestic animals" means bodies, or any part or portion thereof, of dead domestic animals not slaughtered for human food.

Sec. 87. K.S.A. 2011 Supp. 47-1218 is hereby amended to read as follows: 47-1218. (a) All moneys received by the ~~livestock animal health~~ commissioner under article 12 of chapter 47 of Kansas Statutes Annotated, and amendments thereto, shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal disease control fund.

(b) On July 1, 1986, the director of accounts and reports shall transfer all moneys in the animal health department fee fund to the animal disease control fund. On July 1, 1986, all liabilities of the animal health department fee fund are hereby imposed upon the animal disease control fund, and the animal health department fee fund is hereby abolished.

Sec. 88. K.S.A. 2011 Supp. 47-1302 is hereby amended to read as follows: 47-1302. (a) Except as provided in subsection (b) ~~or (c)~~, it shall be unlawful for any person, firm, partnership or corporation to feed garbage to animals.

(b) ~~Any person, firm, partnership or corporation who on the effective date of this act is registered as a garbage feeding operator may continue to feed garbage to animals through October 31, 2001, if such garbage has been heated to a temperature of 212 degrees Fahrenheit (boiling point) for at least 30 minutes as provided by rules and regulations promulgated by the state livestock commissioner.~~

~~(c)~~ Nothing in this section shall prohibit an individual from feeding such individual's own animals only the garbage obtained from such individual's own household.

Sec. 89. K.S.A. 2011 Supp. 47-1303 is hereby amended to read as follows: 47-1303. (a) It shall be unlawful for the governing body of any city, or any official or

employee of a city, to enter into any contract or agreement for the collection or disposal of garbage unless such contract or agreement requires a disposal of garbage in accordance with rules and regulations of the state livestock animal health commissioner, when disposed of by other means.

(b) It shall be unlawful for any person to give, sell or transfer garbage to another person, if such person knows that such other person is commercially feeding the garbage to a cloven hoofed animal.

Sec. 90. K.S.A. 2011 Supp. 47-1304 is hereby amended to read as follows: 47-1304. The state livestock animal health commissioner is hereby authorized to promulgate and enforce all rules and regulations deemed necessary to carry out the provisions of K.S.A. 47-1301 through 47-1307, and amendments thereto.

Sec. 91. K.S.A. 47-1501 is hereby amended to read as follows: 47-1501. As used in this act:

(a) "Feedlot" means: (1) A livestock feedlot, or feed yard, having more than 1,000 head of livestock at one time during the licensed year; or (2) any other livestock feedlot whose operator elects to come under this act.

(b) "Feed yard feeding" means the feeding of livestock in lots or pens which are not used normally for raising crops and in which no vegetation, intended for livestock feed, is growing.

(c) "Livestock" means cattle, swine, sheep and horses.

(d) "Operator" means the owner, or the person having charge or control, of a feedlot.

(e) "Person" means an individual, a corporation, a group of individuals, joint venturers, a partnership or any other business entity.

(f) "Commissioner" means the state livestock animal health commissioner.

(g) "Board" means the Kansas animal health board.

Sec. 92. K.S.A. 2011 Supp. 47-1503 is hereby amended to read as follows: 47-1503. (a) It shall be unlawful for any person to operate a feedlot within the state of Kansas without having first obtained a license from the livestock animal health commissioner authorizing and permitting such operation.

(b) An operator of any feedlot in the state of Kansas, or a person desiring to operate a feedlot in the state of Kansas, shall obtain, from the livestock animal health commissioner, a license to operate a feedlot, unless exempted therefrom. The owner or operator of any livestock feedlot, with a capacity of less than 1,000 head of livestock, may apply for and obtain a license for feedlot operations, if such owner or operator chooses and elects to come under the terms and provisions of this act, but the licensing for operations at a capacity of less than 1,000 head shall not be required.

(c) Application for a livestock feedlot license shall be filed with the livestock animal health commissioner, on a form prescribed and furnished by the commissioner. Upon the filing of such an application and payment of the required fees, the commissioner shall issue a livestock feedlot license to such applicant, provided the application discloses information assuring the commissioner that the operation of such feedlot will be conducted in accordance with the standards set forth elsewhere in this act, and with rules and regulations adopted by the commissioner.

(d) Feedlot licenses shall be issued for the term of one year, to expire on June 30 following the date of issuance. Feedlot licenses may be continued in force by annual renewal or extension of such license with the payment of an annual license fee, and

with continued compliance by the operator with the provisions of this act, ~~and acts amendatory of the provisions thereof and supplemental thereto,~~ and rules and regulations adopted hereunder.

(e) Each cattle feedlot operator, who shall be granted a license, shall pay a fee in an amount set by the Kansas animal health board and adopted by rules and regulations of the commissioner for such license and for annual renewal thereof, in accordance with and subject to the following schedule of maximum fees:

<i>Feedlot capacity</i>	<i>Maximum fee</i>
Under 1,000 head.....	\$75
1,000 to 2,999 head.....	\$350
3,000 to 5,999 head.....	\$650
6,000 to 9,999 head.....	\$750
10,000 to 17,999 head.....	\$1,100
18,000 to 29,999 head.....	\$1,500
30,000 to 49,999 head.....	\$1,650
50,000 to 99,999 head.....	\$1,800
100,000 head and over.....	\$2,000

The fees established by this subsection on the day preceding the effective date of this act shall continue in effect until different fees are set as provided under this subsection.

(f) For the purposes of this subsection, "animal unit" means the number of swine weighing more than 55 pounds multiplied by 0.4; plus the number of swine weighing 55 pounds or less multiplied by 0.1; plus the number of sheep or lambs multiplied by 0.1; plus the number of goats multiplied by 0.1. Each swine, sheep and goat feedlot operator, who shall be granted a license, shall pay a fee in an amount set by the Kansas animal health board and adopted by rules and regulations of the commissioner for such license and for annual renewal thereof, in accordance with and subject to the following schedule of maximum fees:

<i>Feedlot capacity</i>	<i>Maximum fee</i>
300 to 999 Animal units.....	\$75
1,000 to 2,999 Animal units.....	\$350
3,000 to 5,999 Animal units.....	\$650
6,000 to 9,999 Animal units.....	\$750
10,000 to 17,999 Animal units.....	\$1,100
18,000 to 29,999 Animal units.....	\$1,500
30,000 to 49,999 Animal units.....	\$1,650
50,000 to 99,999 Animal units.....	\$1,800
100,000 Animal units and over.....	\$2,000

(g) If an original feedlot license expires within six months after date of issuance, only 50% of the applicable license fee shall be required. An application for feedlot license shall not be approved, nor shall a license be issued to any applicant unless the application is accompanied by the applicable license fee under the schedule of fees in this section. Each licensed feedlot operator shall pay an annual license fee in accordance with the schedule of fees in this section and, upon payment of such fee and a showing of compliance with other requirements, shall be entitled to a renewal or extension of such operator's license for the ensuing license year.

(h) The ~~livestock~~ animal health commissioner shall remit all moneys received by or for the commissioner under article 15 of chapter 47 of Kansas Statutes Annotated, and

amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal disease control fund.

Sec. 93. K.S.A. 47-1506 is hereby amended to read as follows: 47-1506. (a) The animal health commissioner shall have the power to: (1) Receive applications for feedlot licenses; (2) issue licenses to qualifying applicants; (3) make and enforce reasonable regulations pertaining to the operation of feedlots, within the framework of the standards set forth in this act, and acts amendatory and supplemental thereto; (4) make rules of procedure for the administration and enforcement of this act; and (5) determine adequateness of the compliance with the requirements fixed in standards prescribed in this act.

(b) The commissioner shall have the duty to: (1) Prepare, design and have printed application forms which shall be available to feedlot operators and to applicants for such a license. Such forms shall provide for answers and statements by applicants, to disclose whether such applicants can, and are capable of complying with standards of operation set forth in this act, and as set forth in the regulations made by such commissioner under authority of this act; (2) keep, maintain and compile all necessary records; and (3) undertake and carry through research studies, investigations and surveys which are needed and required for the proper administration of this act.

(c) The commissioner shall have the power to call upon the university of Kansas and Kansas state university for aid and assistance in conducting such research studies and surveys.

(d) The commissioner, or authorized agents or employees, are authorized to investigate all complaints concerning the operation of feedlots within the state of Kansas when an operator of such a feedlot is charged with any violations of the provisions of this act. The commissioner shall have the power to enter upon feedlot premises and to investigate the methods of operation of all such feedlots.

(e) The commissioner shall have the power and the duty to suspend or revoke the license of any feedlot operator; after a hearing; and after an administrative determination that such an operator has violated, or has failed to comply with any of the provisions of this act, or any regulation adopted thereunder. The commissioner shall have the power and duty to reinstate any such suspended or revoked licenses, upon a satisfactory and acceptable showing and assurance that such feedlot operator conducted feedlot operations in conformity with, and in compliance with, the provisions of this act and regulations adopted thereunder, and that such conformity and compliance will be continuous. A feedlot license shall not be suspended or revoked by the commissioner, until charges have been submitted, in writing, concerning alleged violations, and until the licensee shall have been given an opportunity to be heard in such licensee's defense in accordance with the provisions of the Kansas administrative procedure act.

Sec. 94. K.S.A. 47-1511 is hereby amended to read as follows: 47-1511. Upon request of the ~~livestock~~ animal health commissioner, the secretary of health and environment shall make staff engineers available to assist; (1) An operator of any feedlot in the state of Kansas; and (2) any person who has applied for a license to operate a feedlot in the state of Kansas, in the development of plans and in the design for the construction of facilities for a feedlot in order to control pollution of streams and lakes. Nothing in this act shall be construed as limiting the authority of the secretary of

health and environment in matters of stream and lake pollution as provided for in K.S.A. 65-161 ~~to through~~ 65-171h, ~~inclusive~~, and amendments thereto.

Sec. 95. K.S.A. 47-1701 is hereby amended to read as follows: 47-1701. As used in the Kansas pet animal act, unless the context otherwise requires:

(a) "Adequate feeding" means supplying, at suitable intervals (not to exceed 24 hours), ~~of~~ a quantity of wholesome foodstuff, suitable for the animal species and age, and sufficient to maintain a reasonable level of nutrition in each animal.

(b) "Adequate watering" means a supply of clean, fresh, potable water, supplied in a sanitary manner and either continuously accessible to each animal or supplied at intervals suitable for the animal species, not to exceed intervals of 12 hours.

(c) "Ambient temperature" means the temperature surrounding the animal.

(d) (1) "Animal" means any live dog, cat, rabbit, rodent, nonhuman primate, bird or other warm-blooded vertebrate or any fish, snake or other cold-blooded vertebrate.

(2) Animal does not include horses, cattle, sheep, goats, swine, ratites, domesticated deer or domestic fowl.

(e) "Animal breeder" means any person who operates animal breeder premises.

(f) "Animal breeder premises" means any premises where all or part of six or more litters of dogs or cats, or both, or 30 or more dogs or cats, or both, are sold, or offered or maintained for sale, primarily at wholesale for resale to another.

(g) "Animal shelter" or "pound" means a facility which is used or designed for use to house, contain, impound or harbor any seized stray, homeless, relinquished or abandoned animal or a person who acts as an animal rescuer, or who collects and cares for unwanted animals or offers them for adoption. Animal shelter or pound also includes a facility of an individual or organization, profit or nonprofit, maintaining 20 or more dogs or cats, or both, for the purpose of collecting, accumulating, amassing or maintaining the animals or offering the animals for adoption.

(h) "Cat" means an animal which is wholly or in part of the species *Felis domesticus*.

(i) "Commissioner" means the ~~livestock animal health~~ commissioner appointed by the ~~Kansas animal health board~~ secretary of agriculture.

(j) "Dog" means any animal which is wholly or in part of the species *Canis familiaris*, but does not include any greyhound, as defined by K.S.A. 74-8802, and amendments thereto.

(k) "Animal control officer" means any person employed by, contracted with or appointed by the state, or any political subdivision thereof, for the purpose of aiding in the enforcement of this law, or any other law or ordinance relating to the licensing or permitting of animals, control of animals or seizure and impoundment of animals, and includes any state, county or municipal law enforcement officer, dog warden, constable or other employee, whose duties in whole or in part include assignments which involve the seizure or taking into custody of any animal.

(l) "Euthanasia" means the humane destruction of an animal, which may be accomplished by any of those methods provided for in K.S.A. 47-1718, and amendments thereto.

(m) "Hobby breeder premises" means any premises where all or part of 3, 4 or 5 litters of dogs or cats, or both, are produced for sale or sold, offered or maintained for sale. This provision applies only if the total number of dogs or cats, or both, sold, offered or maintained for sale is less than 30 individual animals.

- (n) "Hobby breeder" means any person who operates a hobby breeder premises.
- (o) "Housing facility" means any room, building or area used to contain a primary enclosure or enclosures.
- (p) "Kennel operator" means any person who operates an establishment where four or more dogs or cats, or both, are maintained in any one week for boarding, training or similar purposes for a fee or compensation.
- (q) "Kennel operator premises" means the facility of a kennel operator.
- (r) "License year" or "permit year" means the 12-month period ending on June 30.
- (s) "Person" means any individual, association, partnership, corporation or other entity.
- (t) (1) "Pet shop" means any premises where there are sold, or offered or maintained for sale, at retail and not for resale to another:
- (A) Any dogs or cats, or both; or (B) any other animals except those which are produced and raised on such premises and are sold, or offered or maintained for sale, by a person who resides on such premises.
- (2) Pet shop does not include: (A) Any pound or animal shelter; (B) any premises where only fish are sold, or offered or maintained for sale; or (C) any animal distributor premises, hobby breeder premises, retail breeder premises or animal breeder premises.
- (3) Nothing in this section prohibits inspection of those premises which sell only fish to verify that only fish are being sold.
- (u) "Pet shop operator" means any person who operates a pet shop.
- (v) "Primary enclosure" means any structure used or designed for use to restrict any animal to a limited amount of space, such as a room, pen, cage, compartment or hutch.
- (w) "Research facility" means any place, laboratory or institution, except an elementary school, secondary school, college or university, at which any scientific test, experiment or investigation involving the use of any living animal is carried out, conducted or attempted.
- (x) "Sale," "sell" and "sold" include transfers by sale or exchange. Maintaining animals for sale is presumed whenever 20 or more dogs or cats, or both, are maintained by any person.
- (y) "Sanitize" means to make physically clean and to remove and destroy, to a practical minimum, agents injurious to health, at such intervals as necessary.
- (z) "Animal distributor" means any person who operates an animal distributor premises.
- (aa) "Animal distributor premises" means the premises of any person engaged in the business of buying for resale dogs or cats, or both, as a principal or agent, or who holds such distributor's self out to be so engaged.
- (bb) "Out-of-state distributor" means any person residing in a state other than Kansas, who is engaged in the business of buying for resale dogs or cats, or both, within the state of Kansas, as a principal or agent.
- (cc) "Food animals" means rodents, rabbits, reptiles, fish or amphibians that are sold or offered or maintained for sale for the sole purpose of being consumed as food by other animals.
- (dd) (1) "Adequate veterinary medical care" means:
- (A) A documented program of disease control and prevention, euthanasia and routine veterinary care shall be established and maintained under the supervision of a licensed veterinarian, on a form provided by the commissioner, and shall include a

documented on-site visit to the premises by the veterinarian at least once a year; and

(B) that diseased, ill, injured, lame or blind animals shall be provided with veterinary care as is needed for the health and well-being of the animal.

(2) As used in the Kansas pet animal act, "adequate veterinary medical care" shall not apply to United States department of agriculture licensed animal breeders or animal distributors.

(ee) "Ratites" means all creatures of the ratite family that are not indigenous to this state, including, but not limited to, ostriches, emus and rheas.

(ff) "Retail breeder" means any person who operates a retail breeder premises.

(gg) "Retail breeder premises" means any premises where all or part of six or more litters or 30 or more dogs or cats, or both, are sold, or offered or maintained for sale, primarily at retail and not for resale to another.

(hh) "Retail" means any transaction where the animal is sold to the final consumer.

(ii) "Wholesale" means any transaction where the animal is sold for the purpose of resale to another.

Sec. 96. K.S.A. 2011 Supp. 47-1706a is hereby amended to read as follows: 47-1706a. (a) When an animal is seized or impounded pursuant to K.S.A. 47-1706, 47-1707 or 47-1715, and amendments thereto, the owner or person who was in possession of the animal at the time such animal was seized or impounded may post a cash or security bond as provided in this section which shall prevent the sale, placement or euthanasia of the animal. Such cash or security bond shall be in an amount sufficient to pay for the animal's care and keeping for a period of at least 30 days, commencing on the date which the animal was seized or impounded. Any such security bond or any security bond as provided in subsection (b) shall be approved by the Kansas ~~animal health department~~ department of agriculture division of animal health.

(b) Such bond shall be filed with the Kansas ~~animal health department~~ department of agriculture division of animal health and shall be posted on or before the date of the disposition hearing or within ~~ten~~ 10 days after the animal is seized or impounded, whichever is earlier. At the end of the time for which expenses are covered by the bond if the owner or person who was in possession of the animal at the time it was seized or impounded desires to prevent disposition of the animal, such owner or person shall post a new cash or security bond prior to the previous bond's expiration. At the end of the time for which expenses are covered by the bond, the animal may be sold, placed or euthanized.

(c) The authority seizing or impounding an animal shall give notice by delivering a copy of this section to a person residing on the property where the animal was seized or by posting a copy at the place where the animal was seized.

(d) Nothing in this section shall prevent the euthanasia at any time of an animal seized or impounded which is determined by a licensed veterinarian to be diseased or disabled beyond recovery for any useful purpose.

(e) This act is supplemental to and shall become a part of the Kansas pet animal act.

Sec. 97. K.S.A. 2011 Supp. 47-1709 is hereby amended to read as follows: 47-1709. (a) The commissioner or the commissioner's authorized, trained representatives shall make an inspection of the premises for which an application for an original license or permit is made under K.S.A. 47-1701 *et seq.*, and amendments thereto, before issuance of such license or permit. The application for a license shall conclusively be deemed to be the consent of the applicant to the right of entry and inspection of the

premises sought to be licensed or permitted by the commissioner or the commissioner's authorized, trained representatives at reasonable times with the owner or owner's representative present. Refusal of such entry and inspection shall be grounds for denial of the license or permit. Notice need not be given to any person prior to inspection.

(b) The commissioner or the commissioner's authorized, trained representatives may make an inspection of each premises for which a license or permit has been issued under K.S.A. 47-1701 *et seq.*, and amendments thereto. If such premises are premises of a person licensed or permitted under public law 91-579 (7 U.S.C. § 2131 *et seq.*), such premises may be inspected at least once each year. Otherwise, the premises may be inspected at least twice each year. The acceptance of a license or permit shall conclusively be deemed to be the consent of the licensee or permittee to the right of entry and inspection of the licensed or permitted premises by the commissioner or the commissioner's authorized, trained representatives at reasonable times with the owner or owner's representative present. Refusal of such entry and inspection shall be grounds for suspension or revocation of the license or permit. Notice need not be given to any person prior to inspection.

(c) The commissioner or the commissioner's authorized, trained representatives shall make inspections of the premises of a person required to be licensed or permitted under K.S.A. 47-1701 *et seq.*, and amendments thereto, upon a determination by the commissioner that there are reasonable grounds to believe that the person is violating the provisions of K.S.A. 47-1701 *et seq.*, and amendments thereto, or rules and regulations adopted thereunder or that there are grounds for suspension or revocation of such person's license or permit.

(d) Any complaint filed with the commissioner shall be confidential and shall not be released to any person other than employees of the commissioner as necessary to carry out the duties of their employment.

(e) Any person making inspections under this section shall be trained by the commissioner in reasonable standards of animal care.

(f) The commissioner may request a licensed veterinarian to assist in any inspection or investigation made by the commissioner or the commissioner's authorized representative under this section.

(g) Any person acting as the commissioner's authorized representative for purposes of making inspections and conducting investigations under this section who knowingly falsifies the results or findings of any inspection or investigation or who intentionally fails or refuses to make an inspection or conduct an investigation pursuant to this section shall be guilty of a class A nonperson misdemeanor.

(h) No person shall act as the commissioner's authorized representative for the purposes of making inspections and conducting investigations under this section if such person has a beneficial interest in a person required to be licensed or permitted pursuant to K.S.A. 47-1701 *et seq.*, and amendments thereto.

(i) Records of inspections pursuant to this section shall be maintained in the office of the Kansas ~~animal health department~~ department of agriculture division of animal health. Records of a deficiency or violation shall not be maintained for longer than three years after the deficiency or violation is remedied.

(j) The commissioner shall, in consultation with Kansas state university college of veterinary medicine: (1) Continue procedures to provide for pet animal training or updated training for authorized trained representatives who inspect premises under the

pet animal act and to allow the owners of such facilities licensed or permitted under the pet animal act to attend and participate at the training workshops for the authorized trained representatives; and (2) make available to such owners and other interested persons an inspection handbook describing the duties and responsibilities of such authorized trained representatives.

Sec. 98. K.S.A. 2011 Supp. 47-1721 is hereby amended to read as follows: 47-1721. (a) Each application for issuance or renewal of a license or permit required under K.S.A. 47-1701 *et seq.*, and amendments thereto, shall be accompanied by the fee prescribed by the commissioner under this section. Such fees shall be as follows:

(1) Except as provided in paragraph (5) or (6), for a license for premises of a person licensed under public law 91-579 (7 U.S.C. § 2131 *et seq.*), an amount not to exceed \$200;

(2) except as provided in paragraph (5) or (6), for a license for any other premises, an amount not to exceed \$405;

(3) for a temporary closing permit, an amount not to exceed \$95;

(4) for an out-of-state distributor permit, an amount not to exceed \$675;

(5) for a hobby breeder license or a kennel operator license an amount not to exceed \$95;

(6) for a license for an animal shelter or a pound, an amount not to exceed \$300; and

(7) a late fee of \$70 shall be assessed to any person whose permit or license renewal is more than 45 days¹ late.

(b) The commissioner shall determine annually the amount necessary to carry out and enforce K.S.A. 47-1701 *et seq.*, and amendments thereto, for the next ensuing fiscal year and shall fix by rules and regulations the license and permit fees for such year at the amount necessary for that purpose, subject to the limitations of this section. In fixing such fees, the commissioner may establish categories of licenses and permits, based upon the type of license or permit, size of the licensed or permitted business or activity and the premises where such business or activity is conducted, and may establish different fees for each such category. The fees in effect immediately prior to the effective date of this act shall continue in effect until different fees are fixed by the commissioner as provided by this subsection.

(c) If a licensee, permittee or applicant for a license or permit requests an inspection of the premises of such licensee, permittee or applicant, the commissioner shall assess the costs of such inspection, as established by rules and regulations of the commissioner, to such licensee, permittee or applicant.

(d) No fee or assessment required pursuant to this section shall be refundable.

(e) The commissioner shall remit all moneys received by or for the commissioner under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal dealers fee fund, which is hereby created in the state treasury. Moneys in the animal dealers fee fund may be expended only to administer and enforce K.S.A. 47-1701 *et seq.*, and amendments thereto. All expenditures from the animal dealers fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the Kansas ~~livestock~~ animal health commissioner or the commissioner's designee.

(f) Premises required to be licensed under the Kansas pet animal act shall not be required to pay for more than one license. If more than one operation is ongoing at the premises, each operation shall comply with the applicable statutes and rules and regulations pertaining to such operation.

(g) Except as provided further, when a premises required to be licensed or permitted under the Kansas pet animal act applies for an initial license or permit, the commissioner shall prorate to the nearest whole month the license or permit fee established in subsection (a). The commissioner shall have discretion to determine whether the application is an initial application or an application for a premises which has been doing business but is not licensed or permitted. If the commissioner determines the premises has been doing business without a license or permit, the commissioner is not required to prorate the fee.

(h) This section shall be part of and supplemental to K.S.A. 47-1701 *et seq.*, and amendments thereto.

Sec. 99. K.S.A. 47-1725 is hereby amended to read as follows: 47-1725. (a) There is hereby created the Kansas pet animal advisory board, consisting of 10 members. Members shall be appointed by the governor as follows:

- (1) One member shall be a representative of a licensed animal shelter or pound;
- (2) one member shall be an employee of a licensed research facility;
- (3) one member shall be a licensed animal breeder;
- (4) one member shall be a licensed retail breeder;
- (5) one member shall be a licensed pet shop operator;
- (6) one member shall be a licensed veterinarian and shall be selected from a list of three names presented to the governor by the Kansas veterinary medical association;
- (7) one member shall be a private citizen with no link to the industry;
- (8) one member shall be a licensed animal distributor;
- (9) one member shall be a licensed hobby breeder; and
- (10) one member shall be a licensed kennel operator.

(b) Of the members first appointed to the board, the governor shall designate three whose terms shall expire June 30, 1992; three whose terms shall expire June 30, 1993; and three whose terms shall expire June 30, 1994. After the expiration of such terms, each member shall be appointed for a term of three years and until a successor is appointed and qualified.

(c) A vacancy on the board of a member shall be filled for the unexpired term by appointment by the governor.

(d) The board shall meet at least once every calendar quarter regularly or at such other times as the chairperson or a majority of the board members determine. A majority of the members shall constitute a quorum for conducting board business.

(e) The members of the board shall annually elect a chairperson.

(f) The board shall have the following duties, authorities and powers:

- (1) To advise the Kansas ~~livestock~~ animal health commissioner on hiring a director to implement the Kansas pet animal act;
- (2) to review the status of the Kansas pet animal act;
- (3) to make recommendations on changes to the Kansas pet animal act; and
- (4) to make recommendations concerning the rules and regulations for the Kansas pet animal act.

(g) Board members who are required to be licensed, except retail breeders, shall be

affiliated with or a member of an organized pet animal association which is representative of the position such person will hold on the board.

(h) Upon the effective date of this act, the governor shall appoint a licensed kennel operator. When the current board members' terms expire, the governor shall appoint persons or representatives in accordance with this section.

Sec. 100. K.S.A. 2011 Supp. 47-1731 is hereby amended to read as follows: 47-1731. (a) No dog or cat may be transferred to the permanent custody of a prospective owner by a pound or animal shelter, as defined by K.S.A. 47-1701, and amendments thereto, or by a humane society, unless:

(1) Such dog or cat has been surgically spayed or neutered before the physical transfer of the animal occurs; or

(2) the prospective owner signs an agreement to have the dog or cat spayed or neutered and deposits with the pound or animal shelter funds not less than the lowest nor more than the highest cost of spaying or neutering in the community. Any funds deposited pursuant to such an agreement shall be refunded to such person upon presentation of a written statement signed by a licensed veterinarian that the dog or cat has been spayed or neutered. If such person does not reclaim the deposit within six months after receiving custody of the animal, the pound or animal shelter shall keep the deposit and may reclaim the unspayed or unneutered animal.

(b) No person shall spay or neuter any dog or cat for or on behalf of a pound or animal shelter unless such person is a licensed veterinarian or a student currently enrolled in the college of veterinary medicine, Kansas state university, who has completed at least two years of study in the veterinary medical curriculum and is participating in a spay or neuter program and as part of the curriculum under the direct supervision of a licensed veterinarian. Students shall only spay or neuter any dog or cat that belongs to the pound or animal shelter, and shall not spay or neuter any dog or cat that belongs to a member or of the public. No pound or animal shelter shall designate the veterinarian which a person must use, or a list from which a person must select a veterinarian, to spay or neuter a dog or cat transferred by such person from such pound or animal shelter. Any premises located in the state of Kansas where the spaying, neutering or any other practice of veterinary medicine occurs shall register such premises with the board of veterinary examiners.

(c) With the written approval of the livestock animal health commissioner, any pound or shelter may use an innovative spay or neuter program not precisely meeting the requirements of subsection (a)(2), if the pound or shelter can prove to the commissioner that it is actively enforcing the spaying and neutering requirements set forth in this statute.

(d) Nothing in this section shall be construed to require sterilization of a dog or cat which is being held by a pound or animal shelter and which may be claimed by its rightful owner within the holding period established in K.S.A. 47-1710, and amendments thereto.

(e) The livestock animal health commissioner shall promulgate rules and regulations as may be necessary to carry out the provisions of this section.

Sec. 101. K.S.A. 47-1735 is hereby amended to read as follows: 47-1735. (a) A licensee, permittee or applicant for a license or permit shall not interfere with, hinder, threaten or abuse, including verbal abuse, any representative or employee of the animal health department who is carrying out such representative's or employee's duties under

the provisions of the Kansas pet animal act.

(b) This section shall be part of and supplemental to the Kansas pet animal act.

Sec. 102. K.S.A. 47-1804 is hereby amended to read as follows: 47-1804. As used in this act, unless the context otherwise requires:

(a) "Commissioner" means the ~~livestock animal health~~ commissioner of the state of Kansas.

(b) "Livestock" means cattle, swine, horses, sheep, goats, poultry, all creatures of the ratite family that are not indigenous to this state, including, but not limited to, ostriches, emus and rheas and domesticated deer.

(c) (1) "Livestock dealer" means any person engaged in the business of buying or selling livestock in commerce, either on that person's own account or as the employee or agent of the seller or purchaser, or any person engaged in the business of buying or selling livestock in commerce on a commission basis and shall include any person who buys or sells livestock with the use of a video.

(2) "Livestock dealer" does not include any person who buys or sells livestock as part of that person's own breeding, feeding or dairy operation, nor any person who receives livestock exclusively for immediate slaughter.

(d) (1) "Person" means any individual, partnership, corporation, company, firm or association.

(2) "Person" does not include any public livestock market operator licensed under K.S.A. 47-1001 *et seq.*, and amendments thereto, or any feedlot operator licensed under K.S.A. 47-1501 *et seq.*, and amendments thereto.

(e) "Domesticated deer" means any member of the family cervidae which was legally obtained and is being sold or raised in a confined area for: (1) Breeding stock; ~~for~~ (2) any carcass, skin or part of such animal; ~~for~~ (3) exhibition; or ~~for~~ (4) companionship.

Sec. 103. K.S.A. 2011 Supp. 47-1805 is hereby amended to read as follows: 47-1805. (a) Any person operating as a livestock dealer in Kansas shall register with the Kansas ~~animal health department~~ department of agriculture division of animal health. Registration shall be made on an application form approved by the ~~livestock animal health~~ commissioner. The application shall be accompanied by the livestock dealer registration fee or renewal fee fixed by the commissioner under subsection (b). If an application for registration or renewal of registration is denied by the commissioner or withdrawn by the applicant, the fee shall not be refunded. Unless renewed under this section, each registration shall expire on the June 30 following the date of issuance.

(b) The ~~livestock animal health~~ commissioner shall determine annually the amount of funds which will be required for the administration and enforcement of this section and K.S.A. 47-1806, and amendments thereto, and shall fix and adjust from time to time a livestock dealer registration fee and a renewal fee in such reasonable amounts as may be necessary for such purposes, except that in no case shall either the livestock dealer registration fee or the renewal fee exceed \$75.

(c) The ~~livestock animal health~~ commissioner shall remit all moneys received by or for the commissioner under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal disease control fund.

Sec. 104. K.S.A. 47-1808 is hereby amended to read as follows: 47-1808. (a)

Except if bonded under the packers and stockyards act, 1921, as amended and supplemented, 7 U.S.C. § 181 *et seq.*, every livestock dealer required to be registered pursuant to K.S.A. 47-1805, and amendments thereto, upon notification by the livestock animal health commissioner of the amount of bond required, shall file with the livestock animal health commissioner a bond with good corporate surety qualified under the laws of the state of Kansas in a sum computed by dividing the dollar value of livestock sold during the preceding business year, or the substantial part of that business year, in which the livestock dealer did business, by the actual number of days on which livestock was sold. The divisor, the number of days on which livestock was sold, shall not exceed 130. The amount of bond coverage must be the next multiple of \$5,000 above the amount so determined. When the computation exceeds \$75,000, the amount of bond coverage need not exceed \$75,000 plus 10% of the excess over \$75,000, raised to the next \$5,000 multiple. In cases where a business operation is being commenced, an estimated amount of business to be transacted during the next 12 months may be used subject to adjustment later, if indicated. In no event shall the bond be for an amount less than \$10,000.

(b) The bond shall be in favor of the state of Kansas for the benefit of all persons interested, their legal representatives, attorneys or assigns and shall be conditioned on the faithful performance of all the registrant's duties as a livestock dealer. Any person injured by the breach of any obligation of the livestock dealer may commence suit on the bond in any court of competent jurisdiction to recover damages that the person has sustained, but any suit commenced shall either be a class action or shall join as parties plaintiff or parties defendant or other persons who may be affected by such suit on the bond. No bond shall be ~~cancelled~~ cancelled by the surety on less than 30 days' notice by mail to the livestock animal health commissioner and the principal except that no such notice shall be required for cancellation of any bond by reason of nonpayment of the premium thereon. The liability of the surety on the bond may continue for each successive registration period the bond covers. The total liability of the surety shall be limited to the amount stated on the current bond or on an appropriate rider or endorsement to the current bond. It is the intent of this statute that the bonds be nonaccumulative, that stacking of bonds not occur in excess of the face value of the current bond.

(c) Whenever the livestock animal health commissioner determines that any bond given by any livestock dealer is inadequate and insufficient security against any loss that might arise under the terms of the bond, the livestock animal health commissioner shall require any additional bond that the livestock animal health commissioner considers necessary to provide adequate security. If the livestock animal health commissioner considers the financial condition of the surety upon any livestock dealer and the livestock dealer's bond to be impaired, the livestock animal health commissioner shall require any substituted or additional bond that the livestock animal health commissioner considers necessary except this act shall not apply to those who buy livestock for others incidentally to their own farming operation.

(d) In all actions hereafter commenced in which judgment is rendered against any surety company on any surety bond furnished under the provisions of this section, if it appears from the evidence that the surety company has refused without just cause to pay the loss upon demand, the court shall allow the plaintiff a reasonable sum as attorney fees to be recovered and collected as a part of the costs. When a tender is made by the

surety company before the commencement of the action in which judgment is rendered and the amount recovered is not in excess of the tender, no such costs shall be allowed.

(e) Any person violating or failing to comply with the provisions of this section shall be deemed guilty of a class A misdemeanor.

(f) This section shall be part of and supplemental to article 18 of chapter 47 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 105. K.S.A. 2011 Supp. 47-1809 is hereby amended to read as follows: 47-1809. (a) As used in this section, "feral swine" means any untamed or undomesticated hog, boar or pig; swine whose reversion from the domesticated state to the wild state is apparent; or an otherwise freely roaming swine having no visible tags, markings or characteristics indicating that such swine is from a domestic herd, and reasonable inquiry within the area does not identify an owner.

(b) No person shall import, transport or possess live feral swine in this state.

(c) No person shall intentionally or knowingly release any hog, boar, pig or swine to live in a wild or feral state upon public or private land.

(d) No person shall engage in, sponsor, instigate, assist or profit from the release, killing, wounding or attempted killing or wounding of feral swine for the purpose of sport, pleasure, amusement or production of a trophy.

(e) Violation of subsection (b) or (c) may result in a civil penalty in the amount of not less than \$1,000 nor more than \$5,000 for each such violation. In the case of a continuing violation, every day such violation continues shall be deemed a separate violation.

(f) Violation of subsection (d) may result in a civil penalty of not less than \$250 nor more than \$2,500 for each such violation.

(g) Any duly authorized agent of the livestock animal health commissioner, upon a finding that any person, or agent or employee thereof, has violated any of the provisions stated above, may impose a civil penalty upon such person as provided in this section.

(h) No civil penalty shall be imposed pursuant to this section except upon the written order of the duly authorized agent of the livestock animal health commissioner to the person who committed the violation. Such order shall state the violation, the penalty to be imposed and the right of the person to appeal to the commissioner. Any such person, within 20 days after notification, may make written request to the commissioner for a hearing in accordance with the provisions of the Kansas administrative procedure act. The commissioner shall affirm, reverse or modify the order and shall specify the reasons therefor.

(i) Any person aggrieved by an order of the commissioner made under this section may appeal such order to the district court in the manner provided by the Kansas judicial review act.

(j) Any civil penalty recovered pursuant to the provisions of this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(k) The livestock animal health commissioner, or the authorized representative of the livestock animal health commissioner, may destroy or require the destruction of any feral swine upon discovery of such swine.

(l) The provisions of this section shall not be construed to prevent owners or legal occupants of land, the employees of such owners or legal occupants or persons

designated by such owners or legal occupants from killing any feral swine when found on their premises or when destroying property. Such designees shall have a permit issued by the livestock animal health commissioner in their possession at the time of the killing of the feral swine.

(m) The livestock animal health commissioner may adopt rules and regulations to carry out the provisions of this section.

Sec. 106. K.S.A. 2011 Supp. 47-1831 is hereby amended to read as follows: 47-1831. (a) The livestock animal health commissioner is hereby authorized to:

(1) Register original veterinary certificates of inspection for livestock, as defined in K.S.A. 47-1001, and amendments thereto; and

(2) provide official calthood vaccination tags. Such tags shall not exceed \$.25 for each tag.

(b) The commissioner shall determine annually tag fee and shall fix such fee by rules and regulations.

(c) The commissioner shall remit all moneys received by or for the commissioner under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal disease control fund.

Sec. 107. K.S.A. 47-1832 is hereby amended to read as follows: 47-1832. The livestock animal health commissioner is hereby authorized to establish rules and regulations on disease control programs for and on the sale and importation into Kansas of farm animals and exotic animals. As used in this section "farm animals" and "exotic animal" means the definitions given by rules and regulations in 9 C.F.R. § 1.1, pursuant to 7 U.S.C. § 2131 *et seq.*

Sec. 108. K.S.A. 2011 Supp. 47-2101 is hereby amended to read as follows: 47-2101. (a) It shall be unlawful for any person to engage in the business of raising domesticated deer unless such person has obtained from the livestock animal health commissioner a domesticated deer permit. Application for such permit shall be made in writing on a form provided by the commissioner. The permit period shall be for the permit year ending on June 30 following the issuance date.

(b) Each application for issuance or renewal of a permit shall be accompanied by a fee of not more than \$150 as established by the commissioner in rules and regulations.

(c) The livestock animal health commissioner shall adopt any rules and regulations necessary to enforce this section.

(d) Any person who fails to obtain a permit as prescribed in section (a) shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding \$150. Continued operation, after a conviction, shall constitute a separate offense for each day of operation.

(e) The commissioner may refuse to issue or renew or may suspend or revoke any permit for any one of the following reasons:

(1) Material misstatement in the application for the original permit or in the application for any renewal of a permit;

(2) the conviction of any crime, an essential element of which is misstatement, fraud or dishonesty, or relating to the theft of or cruelty to animals;

(3) substantial misrepresentation;

(4) the person who is issued a permit is found to be adding to such person's herd by

poaching or illegally obtaining deer;

(5) willful disregard to any rule or regulation adopted under this section.

(f) Any refusal to issue or renew a permit and any suspension or revocation of a permit under this section shall be in accordance with the provisions of the Kansas administrative procedure act and shall be subject to review in accordance with the Kansas judicial review act.

(g) Domesticated deer shall be identified through implantation of microchips, ear tags, ear tattoos, ear notches or any other permanent identification on such deer as to identify such deer as domesticated deer. Any person who receives a permit issued pursuant to subsection (a) shall keep records of the deer herd pursuant to rules and regulations.

(h) The ~~livestock~~ animal health commissioner shall inspect any premises where a domesticated deer herd has been issued a permit upon receipt of a written, signed complaint that such premises is not being operated, managed or maintained in accordance with rules and regulations.

(i) The ~~livestock~~ animal health commissioner, on a quarterly basis, shall transmit to the secretary of wildlife and parks a current list of persons issued a permit pursuant to this section.

(j) All moneys received under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal disease control fund.

(k) As used in this section:

(1) "Deer" means any member of the family cervidae.

(2) "Domesticated deer" means any member of the family cervidae which was legally obtained and is being sold or raised in a confined area for: (1) Breeding stock; for (2) any carcass, skin or part of such animal; for (3) exhibition; or for (4) companionship.

Sec. 109. K.S.A. 2011 Supp. 48-3502 is hereby amended to read as follows: 48-3502. (a) There is hereby established the Kansas national bio and agro defense facility interagency working group.

(b) The working group shall consist of the following members *ex officio*: The secretary of health and environment, the secretary of commerce or designee, the secretary of administration or designee, the secretary of agriculture or designee, the ~~livestock~~ animal health commissioner or designee, the secretary of revenue or designee, the attorney general or designee, the state board of regents or designee, the mayor of the city of Manhattan or designee, the chairperson of the Leavenworth county board of commissioners or designee, the adjutant general (the state director of homeland security) or designee and the superintendent of the Kansas highway patrol or designee.

(c) The secretary of health and environment shall serve as chairperson of the working group, and the working group may elect a vice-chairperson from among the members of the working group.

(d) All appointments of designees must be made and submitted to the Kansas bioscience authority no more than 30 days after enactment of this act.

Sec. 110. K.S.A. 65-171i is hereby amended to read as follows: 65-171i. Nothing in this act shall be construed as limiting the authority of the state ~~livestock~~ animal health commissioner in matters concerning the administration of the law concerning feedlots €

K.S.A. 47-1501 *et seq.*, and amendments thereto.

Sec. 111. K.S.A. 2011 Supp. 65-5721 is hereby amended to read as follows: 65-5721. (a) There is hereby established the commission on emergency planning and response.

(b) The membership of the commission on emergency planning and response shall consist of the agency head or secretary or a designated person of authority from the following agencies:

- (1) The fire marshal;
- (2) the department of health and environment;
- (3) the department of transportation;
- (4) the Kansas highway patrol;
- (5) the adjutant general;
- (6) the department of commerce;
- (7) the Kansas bureau of investigation;
- (8) the Kansas department of agriculture; and
- (9) the Kansas ~~animal health department~~ department of agriculture division of animal health.

(c) In addition, the membership of the commission on emergency planning and response shall also consist of 18 members appointed by the governor as follows:

- (1) One individual shall be representative of counties;
- (2) one individual selected to represent cities;
- (3) three individuals selected to represent businesses and industries, one of which represents broadcasting;
- (4) one individual selected to represent agriculture, crop or livestock;
- (5) one individual selected to represent transportation, trucking or rail;
- (6) one individual selected to represent energy;
- (7) one individual selected to represent law enforcement officers;
- (8) one individual selected to represent fire fighters;
- (9) one individual selected to represent county emergency managers;
- (10) one individual selected to represent emergency medical services;
- (11) one individual selected to represent public works services;
- (12) one individual selected to represent hospitals;
- (13) one individual selected to represent public health;
- (14) one individual selected to represent the tribes of Kansas;
- (15) one individual selected to represent individuals with disabilities; and
- (16) one individual selected to represent the seven regional homeland security councils.

(d) A designee of the adjutant general shall serve as the secretary of the commission on emergency planning and response. The adjutant general shall provide staff support for the commission on emergency planning and response.

(e) Of the members first appointed to the commission on emergency planning and response by the governor, one representative of cities, one representative of counties, and one representative of business and industry shall serve a term of two years, and the remainder of the members appointed by the governor shall serve terms of three years. Thereafter, members appointed pursuant to subsection (c) shall serve terms of four years and until the successor has been appointed. Any vacancy in the office of an appointed member shall be filled for the unexpired term by appointment by the

governor.

(f) A chairperson shall be elected annually by the members of the commission. A vice-chairperson shall be designated by the chairperson to serve in the absence of the chairperson.

(g) For attending meetings of such commission, or attending a subcommittee meeting thereof authorized by such commission, those members of the commission appointed by the governor shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

Sec. 112. K.S.A. 66-1319 is hereby amended to read as follows: 66-1319. (a) Members of the Kansas highway patrol shall exercise the power and authority of the superintendent of the Kansas highway patrol in the execution of the duties imposed upon the superintendent by this act to the extent that the exercise of such power and authority is delegated to such members by the superintendent or is prescribed by law. In enforcing the laws referred to in K.S.A. 66-1318, and amendments thereto, members of the highway patrol are authorized and empowered to inspect any motor vehicle required by law to comply with any of such laws and rules and regulations relating thereto. Except as otherwise provided in K.S.A. 8-1910, and amendments thereto, whenever any member of the highway patrol shall determine that any vehicle is not properly registered under or not in compliance with any of such laws, such member of the highway patrol may require such vehicle to be driven to the nearest motor carrier inspection station, if there is one within five miles, and if not, to another suitable place, and remain there until the driver thereof has complied with any or all of such laws. Any driver of a vehicle who fails or refuses to drive such vehicle to the nearest inspection station or other suitable place when so directed by a member of the highway patrol shall be deemed guilty of a misdemeanor.

(b) The superintendent of the Kansas highway patrol or any other member thereof designated by the superintendent may issue any license, permit, registration or certificate required under any of such laws when so directed by law or by the head of the agency administering such laws.

(c) The superintendent of the Kansas highway patrol, the secretary of revenue, the secretary of transportation, the chairperson of the state corporation commission and the ~~livestock animal health~~ commissioner shall cooperate in all functions relating to the enforcement of such laws.

Sec. 113. K.S.A. 74-4002 is hereby amended to read as follows: 74-4002. The members of the Kansas animal health board shall choose their own chairman, who shall serve for a term of one (+) year. ~~Said~~ Such board shall meet at least once in each quarter. Meetings may be called and held at the discretion of the chairman, and meetings shall be called by the chairman upon written request of a majority of the members of ~~said such~~ board. Members of the Kansas animal health board attending meetings of such board, or attending a subcommittee meeting thereof authorized by such board, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto. Amounts paid under this section shall be paid from appropriations to the ~~livestock animal health~~ commissioner upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the commissioner.

Sec. 114. K.S.A. 74-4003 is hereby amended to read as follows: 74-4003. It shall be the duty of the Kansas animal health board to serve in an advisory capacity to the

~~livestock animal health~~ commissioner. It shall aid ~~him~~ the commissioner in determining policies and plans relating to ~~his~~ the commissioner's office.

Sec. 115. K.S.A. 75-1901 is hereby amended to read as follows: 75-1901. ~~A livestock~~ An animal health commissioner shall be appointed by the ~~Kansas animal health board~~ secretary of agriculture and shall serve as the executive officer of the ~~Kansas animal health department which is hereby created~~ department of agriculture division of animal health. The person so appointed shall have been actively engaged in one of the major phases of the livestock industry for a period of not less than five ~~(5)~~ years immediately preceding ~~his or her~~ such person's appointment. Before entering upon the duties of ~~said such~~ such office, such commissioner shall take and subscribe an oath of office to faithfully and honestly discharge the duties of ~~said such~~ such office to the best of ~~his or her~~ such commissioner's knowledge and ability, and shall file the same with the secretary of state. The ~~livestock animal health~~ commissioner shall serve at the pleasure of the secretary of agriculture and the animal health board.

Sec. 116. K.S.A. 75-1903 is hereby amended to read as follows: 75-1903. (a) Whenever in any of the statutes of this state the term "livestock sanitary commissioner" is used, or the term "commissioner" is used to refer to the livestock sanitary commissioner, such terms shall be construed to mean the ~~livestock animal health~~ commissioner appointed by the ~~Kansas animal health board~~ secretary of agriculture pursuant to K.S.A. ~~75-1901~~ 74-5.119, and amendments thereto.

(b) Whenever in any of the statutes of this state the terms "Kansas livestock commission" or "livestock commission" are used, or the term "commission" is used to refer to the Kansas livestock commission, such terms shall be construed to mean the Kansas animal health board created in K.S.A. 74-4001, ~~as amended and amendments thereto~~.

Sec. 117. K.S.A. 75-3141 is hereby amended to read as follows: 75-3141. The ~~livestock animal health~~ commissioner shall devote full time to the discharge of official duties, and shall be within the unclassified service under the Kansas civil service act. The commissioner's compensation shall be determined by the ~~Kansas animal health board~~ secretary of agriculture, subject to the approval of the governor.

Sec. 118. K.S.A. 75-3142 is hereby amended to read as follows: 75-3142. The ~~livestock animal health~~ commissioner is hereby authorized to appoint, within the provisions of the civil service law and within available appropriations, such employees as are necessary to properly discharge the duties of office.

Sec. 119. K.S.A. 2011 Supp. 75-37,121 is hereby amended to read as follows: 75-37,121. (a) There is created the office of administrative hearings within the department of administration, to be headed by a director appointed by the secretary of administration. The director shall be in the unclassified service under the Kansas civil service act.

(b) The office may employ or contract with presiding officers, court reporters and other support personnel as necessary to conduct proceedings required by the Kansas administrative procedure act for adjudicative proceedings of the state agencies, boards and commissions specified in subsection (h). The office shall conduct adjudicative proceedings of any state agency which is specified in subsection (h) when requested by such agency. Only a person admitted to practice law in this state or a person directly supervised by a person admitted to practice law in this state may be employed as a presiding officer. The office may employ regular part-time personnel. Persons employed

by the office shall be under the classified civil service.

(c) If the office cannot furnish one of its presiding officers within 60 days in response to a requesting agency's request, the director shall designate in writing a full-time employee of an agency other than the requesting agency to serve as presiding officer for the proceeding, but only with the consent of the employing agency. The designee must possess the same qualifications required of presiding officers employed by the office.

(d) The director may furnish presiding officers on a contract basis to any governmental entity to conduct any proceeding other than a proceeding as provided in subsection (h).

(e) The secretary of administration may adopt rules and regulations:

(1) To establish procedures for agencies to request and for the director to assign presiding officers. An agency may neither select nor reject any individual presiding officer for any proceeding except in accordance with the Kansas administrative procedure act;

(2) To establish procedures and adopt forms, consistent with the Kansas administrative procedure act, the model rules of procedure, and other provisions of law, to govern presiding officers; and

(3) to facilitate the performance of the responsibilities conferred upon the office by the Kansas administrative procedure act.

(f) The director may implement the provisions of this section and rules and regulations adopted under its authority.

(g) The secretary of administration may adopt rules and regulations to establish fees to charge a state agency for the cost of using a presiding officer.

(h) The following state agencies, boards and commissions shall utilize the office of administrative hearings for conducting adjudicative hearings under the Kansas administrative procedures act in which the presiding officer is not the agency head or one or more members of the agency head:

(1) On and after July 1, 2005: Department of social and rehabilitation services, juvenile justice authority, department on aging, department of health and environment, Kansas public employees retirement system, Kansas water office, Kansas ~~animal health department~~ department of agriculture division of animal health and Kansas insurance department.

(2) On and after July 1, 2006: Emergency medical services board, emergency medical services council, Kansas health policy authority and Kansas human rights commission.

(3) On and after July 1, 2007: Kansas lottery, Kansas racing and gaming commission, state treasurer, pooled money investment board, Kansas department of wildlife and parks and state court of tax appeals.

(4) On and after July 1, 2008: Department of human resources, state corporation commission, ~~state conservation commission~~ Kansas department of agriculture division of conservation, agricultural labor relations board, department of administration, department of revenue, board of adult care home administrators, Kansas state grain inspection department, board of accountancy and Kansas wheat commission.

(5) On and after July 1, 2009, all other Kansas administrative procedure act hearings not mentioned in subsections (1), (2), (3) and (4).

(i) (1) Effective July 1, 2005, any presiding officer in agencies specified in

subsection (h)(1) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall proceed as though no transfer of employment had occurred.

(2) Effective July 1, 2006, any presiding officer in agencies specified in subsection (h)(2) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall proceed as though no transfer of employment had occurred.

(3) Effective July 1, 2007, any presiding officer in agencies specified in subsection (h)(3) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall proceed as though no transfer of employment had occurred.

(4) Effective July 1, 2008, any full-time presiding officer in agencies specified in subsection (h)(4) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service

act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall proceed as though no transfer of employment had occurred.

(5) Effective July 1, 2009, any full-time presiding officer in agencies specified in subsection (h)(5) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall proceed as though no transfer of employment occurred.

Sec. 120. K.S.A. 2011 Supp. 74-567 is hereby amended to read as follows: 74-567.

(a) The state board of agriculture shall have such powers, duties and functions as prescribed by this section. The board shall serve in an advisory capacity to the governor and the secretary to review and make recommendations on department legislative initiatives and proposed rules and regulations or proposed revised rules and regulations prior to the submission of such rules and regulations to the secretary of administration pursuant to K.S.A. 77-420, and amendments thereto, other than rules and regulations pertaining to personnel matters of the department, rules and regulations of the division of water resources and rules and regulations of the division of food safety. The board shall not have any powers, duties or functions concerning the day-to-day operations of the Kansas department of agriculture.

(b) The board shall serve in an advisory capacity to the agriculture ~~products development division of the department of commerce~~ marketing and promotions program within the Kansas department of agriculture. The board shall advise the division program on issues and concerns relating to agriculture products development and marketing.

(c) The agriculture ~~products development division~~ marketing and promotions program of the Kansas department of ~~commerce~~ agriculture shall report to the board, at not less than two meetings of such board each year, on the activities and functions of the division program.

Sec. 121. K.S.A. 2011 Supp. 74-50,156 is hereby amended to read as follows: 74-50,156. (a) There is hereby established within and as a part of the Kansas department of ~~commerce~~ agriculture the agriculture ~~products development division~~ marketing and promotions program. The secretary of ~~commerce~~ agriculture shall appoint a director of such division program and such director shall be in the unclassified service of the Kansas civil service act. Subject to and in accordance with appropriations acts, the agriculture ~~products development division~~ marketing and promotions program shall include: (1) All powers, duties and functions related to the agricultural value added center pursuant to subsections (b) and (c); (2) all powers and duties created regarding the division of markets pursuant to K.S.A. 74-530, and amendments thereto, which are

hereby transferred; (3) all powers and duties created regarding registered trademarks pursuant to K.S.A. 74-540a, and amendments thereto, which are hereby transferred; (4) all powers and duties regarding the trademark fund pursuant to K.S.A. 74-540b, and amendments thereto, which are hereby transferred; and (5) all powers and duties created regarding expenditures and moneys credited to the market development fund pursuant to K.S.A. 74-540c, and amendments thereto, which are hereby transferred.

(b) The objectives of the agricultural value added center within the agriculture ~~products development division~~ marketing and promotions program shall include, but not be limited to, providing technical assistance to existing and potential value added facilities, including incubator facilities; developing a network for collecting and distributing information to individuals involved in value added processing in Kansas; initiating pilot plant facilities to act as research and development laboratories for existing and potential small scale value added processing endeavors in Kansas; providing technical assistance to new agricultural value added businesses; developing and promoting communication and cooperation among private businesses; state government agencies and public and private colleges and universities in Kansas; establishing research and development programs in technologies that have value added commercial potential for food and nonfood agricultural products achieving substantial and sustainable continuing growth for the Kansas economy through value added products from agriculture; serving as a catalyst for industrial agriculture through technological innovation in order to expand economic opportunity for all Kansas communities; establishing an industrial agriculture industry for the state of Kansas; commercializing the developed industrial agriculture technology in smaller communities and the rural areas of Kansas; and developing investment grade agriculture value added technologies and products.

(c) Subject to the provisions of appropriations acts, the functions of the agricultural value added center within the agriculture ~~products development division~~ marketing and promotions program shall include, but not be limited to, developing a market referral program, matching distribution to buyers in coordination with other state agencies concerned with marketing Kansas products; assisting private entrepreneurs in the establishment of facilities and markets for new agricultural value added endeavors; and introducing coordinated programs to develop marketing skills of existing agricultural value adding processors in Kansas.

(d) (1) It shall be the duty of the agriculture ~~products development division~~ marketing and promotions program to perform acts and to do, or cause to be done, those things which are designed to lead to the more advantageous marketing of agricultural products of Kansas. For these purposes the division may:

- (A) Investigate the subject of marketing farm products;
- (B) promote their sales distribution and merchandising;
- (C) furnish information and assistance to the public;
- (D) study and recommend efficient and economical methods of marketing;
- (E) provide for such studies and research as may be deemed necessary and proper;
- (F) gather and diffuse timely and useful information concerning the supply, demand, prevailing prices and commercial movement of farm products including quantity in common storage and cold storage, in cooperation with other public or private agencies;
- (G) conduct market development activities and assist and coordinate participation

by companies, commodity organizations, trade organizations, producer organizations and other interested organizations to develop new markets and sales for Kansas agricultural commodities and food products;

(H) render assistance to any of the entities listed in subsection (G) and development activities and make a reasonable service charge for such services rendered by the division; and

(I) make agreements with other states and with the United States government, or its agencies, and accept funds from the federal government, or its agencies, or any other source for research studies, investigation, market development and other purposes related to the duties of the division.

(2) The Kansas department of ~~commerce~~ agriculture shall remit all moneys received under this subsection to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the market development fund. All expenditures from such fund shall be made for any purpose consistent with this subsection and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of ~~commerce~~ agriculture or a person designated by the secretary.

(e) (1) In conjunction with any trademark registered by the Kansas department of ~~commerce~~ agriculture, the agriculture ~~products development division marketing and promotions program~~ is hereby authorized to:

(A) Promulgate policy regarding the use of any such trademark;

(B) print, reproduce or use the trademark in or on educational, promotional or other material;

(C) fix, charge and collect fees for the use of the trademark provided that the fees shall be fixed in an amount necessary to recover all direct costs associated with the production of educational, promotional and other materials associated with a trademark program; and

(D) enter into any contracts necessary to carry out the purposes of this subsection, which contracts shall not be subject to the bidding requirements of K.S.A. 75-3739, and amendments thereto.

(2) The secretary of ~~commerce~~ agriculture shall remit all moneys received under this subsection to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the trademark fund. All expenditures from such fund shall be made for any purpose consistent with this subsection and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of ~~commerce~~ agriculture or a person designated by the secretary.

(f) On or before February 1 of each year, the agriculture ~~products development division marketing and promotions program~~ shall present an oral and written report to the house and senate agriculture committees concerning the performance indicators, performance outcomes, activities and functions of the ~~division program~~ for the previous year. Such report shall include a budget of how moneys appropriated or otherwise authorized to be expended from the state general fund or any special revenue fund for the agriculture ~~products development division marketing and promotions program~~ of

the Kansas department of ~~commerce agriculture~~ for the previous fiscal year were spent and a projected budget of moneys appropriated or otherwise authorized to be expended from the state general fund or any special revenue fund for the agriculture ~~products development division marketing and promotions program~~ of the Kansas department of ~~commerce agriculture~~ for the current fiscal year. Such report shall further include the full-time equivalent number of positions financed from appropriations and allocated for the agriculture ~~products development division marketing and promotions program~~ of the Kansas department of ~~commerce agriculture~~ for each fiscal year. ~~In the report to the 1997 legislature, the division's report shall include a mission statement for the reorganized division.~~

New Sec. 122. In addition to the powers and duties conferred in K.S.A. 2011 Supp. 74-5,126, and amendments thereto, the Kansas department of agriculture division of conservation shall have all the powers, duties and functions delegated pursuant to K.S.A. 2011 Supp. 74-5,126, and amendments thereto. It shall also employ an administrative officer and such technical experts as it may require and shall determine their qualifications and duties. Such officer and experts shall be in the unclassified service of the Kansas civil services act and shall receive annual salaries fixed by the division and approved by the state finance council. All other agents and employees, permanent or temporary, required by the division of conservation, shall be within the classified services of the Kansas civil service act. The division may call upon the attorney general of the state for such legal services as it may require. It shall have authority to delegate to one or more agents or employees, such powers and duties as it deems proper. It shall be supplied with suitable office accommodations at the state capital, and shall be furnished with the necessary supplies and equipment. Upon request of the division, for the purpose of carrying out any of its functions, the supervision officer of any state agency or of any state institution of learning, insofar as may be possible under available appropriations and having due regard to the needs of the agency to which the request is directed, shall assign or detail to the division members of the staff or personnel of such agency or institution of learning and make such special reports, surveys or studies as the division may request.

Sec. 123. K.S.A. 2-1903 is hereby amended to read as follows: 2-1903. As used in this act:

(1) "District" or "conservation district" means a governmental subdivision of this state, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Supervisor" means one of the members of the governing body of a district, elected or appointed in accordance with the provisions of this act.

(3) "Commission" or "state conservation commission" means the ~~agency—~~ conservation program policy board created in K.S.A. 2-1904, and amendments thereto.

(4) "State" means the state of Kansas.

(5) "Agency of this state" includes the government of this state and any subdivision, agency or instrumentality, corporation or otherwise, of the government of this state.

(6) "United States" or "agencies of the United States" includes the United States of America, the soil conservation service of the United States department of agriculture and any other agency or instrumentality, corporate or otherwise, of the United States of

America.

(7) "Government" or "governmental" includes the government of this state, the government of the United States and any subdivision, agency or instrumentality, corporate or otherwise, of either of them.

(8) "Division" or "division of conservation" means the agency established in K.S.A. 2011 Supp. 74-5,126, and amendments thereto.

Sec. 124. K.S.A. 2-1904 is hereby amended to read as follows: 2-1904. (a) There is hereby established, to serve as ~~an agency a conservation program policy board~~ of the state and to perform the functions conferred upon it in this act, the state conservation commission. The state conservation commission shall succeed to all the powers, duties and property of the state soil conservation committee. The commission shall consist of nine members as follows:

(1) The director of the cooperative extension service and the director of the state agricultural experiment station located at Manhattan, Kansas, or such persons' designees shall serve, *ex officio*, as members of the commission.

(2) The commission shall request the secretary of agriculture of United States of America to appoint one person and the secretary of the Kansas department of agriculture to appoint one person, each of whom shall be residents of the state of Kansas to serve as members of the commission. These members shall hold office for four years and until a successor is appointed and qualifies, with terms commencing on the second Monday in January beginning in 1973.

(3) Five members of the state commission shall be elected by the conservation district supervisors at a time and place to be designated by the state conservation commission. The method of electing such members to be conducted as follows: The state is to be divided into five separate areas. Area No. I to include the following counties: Cheyenne, Rawlins, Decatur, Norton, Phillips, Smith, Osborne, Rooks, Graham, Sheridan, Thomas, Sherman, Wallace, Logan, Gove, Trego, Ellis and Russell. Area No. II to include: Greeley, Wichita, Scott, Lane, Ness, Rush, Pawnee, Hodgeman, Finney, Kearny, Hamilton, Edwards, Ford, Gray, Haskell, Grant, Stanton, Morton, Stevens, Seward, Meade, Clark, Comanche and Kiowa. Area No. III to include: Jewell, Republic, Mitchell, Cloud, Lincoln, Ottawa, Ellsworth, Saline, Rice, McPherson, Reno, Harvey, Kingman, Sedgwick, Sumner, Harper, Barber, Pratt, Barton and Stafford. Area No. IV to include: Washington, Marshall, Nemaha, Brown, Doniphan, Clay, Riley, Pottawatomie, Jackson, Atchison, Jefferson, Leavenworth, Wyandotte, Johnson, Douglas, Shawnee, Wabaunsee, Geary, Dickinson, Morris, Osage, Franklin and Miami. Area No. V to include: Marion, Chase, Lyon, Coffey, Anderson, Linn, Bourbon, Allen, Woodson, Greenwood, Butler, Elk, Wilson, Neosho, Crawford, Cowley, Chautauqua, Montgomery, Labette and Cherokee. Areas II and IV will elect in even number years and Areas I, III and V shall elect in odd number years for two year terms. The elected commission members from Areas I, III and V shall take office on January 1, of the even number years. The remaining two elected members of the state commission from Areas II and IV shall take office on January 1, of the odd number years. The method of election is to be by area caucus of the district supervisors of each of the five separate areas of Kansas. The commission shall give each district notice of the time and place of such annual election meeting by letter if a member is to be elected to the commission from that area that year. The selection of a successor to fill an unexpired term shall be by appointment by the commission. The successor who is appointed to fill the

unexpired term shall be a resident of the same area as that of the predecessor.

(b) The commission shall keep a record of its official actions, shall adopt a seal which seal shall be judicially noticed, and may perform such acts, hold such public hearings and adopt rules and regulations necessary for the execution of its functions under this act.

(c) In addition to the powers and duties conferred in this section, the state conservation commission ~~may employ an administrative officer and such technical experts as it may require and shall determine their qualifications and duties. Such officer and experts shall be in the unclassified service of the Kansas civil service act and shall receive annual salaries fixed by the commission and approved by the state finance council. All other agents and employees, permanent or temporary, required by the state conservation commission, shall be within the classified service of the Kansas civil service act. The commission may call upon the attorney general of the state for such legal services as it may require. It shall have authority to delegate to its chairperson, to one or more of its members or to one or more agents or employees, such powers and duties as it deems proper. It shall be supplied with suitable office accommodations at the state capital, and shall be furnished with the necessary supplies and equipment. Upon request of the commission, for the purpose of carrying out any of its functions, the supervising officer of any state agency or of any state institution of learning, insofar as may be possible under available appropriations and having due regard to the needs of the agency to which the request is directed, shall assign or detail to the commission members of the staff or personnel of such agency or institution of learning and make such special reports, surveys or studies as the commission may request~~ shall have the powers and duties not delegated to the Kansas department of agriculture division of conservation pursuant to K.S.A. 2011 Supp. 74-5,126, and amendments thereto.

(d) The commission shall designate its chairperson and, from time to time, may change such designation. A majority of the commission shall constitute a quorum, and the concurrence of a majority in any matter within their duties shall be required for its determination. Members of the state conservation commission attending meetings of such commission or attending a subcommittee meeting thereof authorized by such commission shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto. The commission shall provide for keeping of a full and accurate record of all proceedings and of all resolutions, regulations and orders issued or adopted.

(e) ~~In addition to the duties and powers hereinafter conferred upon~~ The state conservation commission, ~~it shall together with the Kansas department of agriculture division of conservation shall make conservation program policy decisions, including modification of current conservation programs, creation of new conservation programs and budget recommendations.~~

(f) The Kansas department of agriculture division of conservation in consultation with the state conservation commission shall have the following duties and powers:

(1) To offer such assistance as may be appropriate to the supervisors of conservation districts, organized as provided hereinafter, in the carrying out of any of their powers and programs;

(2) to keep the supervisors of each of the several districts organized under the provisions of this act informed of the activities and experience of all other districts organized hereunder and to facilitate an interchange of advice and experience between

such districts and cooperation between them;

(3) to coordinate the programs of the several conservation districts organized hereunder;

(4) to secure the cooperation and assistance of the United States and any of its agencies and of agencies of this state, in the work of such districts and to contract with or to accept donations, grants, gifts and contributions in money, services or otherwise from the United States or any of its agencies or from the state or any of its agencies in order to carry out the purposes of this act;

(5) to disseminate information throughout the state concerning the activities and programs of the conservation districts organized hereunder and to encourage the formation of such districts in areas where their organization is desirable;

(6) to cooperate with and give assistance to watershed districts and other special purpose districts in the state of Kansas for the purpose of cooperating with the United States through the secretary of agriculture in the furtherance of conservation pursuant to the provisions of the watershed protection and flood prevention act, as amended;

(7) to cooperate in and carry out, in accordance with state policies, activities and programs to conserve and develop the water resources of the state and maintain and improve the quality of such water resources;

(8) to enlist the cooperation and collaboration of state, federal, regional, interstate, local, public and private agencies with the conservation districts; and

(9) to facilitate arrangements under which conservation districts may serve county governing bodies and other agencies as their local operating agencies in the administration of any activity concerned with the conservation of natural resources.

Sec. 125. K.S.A. 2-1907 is hereby amended to read as follows: 2-1907. The governing body of the district shall consist of five supervisors who are qualified electors residing within the district. The supervisors who are first elected shall serve for terms of one, two and three years according to the following plan: The two persons receiving the highest number of votes in the election shall hold office for three years; the two persons receiving the next highest number of votes shall hold such office for a term of two years and the remaining supervisor shall hold office for a term of one year. In the event of a tie vote, such terms shall be decided by lot. Nothing in this section shall be construed as affecting the length of the term of supervisors holding office on January 1, 1995. Successors to such persons shall be elected for terms of three years. An annual meeting of all qualified electors of the district shall be held in the month of January or February. Notice of the time and place of such meeting shall be given by such supervisors by publishing a notice in the official county paper once each week for two consecutive weeks prior to the week in which such meeting is to be held. At such meeting the supervisors shall make full and due report of their activities and financial affairs since the last annual meeting and shall conduct an election by secret ballot of all of the qualified electors of the district there present for the election of supervisors whose terms have expired. Whenever a vacancy occurs in the membership of the governing body the remaining supervisors of the district shall appoint a qualified elector of the district to fill the office for the unexpired term. The supervisors shall designate a chairperson and may from time to time change such designation. A supervisor shall hold office until a successor has been elected or appointed and has qualified. A majority of the supervisors shall constitute a quorum and the concurrence of a majority of the supervisors in any matter within their duties shall be required for its determination. A supervisor shall

receive no compensation for services, but may be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of duties. The supervisors may employ a secretary, technical experts, and such other officers, agents, and employees, permanent and temporary, as they may require, and shall determine their qualifications, duties and compensation. The supervisors may call upon the county attorney of the county in which a major portion of the district lies, or the attorney general for such legal services as they may require. The supervisors may delegate to their chairperson, to one or more supervisors, or to one or more agents, or employees such powers and duties as they may deem proper. The supervisors shall furnish to the ~~state conservation commission~~ Kansas department of agriculture division of conservation, upon request, copies of such rules, regulations, orders, contracts, forms, and other documents as they shall adopt or employ, and such other information concerning their activities as it may require in the performance of its duties under this act. The supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of the accounts and receipts and disbursements. Any supervisor may be removed by the state conservation commission upon notice and hearing in accordance with the provisions of the Kansas administrative procedure act, for neglect of duty or malfeasance in office, but for no other reason. The supervisors may invite the legislative body of any municipality or county located near the territory comprised within the district to designate a representative to advise and consult with the supervisors of the district on all questions of program and policy which may affect the property, water supply, or other interests of such municipality or county.

Sec. 126. K.S.A. 2011 Supp. 2-1907c is hereby amended to read as follows: 2-1907c. On or before September 1 of each year, each conservation district shall submit to the ~~state conservation commission~~ Kansas department of agriculture division of conservation a certification of the amount of money to be furnished by the county commissioners for conservation district activities for the ensuing calendar year. Such amount shall be the same as authorized for such purposes in each approved county budget. For the purpose of providing state financial assistance to conservation districts, the ~~state conservation commission~~ Kansas department of agriculture division of conservation in the regular budget request, as a line item for the forthcoming fiscal year, shall submit a special request for an amount equal to the sum of the allocations of each county to each conservation district, but in no event to exceed the sum of \$25,000 per district. This \$25,000 limitation shall be applicable for fiscal year 2008, and thereafter, subject to appropriations therefor. The ~~state conservation commission~~ Kansas department of agriculture division of conservation as soon as practicable after July 1 of the following year shall disburse such moneys as may be appropriated by the state for this purpose to each conservation district to match funds allocated by the commissioners of each county. Distribution shall be prorated in proportion to county allocations in the event that appropriations are insufficient for complete matching of funds. Municipal accounting procedures shall be used in the distribution of and in the expenditure of all funds.

Sec. 127. K.S.A. 2011 Supp. 2-1915 is hereby amended to read as follows: 2-1915. (a) Appropriations may be made for grants out of funds in the treasury of this state for terraces, terrace outlets, check dams, dikes, ponds, ditches, critical area planting,

grassed waterways, tailwater recovery irrigation systems, precision land forming, range seeding, detention and grade stabilization structures and other enduring water conservation practices installed on public lands and on privately owned lands and, the control and eradication of sericea lespedeza as provided in subsection (n) of K.S.A. 2-1908, and amendments thereto, on public lands and on privately owned lands. Except as provided by the multipurpose small lakes program act, any such grant shall not exceed 80% of the total cost of any such practice.

(b) A program for protection of riparian and wetland areas shall be developed by the ~~state conservation commission Kansas department of agriculture division of conservation~~ and implemented by the conservation districts. The conservation districts shall prepare district programs to address resource management concerns of water quality, erosion and sediment control and wildlife habitat as part of the conservation district long-range and annual work plans. Preparation and implementation of conservation district programs shall be accomplished with assistance from appropriate state and federal agencies involved in resource management.

(c) Subject to the provisions of K.S.A. 2-1919, and amendments thereto, any holder of a water right, as defined by subsection (g) of K.S.A. 82a-701, and amendments thereto, who is willing to voluntarily return all or a part of the water right to the state shall be eligible for a grant not to exceed 80% of the total cost of the purchase price for such water right. The ~~state conservation commission Kansas department of agriculture division of conservation~~ shall administer this cost-share program with funds appropriated by the legislature for such purpose. The chief engineer shall certify to the ~~state conservation commission Kansas department of agriculture division of conservation~~ that any water right for which application for cost-share is received under this section is eligible in accordance with the criteria established in K.S.A. 2-1919, and amendments thereto.

(d) (1) Subject to appropriation acts therefor, the ~~state conservation commission Kansas department of agriculture division of conservation~~ shall develop the Kansas water quality buffer initiative for the purpose of restoring riparian areas using best management practices. The executive director of the ~~state conservation commission Kansas department of agriculture division of conservation~~ shall ensure that the initiative is complementary to the federal conservation reserve program.

(2) There is hereby created in the state treasury the Kansas water quality buffer initiative fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive director of the ~~state conservation commission Kansas department of agriculture division of conservation~~ or the executive director's designee. Money credited to the fund shall be used for the purpose of making grants to install water quality best management practices pursuant to the initiative.

(3) The county or district appraiser shall identify and map riparian buffers consisting of at least one contiguous acre per parcel of real property located in the appraiser's county. Notwithstanding any other provisions of law, riparian buffers shall be valued by the county or district appraiser as tame grass land, native grass land or waste land, as appropriate. As used in this subsection (3), "riparian buffer" means an area of stream-side vegetation that: (A) Consists of tame or native grass and may include forbs and woody plants; (B) is located along a perennial or intermittent stream, including the stream bank and adjoining floodplain; and (C) is a minimum of 66 feet

wide and a maximum of 180 feet wide.

(e) The Kansas department of agriculture division of conservation with the approval of the state conservation commission shall adopt rules and regulations to administer such grant and protection programs.

(f) Any district is authorized to make use of any assistance whatsoever given by the United States, or any agency thereof, or derived from any other source, for the planning and installation of such practices. The state conservation commission Kansas department of agriculture division of conservation may enter into agreements with other state and federal agencies to implement the Kansas water quality buffer initiative.

Sec. 127. K.S.A. 2011 Supp. 2-1930 is hereby amended to read as follows: 2-1930.

(a) There is hereby established the water right transition assistance pilot project program. The program shall be administered by the state conservation commission Kansas department of agriculture division of conservation. The Kansas department of agriculture, division of water resources and recognized local governing agencies, including groundwater management districts, shall cooperate in program implementation. The program shall be administered for the purpose of reducing consumptive use in the target or high priority areas of the state by issuing water right transition grants for privately held water rights.

(b) (1) The state conservation commission Kansas department of agriculture division of conservation may receive and expend funds from the federal or state government, or private source for the purpose of carrying out the provisions of this section. The state conservation commission Kansas department of agriculture division of conservation and the participating groundwater management districts shall carry over unexpended funds from one fiscal year to the next.

(2) Federal and state funds shall not exceed \$1,500,000 per year.

(3) State conservation commission Kansas department of agriculture division of conservation expenditures for permanent partial water right retirements shall not exceed 30% of the total amount of funds for the water right transition assistance pilot project program.

(c) The state conservation commission Kansas department of agriculture division of conservation may enter into water right transition assistance pilot project program contracts with landowners that will result in the permanent retirement of part or all of landowner historic consumptive use water rights by action of the chief engineer as provided for in subsection (f) of this section.

(d) All applications for permanent water right retirements shall be considered for funding.

(e) Permanent retirement of partial water rights shall only be approved by the Kansas department of agriculture division of water resources when the groundwater management district has the metering and monitoring capabilities necessary to ensure compliance with the program. When prioritizing among water right applications for acceptance under the water right transition assistance pilot project, where rights with similar hydrologic impacts are considered, priority should be given to the senior right as determined under the Kansas water appropriation act.

(f) Water rights enrolled in the water right transition assistance pilot project program for permanent retirement shall require the written consent of all landowners and authorized agents to voluntarily request dismissal and forfeiture of priority of the enrolled water right. Upon enrollment of the water right into the water right transition

assistance pilot project program, the chief engineer of the Kansas department of agriculture division of water resources shall concurrently dismiss and terminate the water right in accordance with the terms of the contract.

(g) (1) The ~~state conservation commission~~ Kansas department of agriculture division of conservation shall make water right transition grants available only in areas that have been designated as target or high priority areas by the groundwater management districts and the chief engineer of the Kansas department of agriculture division of water resources or priority areas outside the groundwater management districts as designated by the chief engineer of the Kansas department of agriculture division of water resources.

(2) Two of the target or high priority areas shall be the prairie dog creek area located in hydrologic unit code 10250015 and the rattlesnake creek subbasin located in hydrologic unit code 11030009.

(h) Contracts accepted under the water right transition assistance program shall result in a net reduction in consumptive use equivalent to the amount of historic consumptive use of the water right or rights enrolled in the program based on the average historic consumptive water use. Except as provided for in subsections (i) and (j), once a water right transition assistance pilot project program grant has been provided, the land authorized to be irrigated by the water right or water rights associated with that grant shall not be irrigated permanently. Water right transition assistance pilot project program contracts shall be subject to such terms, conditions and limitations as may be necessary to ensure that such reduction in consumptive use occurs and can be adequately monitored and enforced.

"Historic consumptive water use" means the average amount of water consumed by crops as a result of the lawful beneficial use of water for irrigation during four of the six preceding calendar years, with the highest and lowest years removed from the analysis. For purposes of this program, historic consumptive water use will be determined by multiplying the average reported water use for the four selected years by a factor of 0.85 for center pivot sprinkler irrigation systems, 0.75 for flood or gravity irrigation systems and 0.95 for subsurface drip irrigation systems, but not to exceed the net irrigation requirements for the 50% chance rainfall for the appropriate county as shown in K.A.R. 5-5-12. The applicant may also submit an engineering study that determines the average historic consumptive water use as an alternative method if it is demonstrated to be more accurate for the water right or water rights involved.

(i) Enrollment in the water right transition assistance pilot project program shall not subsequently prohibit irrigation of the land that, prior to enrollment, was authorized by the water right or water rights if irrigation can be lawfully allowed by another water right or permit pursuant to the rules and regulations and consideration of any future changes to other water rights that may be proposed to be transferred to such land.

(j) If more than one water right overlaps the place of use authorized by the water right proposed to be enrolled in the water right transition assistance pilot project program, then all overlapping water rights shall be enrolled in water right transition assistance pilot project program or the landowners shall take the necessary lawful steps to eliminate the overlap with the water right to be enrolled. The burden shall be on the landowner to provide sufficient information to substantiate that the proposed use of water by the resulting exercise of all water rights involved will result in the net reduction amount of historic consumptive water use by the water right or water rights to

be enrolled. The ~~state conservation commission~~ Kansas department of agriculture division of conservation may require such documentation to be provided by someone with special knowledge or experience related to water rights and such operations.

(k) The ~~state conservation commission~~ Kansas department of agriculture division of conservation shall adopt rules and regulations as necessary for the administration of this section. When adopting such rules and regulations the ~~state conservation commission~~ Kansas department of agriculture division of conservation shall consider cropping, system design, metered water use and all other pertinent information that will permit a verifiable reduction in annual water consumptive use and permit alternative crop or other use of the land so that the landowner's economic opportunities are taken into account.

(l) The ~~state conservation commission~~ Kansas department of agriculture division of conservation shall report annually to the senate standing committee on natural resources and the house standing committee on environment on the economic impact studies being conducted on the reduction of water consumption and the financial impact on the communities within the program areas. Such studies shall include comparative data for areas and communities outside the program areas.

(m) The water right transition assistance pilot project program shall expire five years from the effective date of the fiscal year for which state moneys are appropriated thereof and approval of program rules and regulations.

(n) Water right transition assistance grants for water rights to remain unused for the contract period shall constitute due and sufficient cause for nonuse pursuant to K.S.A. 82a-718, and amendments thereto, pursuant to the determination of the chief engineer for the duration of the water right transition assistance pilot project program contract.

(o) The ~~state conservation commission~~ Kansas department of agriculture division of conservation shall hold at least two meetings in each water right transition assistance pilot project program area prior to entering into any water right transition assistance pilot project program contract for the permanent retirement of part or all of landowner historic consumptive use water rights. Such meetings shall inform the public of the possible economic and hydrologic impacts of the program. The ~~state conservation commission~~ Kansas department of agriculture division of conservation shall provide notice of such meetings through publication in local newspapers of record and in the Kansas register.

Sec. 129. K.S.A. 2011 Supp. 2-1931 is hereby amended to read as follows: 2-1931.
(a) Any person who commits any of the following may incur a civil penalty as provided by this section:

(1) Any violation of the Kansas water right transition assistance pilot project program act or any rule and regulation adopted thereunder; and

(2) any violation of term, condition or limitation defined and or imposed within the contractual agreement between the ~~state conservation commission~~ Kansas department of agriculture division of conservation and the water right owner.

(b) Any participant who violates any section of a water right transition assistance pilot project program contract shall be subject to either one or both of the following:

(1) A civil penalty of not less than \$100 nor more than \$1,000 per violation. Each day shall constitute a separate violation for purposes of this section; and

(2) repayment of the grant amount in its entirety plus a penalty at six percent of the full grant amount.

(c) Any penalties or reimbursements received under this act shall be reappropriated for use in the water right transition assistance pilot project program.

Sec. 130. K.S.A. 24-1211 is hereby amended to read as follows: 24-1211. In not less than 12 months, nor more than 13 months after the recording of the certificates of incorporation, and annually thereafter, a meeting shall be held for the election of directors whose terms expire and also to render a report on the financial condition and activities of the district including the estimated construction date of all proposed projects to be initiated within the next five years and the board's determination as to whether each of these projects is still cost effective and in the current public interest. Notice of the annual meeting shall be given at least 10 days prior to the date thereof by one publication in a newspaper of general circulation in each of the counties of which said watershed district is a part. Elections shall be by ballot. Qualified voters in attendance shall be entitled to vote at any such meeting. The directors shall fill any vacancy occurring on the board prior to the expiration of the term of any director by electing a substitute director to serve for the unexpired term.

The number of directors of a district or the date of the annual meeting, or both, may be changed at an annual meeting if notice of the proposition of making such change or changes is given at the annual meeting immediately preceding the annual meeting at which such change or changes are considered. If the number of directors is proposed to be changed, the proposition shall be introduced in the same manner as other items of business and shall clearly show the changes in representation of subwatersheds, if any, and in the length of terms of the directors. It shall be the duty of the board of directors to include the proposition in the notice of the annual meeting at which such changes are being considered. If a majority of those voting are favorable, the election of directors shall be in conformance with the adopted proposal and all powers shall be exercised by the newly constituted board beginning immediately after the annual meeting. Copies of the minutes of the annual meeting and report on the financial condition and activities of the district shall be furnished to the ~~state conservation commission~~ Kansas department of agriculture division of conservation.

Sec. 131. K.S.A. 24-1212 is hereby amended to read as follows: 24-1212. Regular meetings of the board of directors shall be held no less than once each quarter on such day and place as is selected by the board of directors. Notice of such meeting shall be mailed to each director at least five days prior to the date thereof, and special meetings may be held at any time upon waiver of notice of such meeting by all directors or may be called by the president or any two directors at any time. Notice in writing, signed by the persons calling any special meeting, shall be mailed to each director at least two days prior to the time fixed for such special meeting. A majority of the directors shall constitute a quorum for the transaction of business and in the absence of any of the duly elected officers of the district a quorum at any meeting may select a director to act as such officer *pro tem*. Each meeting of the board, whether regular or special, shall be open to the public. Copies of the minutes of regular and special meetings shall be furnished to the ~~state conservation commission~~ Kansas department of agriculture division of conservation.

Sec. 132. K.S.A. 49-603 is hereby amended to read as follows: 49-603. As used in this act:

(a) "Director" means the executive director of the ~~commission~~ Kansas department of agriculture division of conservation or a designee.

(b) "Affected land" means the area of land from which overburden has been removed or upon which overburden has been deposited, or both, but shall not include crushing areas, stockpile areas or roads.

(c) "Commission" means the state conservation commission.

(d) "Mine" means any underground or surface mine developed and operated for the purpose of extracting rocks, minerals and industrial materials, other than coal, oil and gas. Mine does not include borrow areas created for construction purposes.

(e) "Operator" means any person who engages in surface mining or operation of an underground mine or mines.

(f) "Overburden" means all of the earth and other materials which lie above the natural deposits of material being mined or to be mined.

(g) "Peak" means a projecting point of overburden removed from its natural position and deposited elsewhere in the process of surface mining.

(h) "Pit" means a tract of land from which overburden has been or is being removed for the purpose of surface mining.

(i) "Ridge" means a lengthened elevation of overburden removed from its natural position and deposited elsewhere in the process of surface mining.

(j) (1) "Surface mining" means the mining of material, except for coal, oil and gas, for sale or for processing or for consumption in the regular operation of a business by removing the overburden lying above natural deposits and mining directly from the natural deposits exposed, or by mining directly from deposits lying exposed in their natural state, or the surface effects of underground mining. Surface mining shall include dredge operations lying outside the high banks of streams and rivers.

(2) Removal of overburden and mining of limited amounts of any materials shall not be considered surface mining when done only for the purpose and to the extent necessary to determine the location, quantity or quality of the natural deposit, if the materials removed during exploratory excavation or mining are not sold, processed for sale or consumed in the regular operation of a business.

(k) "Topsoil" means the natural medium located at the land surface with favorable characteristics for growth of vegetation, which is normally the A or B, or both, soil horizon layers of the four soil horizons.

(l) "Active site" means a site where surface mining is being conducted.

(m) "Inactive site" means a site where surface mining is not being conducted but where overburden has been disturbed in the past for the purpose of conducting surface mining and an operator anticipates conducting further surface mining operations in the future.

(n) "Materials" means natural deposits of gypsum, clay, stone, sandstone, sand, shale, silt, gravel, volcanic ash or any other minerals of commercial value found on or in the earth with the exception of coal, oil and gas and those located within cut and fill portions of road rights-of-way.

(o) "Reclamation" means the reconditioning of the area of land affected by surface mining to a usable condition for agricultural, recreational or other use.

(p) "Stockpile" means the finished products of the mining of gypsum, clay, shale, stone, sandstone, sand, silt, gravel, volcanic ash or other minerals and removal from its natural position and deposited elsewhere for future use in the normal operation as a business.

(q) "Underground mining" means the extraction of rocks, minerals and industrial

materials, other than coal, oil and gas, from the earth by developing entries or shafts from the surface to the seam or deposit before recovering the product by underground extraction methods.

(r) "Person" means any individual, firm, partnership, corporation, government or other entity.

(s) "Division" or "Kansas department of agriculture division of conservation" means the agency established by K.S.A. 2011 Supp. 74-5,126, and amendments thereto.

Sec. 133. K.S.A. 2011 Supp. 82a-220 is hereby amended to read as follows: 82a-220. (a) As used in this act:

(1) "Conservation project" means any project or activity that the director of the Kansas water office determines will assist in restoring, protecting, rehabilitating, improving, sustaining or maintaining the banks of the Arkansas, Kansas or Missouri rivers from the effects of erosion;

(2) "director" means the director of the Kansas water office; and

(3) "state property" means real property currently owned in full or in part by the state in the Arkansas, Kansas or Missouri rivers in Kansas, in and along the bed of the river to the ordinary high water mark on the banks of such rivers.

(b) (1) The director is hereby authorized to negotiate and grant easements on state property for construction and maintenance of conservation projects with cooperating landowners in such projects for the expected life of the project and with such terms and conditions as the director, after consultation with the Kansas department of agriculture, the Kansas department of health and environment, the Kansas department of wildlife ~~and parks, parks and tourism~~ and the ~~state conservation commission~~ Kansas department of agriculture division of conservation, may deem appropriate.

(2) Notice of the easement shall be given to the county or counties in which the easement is proposed and to any municipality or other governmental entity that, in the opinion of the director, holds a riparian interest in the river and may have an interest in the project or results thereof. Those persons or entities receiving notice shall have a period, not to exceed 30 days, to provide comment on the proposed easement to the director.

(3) In the event such an easement is proposed to be granted on state property owned or managed by any other agency of the state, the director shall give notice of the proposed easement and project to that agency and shall jointly negotiate any easement so granted.

(4) A copy of all easements so entered shall be filed by the director with the office of the secretary of state and the office of the register of deeds for the county or counties in which the easement is located.

(c) The director shall adopt rules and regulations necessary to carry out the provisions of this act.

Sec. 134. K.S.A. 82a-326 is hereby amended to read as follows: 82a-326. When used in this act:

(a) "Water development project" means any project or plan which may be allowed or permitted pursuant to K.S.A. 24-126, 24-1213, 82a-301 *et seq.*, and amendments thereto, or the multipurpose small lakes program act, and amendments thereto;

(b) "environmental review agencies" means the:

(1) Kansas department of wildlife ~~and parks, parks and tourism~~;

(2) Kansas forest service;

- (3) state biological survey;
- (4) Kansas department of health and environment;
- (5) state historical society;
- (6) ~~state conservation commission~~ Kansas department of agriculture division of conservation; and
- (7) state corporation commission.

Sec. 135. K.S.A. 2011 Supp. 82a-903 is hereby amended to read as follows: 82a-903. In accordance with the policies and long-range goals and objectives established by the legislature, the office shall formulate on a continuing basis a comprehensive state water plan for the management, conservation and development of the water resources of the state. Such state water plan shall include sections corresponding with water planning areas as determined by the office. The Kansas water office and the Kansas water authority shall seek advice from the general public and from committees consisting of individuals with knowledge of and interest in water issues in the water planning areas. The plan shall set forth the recommendations of the office for the management, conservation and development of the water resources of the state, including the general location, character, and extent of such existing and proposed projects, programs, and facilities as are necessary or desirable in the judgment of the office to accomplish such policies, goals and objectives. The plan shall specify standards for operation and management of such projects, programs, and facilities as are necessary or desirable. The plan shall be formulated and used for the general purpose of accomplishing the coordinated management, conservation and development of the water resources of the state. The division of water resources of the Kansas department of agriculture, state geological survey, the division of environment of the department of health and environment, department of wildlife ~~and parks~~, ~~state conservation commission~~, parks and tourism, Kansas department of agriculture division of conservation and all other interested state agencies shall cooperate with the office in formulation of such plan.

Sec. 136. K.S.A. 2011 Supp. 82a-1602 is hereby amended to read as follows: 82a-1602. In order to provide public water supply storage and water related recreational facilities in the state there is hereby established a multipurpose small lakes program. The program shall be administered by the ~~state conservation commission~~ Kansas department of agriculture division of conservation. Except as otherwise provided by this act, the Kansas department of agriculture division of conservation, with the approval of the state conservation commission shall adopt all rules and regulations necessary to implement the provisions of this act.

Sec. 137. K.S.A. 2011 Supp. 82a-1603 is hereby amended to read as follows: 82a-1603. When used in this act:

(a) "Chief engineer" means the chief engineer of the division of water resources of the department of agriculture.

(b) "Class I funded project" means a proposed new project or renovation of an existing project located within the boundaries of an organized watershed district which is receiving or is eligible to receive financial participation from the ~~state conservation commission~~ Kansas department of agriculture division of conservation for the flood control storage portion of the project.

(c) "Class II funded project" means a proposed new project or renovation of an existing project which is receiving or is eligible to receive financial participation from the federal government.

(d) "Class III funded project" means a proposed new project or renovation of an existing project located outside the boundaries of an organized watershed district which is not receiving or is not eligible to receive financial participation from the ~~state conservation commission~~ Kansas department of agriculture division of conservation or the federal government except as provided in K.S.A. 82a-1606, and amendments thereto.

(e) "Flood control storage" means storage space in reservoirs to hold flood waters.

(f) "Future use public water supply storage" means storage space which the Kansas water office determines will be needed within the next 20 years for use by public water supply users in an area but for which there is no current sponsor.

(g) "General plan" means a preliminary engineering report describing the characteristics of the project area, the nature and methods of dealing with the soil and water problems within the project area, and the projects proposed to be undertaken by the sponsor within the project area. Such plan shall include maps, descriptions and other data as may be necessary for the location, identification and establishment of the character of the work to be undertaken; a cost-benefit analysis of alternatives to the project, including but not limited to, nonstructural flood control options and water conservation and reuse to reduce need for new water supply storage; and any other data and information as the chief engineer may require.

(h) "Land right" means real property as that term is defined by the laws of the state of Kansas and all rights thereto and interest therein and shall include any road, highway, bridge, street, easement or other right-of-way thereon.

(i) "Multipurpose small lake project" means a dam and lake containing: (1) Flood control storage; and (2) either public water supply storage or recreation features or both.

(j) "Public water supply" means a water supply for municipal, industrial or domestic use.

(k) "Public water supply storage" means storage of water for municipal, industrial or domestic use.

(l) "Recreation feature" means water storage and related facilities for activities such as swimming, fishing, boating, camping or other related activities.

(m) "Renovation" means repair or restoration of an existing lake which contains water storage space for use as a public water supply and which has either recreational purposes or flood control purposes, or both.

(n) "Sponsor" means: (1) Any political subdivision of the state which has the power of taxation and the right of eminent domain; (2) any public wholesale water supply district; or (3) any rural water district.

(o) "Water user" means any city, rural water district, wholesale water district or any other political subdivision of the state which is in the business of furnishing municipal or industrial water to the public.

Sec. 138. K.S.A. 82a-1607 is hereby amended to read as follows: 82a-1607. Sponsors shall apply to the state conservation commission for participation in the multipurpose small lakes program. The review and approval process of the ~~state conservation commission~~ Kansas department of agriculture division of conservation shall be established by rules and regulations which shall be consistent with the state water plan. Following review, the Kansas department of agriculture division of conservation with the approval of the state conservation commission shall request appropriations for specific projects from the legislature. Any funds appropriated to carry

out the provisions of this act shall be administered by the ~~state conservation commission~~ Kansas department of agriculture division of conservation.

Sec. 139. K.S.A. 82a-1608 is hereby amended to read as follows: 82a-1608. (a) If state financial participation is approved for a multipurpose small lake project, the ~~state conservation commission~~ Kansas department of agriculture division of conservation shall require a local nonpoint source management plan for the watersheds draining into the proposed lake. Such plan shall be submitted to and approved by the ~~state conservation commission~~ Kansas department of agriculture division of conservation before any state funds may be used for the proposed project.

(b) If public water supply storage is included in such a project, the sponsor shall have a water conservation plan which has been submitted to and approved by the chief engineer.

(c) Any funding provided by the state shall include money necessary to pay for cost-sharing expenses incurred for nonpoint source management pursuant to the plan required by subsection (a).

Sec. 140. K.S.A. 82a-1609 is hereby amended to read as follows: 82a-1609. (a) Before the ~~state conservation commission~~ Kansas department of agriculture division of conservation requests any appropriation for any multipurpose small lake project, the chief engineer shall review the cost-benefit analysis of alternatives to the project and shall:

(1) Submit the general plan to the appropriate state environmental review agencies pursuant to K.S.A. 82a-325, 82a-326 and 82a-327, and amendments thereto, for review and comment as provided by those sections; and

(2) publish notice of the review in the Kansas register, make the general plan available to the public and receive public comments on the proposed project for a period of 30 days following publication of the notice.

(b) If, in the review, a reasonable, less expensive alternative to the proposed project is identified and the ~~state conservation commission~~ Kansas department of agriculture division of conservation nevertheless requests an appropriation for the proposed project, the ~~commission division~~ shall submit its reasons for proceeding with participation in the project, together with substantiating documentation, with the budget estimate and program statement for such project.

(c) This section shall be part of and supplemental to the multipurpose small lakes program act.

Sec. 141. K.S.A. 82a-1702 is hereby amended to read as follows: 82a-1702. (a) The state shall provide financial assistance to certain public corporations for part of the costs or reimbursement of part of the costs of installation of water development projects, which derive general benefits to the state as a whole, or to a section thereof beyond the boundaries of such public corporation.

(b) Any public corporation shall be eligible for state financial assistance for a part of the costs it becomes actually and legally obligated to pay for all lands, easements, and rights-of-way for the water development projects in the event the state conservation commission shall find that: (1) Such public corporation has made application for approval of such financial assistance with the ~~state conservation commission~~ Kansas department of agriculture division of conservation in such form and manner as the ~~state conservation commission~~ Kansas department of agriculture division of conservation may require, which application each public corporation is hereby authorized to make;

(2) such works will confer general flood control benefits beyond the boundaries of such public corporation in excess of 20% of the total flood control benefits of the works; (3) such works are consistent with the state water plan; (4) such public corporation will need such financial assistance for actual expenditures within the fiscal year next following; and (5) the legislature has appropriated funds for the payment of such sum. The payment authorized hereunder shall be limited to an amount equal to the total costs the public corporation shall become actually and legally obligated to spend for lands, easements, and rights-of-way for such water resource development works, multiplied by the ratio that the flood control benefits conferred beyond the boundaries of the public corporation bear to the total flood control benefits of the project. Such findings shall each be made at and in such manner as is provided by procedural rules and regulations which shall be adopted by the Kansas department of agriculture division of conservation with the approval of the state conservation commission.

(c) Any public corporation receiving financial assistance under this section shall apply those sums toward the satisfaction of the legal obligations for the specific lands, easements, and rights-of-way for which it receives them or toward the reimbursement of those accounts from which those legal obligations were satisfied, in whole or in part, and it shall return to the state any sums that are not in fact so applied. In ascertaining costs of lands, easements, and rights-of-way under this section, the ~~state conservation commission~~ Kansas department of agriculture division of conservation shall not consider any costs which relate to land treatment measures nor any costs for which federal aid for construction costs is granted pursuant to the watershed protection and flood prevention acts or pursuant to any other federal acts.

Sec. 142. K.S.A. 82a-1703 is hereby amended to read as follows: 82a-1703. The governing body of each public corporation eligible for state financial assistance under the provisions of this act shall make application for state payment each year to the ~~state conservation commission~~ Kansas department of agriculture division of conservation in such form and manner as the ~~state conservation commission~~ Kansas department of agriculture division of conservation may prescribe by its rules and regulations. Each year the ~~state conservation commission~~ Kansas department of agriculture division of conservation shall determine what persons are eligible to receive financial assistance from the state, and the amounts thereof, pursuant to this act. In the event the ~~state conservation commission~~ Kansas department of agriculture division of conservation shall determine that any such application, including the amounts thereof, is proper and in compliance with this act and is supported by a resolution as provided in K.S.A. 82a-1704, and amendments thereto, the ~~state conservation commission~~ Kansas department of agriculture division of conservation may submit a request therefor as a part of its annual budget requests and estimates. Each such request shall be separately stated and identified. The budget item for each project shall contain the name of the project, the name of the public corporation to which the item relates, the county or counties in which such public corporation is located, the identification of the agreement or resolution supporting the request, and the amount of state payment requested therefor.

Sec. 143. K.S.A. 82a-1704 is hereby amended to read as follows: 82a-1704. In order that any public corporation eligible for state payments under the provisions of this act may receive payment from the state, the governing body of the public corporation shall adopt and transmit to the ~~state conservation commission~~ Kansas department of agriculture division of conservation an appropriate resolution requesting the ~~state~~

~~conservation commission~~ Kansas department of agriculture division of conservation to approve payment to the requesting body of a sum or sums to be named within the limits of and for the purposes defined in this act. The resolution shall show the total cost allocated to the requesting body for providing the lands, easements, and rights-of-way for the works of improvement of the requesting body and shall pledge that all money received from the state under authority of this act will be applied solely to the purposes specified in this act.

Sec. 144. K.S.A. 2011 Supp. 82a-2007 is hereby amended to read as follows: 82a-2007. Subject to appropriations, there shall be an additional employee at the ~~state conservation commission~~ Kansas department of agriculture division of conservation to work on total maximum daily load compliance and to coordinate with the department and other appropriate federal and state agencies to further implement voluntary incentive based conservation programs to protect water quality.

Sec. 145. K.S.A. 2011 Supp. 82a-2101 is hereby amended to read as follows: 82a-2101. (a) On and after January 1, 2002, there is hereby imposed a clean drinking water fee at the rate of \$.03 per 1,000 gallons of water sold at retail by a public water supply system and delivered through mains, lines or pipes. Such fee shall be paid, administered, enforced and collected in the manner provided for the fee imposed by subsection (a)(1) of K.S.A. 82a-954, and amendments thereto. The price to the consumer of water sold at retail by any such system shall not include the amount of such fee.

(b) (1) A public water supply system may elect to opt out of the fee imposed by this section by notifying, before October 1, 2001, the Kansas water office and the department of revenue of the election to opt out. Except as provided by subsection (b) (2), such election shall be irrevocable. Such public water supply system shall continue to pay all applicable sales tax on direct and indirect purchases of tangible personal property and services purchased by such system.

(2) On and after January 1, 2005, any public water supply system which elected to opt out of the fee imposed by subsection (a) may elect to collect such fee as provided by subsection (a) and direct and indirect purchases of tangible personal property and services by such system shall be exempt from sales tax as provided by K.S.A. 79-3606, and amendments thereto. Such election shall be irrevocable.

(c) The director of taxation shall remit to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, all moneys received or collected from the fee imposed pursuant to this section. Upon receipt thereof, the state treasurer shall deposit the entire amount in the state treasury and credit it as follows:

(1) $\frac{5}{106}$ of such amount shall be credited to the state highway fund and the remainder to the state general fund; and

(2) on and after July 1, 2007, $\frac{5}{106}$ of such amount shall be credited to the state highway fund and the remaining amount shall be credited to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, for use as follows: (A) Not less than 15% shall be used to provide on-site technical assistance for public water supply systems, as defined in K.S.A. 65-162a, and amendments thereto, to aid such systems in conforming to responsible management practices and complying with regulations of the United States environmental protection agency and rules and regulations of the department of health and environment; and (B) the remainder shall be used to renovate and protect lakes which are used directly as a source of water for such public water

supply systems, so long as where appropriate, watershed restoration and protection practices are planned or in place.

(d) ~~The state conservation commission~~ Kansas department of agriculture division of conservation shall promulgate rules and regulations in coordination with the Kansas water office establishing the project application evaluation criteria for the use of such moneys under subsection (c)(2)(B).";

And by renumbering sections accordingly;

On page 5, in line 41, by striking all after "K.S.A."; in line 42, by striking all before "are" and inserting " 2-909, 2-1903, 2-1904, 2-1907, 24-1211, 24-1212, 47-122a, 47-230, 47-239, 47-414, 47-414a, 47-416, 47-416a, 47-417, 47-418a, 47-420, 47-422, 47-428, 47-429, 47-432, 47-433, 47-434, 47-435, 47-441, 47-442, 47-446, 47-448, 47-605, 47-607, 47-607a, 47-607d, 47-608, 47-610, 47-613, 47-616, 47-618, 47-619, 47-620, 47-622, 47-626, 47-627, 47-629, 47-629a, 47-629b, 47-629c, 47-631, 47-632, 47-632a, 47-633a, 47-634, 47-635, 47-646a, 47-650, 47-651, 47-653, 47-653a, 47-653b, 47-653d, 47-653e, 47-653f, 47-653g, 47-653h, 47-654, 47-655, 47-657, 47-658a, 47-658b, 47-660, 47-666, 47-667, 47-673, 47-1001, 47-1001d, 47-1501, 47-1506, 47-1511, 47-1701, 47-1725, 47-1735, 47-1804, 47-1808, 47-1832, 49-603, 65-171i, 66-1319, 74-551, 74-4002, 74-4003, 74-50,161, 75-1901, 75-1903, 75-3141, 75-3142, 82a-326, 82a-1607, 82a-1608, 82a-1609, 82a-1702, 82a-1703 and 82a-1704 and K.S.A. 2011 Supp. 2-907, 2-1907c, 2-1915, 2-1930, 2-1931, 2-1932, 2-3709, 32-951, 47-417a, 47-437, 47-611, 47-612, 47-624, 47-672, 47-674, 47-816, 47-1001e, 47-1008, 47-1011a, 47-1201, 47-1218, 47-1302, 47-1303, 47-1304, 47-1307, 47-1503, 47-1706a, 47-1709, 47-1721, 47-1731, 47-1805, 47-1809, 47-1831, 47-2101, 48-3502, 65-5721, 74-552, 74-553, 74-555, 74-567, 74-50,156, 74-50,157, 74-50,158, 74-50,159, 74-50,160, 74-50,162, 74-50,163, 75-37,121, 82a-220, 82a-903, 82a-1602, 82a-1603, 82a-2007 and 82a-2101";

On page 1, in the title, in line 1, before "agricultural" by inserting "the Kansas department of agriculture; changes due to the establishment of the division of animal health, the agriculture marketing and promotions program and the division of conservation;" in line 2, by striking all after "K.S.A."; by striking all in line 3; in line 4, by striking all before the last period and inserting "2-909, 2-1903, 2-1904, 2-1907, 24-1211, 24-1212, 47-122a, 47-230, 47-239, 47-414, 47-414a, 47-416, 47-416a, 47-417, 47-418a, 47-420, 47-422, 47-428, 47-429, 47-432, 47-433, 47-434, 47-435, 47-441, 47-442, 47-446, 47-448, 47-605, 47-607, 47-607a, 47-607d, 47-608, 47-610, 47-613, 47-616, 47-618, 47-619, 47-620, 47-622, 47-626, 47-627, 47-629, 47-629a, 47-629b, 47-629c, 47-631, 47-632, 47-632a, 47-633a, 47-634, 47-635, 47-646a, 47-650, 47-651, 47-653, 47-653a, 47-653b, 47-653d, 47-653e, 47-653f, 47-653g, 47-653h, 47-654, 47-655, 47-657, 47-658a, 47-658b, 47-660, 47-666, 47-667, 47-673, 47-1001, 47-1001d, 47-1501, 47-1506, 47-1511, 47-1701, 47-1725, 47-1735, 47-1804, 47-1808, 47-1832, 49-603, 65-171i, 66-1319, 74-4002, 74-4003, 75-1901, 75-1903, 75-3141, 75-3142, 82a-326, 82a-1607, 82a-1608, 82a-1609, 82a-1702, 82a-1703 and 82a-1704 and K.S.A. 2011 Supp. 2-907, 2-1907c, 2-1915, 2-1930, 2-1931, 2-3709, 32-951, 47-417a, 47-437, 47-611, 47-612, 47-624, 47-672, 47-674, 47-816, 47-1001e, 47-1008, 47-1011a, 47-1201, 47-1218, 47-1302, 47-1303, 47-1304, 47-1503, 47-1706a, 47-1709, 47-1721, 47-1731, 47-1805, 47-1809, 47-1831, 47-2101, 48-3502, 65-5721, 74-552, 74-553, 74-567, 74-50,156, 74-50,163, 75-37,121, 82a-220, 82a-903, 82a-1602, 82a-1603, 82a-2007 and 82a-2101 and repealing the existing sections; also repealing K.S.A. 74-551 and 74-50,161 and K.S.A. 2011 Supp. 2-1932, 47-1307, 74-555, 74-50,157, 74-50,158, 74-

50,159, 74-50,160 and 74-50,162";

And your committee on conference recommends the adoption of this report.

MARK TADDIKEN

RUTH TEICHMAN

MARCI FRANCISCO

Conferees on part of Senate

LARRY R. POWELL

DAN KERSCHEN

JERRY D. WILLIAMS

Conferees on part of House

Senator Taddiken moved the Senate adopt the Conference Committee Report on **HB 2503**.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: A. Schmidt.

Absent or Not Voting: Steineger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to HB 2568 submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 2, following line 13, by inserting:

"(5) is convicted of sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or subsection (a) of K.S.A. 2011 Supp. 21-5505, and amendments thereto;"

And by renumbering remaining paragraphs accordingly;

On page 3, by striking all in lines 17 through 19;

And by renumbering remaining paragraphs accordingly;

On page 24, in line 28, after "conviction" by inserting "or adjudication"; in line 30, after "conviction" by inserting "or adjudication"; in line 33, after "conviction" by inserting "or adjudication"; in line 35, after "conviction" by inserting "or adjudication"; in line 37, after "conviction" by inserting "or adjudication";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

PAT COLLOTON
LANCE KINZER
MELODY MCCRAY-MILLER
Conferees on part of House

Senator Owens moved the Senate adopt the Conference Committee Report on **HB 2568**.

On roll call, the vote was: Yeas 37; Nays 2; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil, Wagle.

Nays: Huntington, Taddiken.

Absent or Not Voting: Steineger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2655** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Amended by Senate Committee, as follows:

On page 1, by striking all in lines 6 through 34;

By striking all on page 2;

On page 3, by striking all in lines 1 and 2 and by inserting:

"Section 1. K.S.A. 2011 Supp. 58a-411 is hereby amended to read as follows: 58a-411. (a) A noncharitable irrevocable trust may be modified or terminated upon consent of the settlor and all qualified beneficiaries, even if the modification or termination is inconsistent with a material purpose of the trust. A settlor's power to consent to a trust's modification or termination may be exercised by an attorney in fact under a power of attorney only to the extent expressly authorized by the power of attorney or the terms of the trust; by the settlor's conservator with the approval of the court supervising the conservatorship if an agent is not so authorized; or by the settlor's guardian with the approval of the court supervising the guardianship if an agent is not so authorized and a conservator has not been appointed. This subsection does not apply to irrevocable trusts created before, or to revocable trusts that became irrevocable before, January 1, 2003.

(b) A noncharitable irrevocable trust may be terminated upon consent of all of the qualified beneficiaries if the court concludes that continuance of the trust is not necessary to achieve any material purpose of the trust. A noncharitable irrevocable trust may be modified upon consent of all of the qualified beneficiaries if the court concludes that modification is not inconsistent with a material purpose of the trust.

(c) A spendthrift provision in the terms of the trust is not presumed to constitute a material purpose of the trust.

(d) Upon termination of a trust under subsection (a) or (b), the trustee shall distribute the trust property as agreed by the qualified beneficiaries.

(e) If not all of the qualified beneficiaries consent to a proposed modification or termination of the trust under subsection (a) or (b), the modification or termination may be approved by the court if the court is satisfied that:

(1) If all of the qualified beneficiaries had consented, the trust could have been modified or terminated under this section; and

(2) the interests of a qualified beneficiary who does not consent will be adequately protected.

Sec. 2. K.S.A. 58a-1013 is hereby amended to read as follows: 58a-1013. (a) Instead of furnishing a copy of the trust instrument to a person other than a qualified beneficiary, the trustee may furnish to the person an acknowledged certification of trust containing the following information:

(1) That the trust exists and the date the trust instrument was executed;

(2) the identity of the settlor;

(3) the identity and address of the currently acting trustee;

(4) the powers of the trustee;

(5) the revocability or irrevocability of the trust and the identity of any person holding a power to revoke the trust;

(6) the authority of cotrustees to sign or otherwise authenticate and whether all or less than all are required in order to exercise powers of the trustee; and

~~(7) the trust's taxpayer identification number; and~~

~~(8)(7)~~ the manner of taking title to trust property.

(b) A certification of trust may be signed or otherwise authenticated by any trustee.

(c) A certification of trust must state that the trust has not been revoked, modified, or amended in any manner that would cause the representations contained in the certification of trust to be incorrect.

(d) A certification of trust need not contain the dispositive terms of a trust.

(e) A recipient of a certification of trust may require the trustee to furnish copies of those excerpts from the original trust instrument and later amendments which designate the trustee and confer upon the trustee the power to act in the pending transaction.

(f) A person who acts in reliance upon a certification of trust without knowledge that the representations contained therein are incorrect is not liable to any person for so acting and may assume without inquiry the existence of the facts contained in the certification. Knowledge of the terms of the trust may not be inferred solely from the fact that a copy of all or part of the trust instrument is held by the person relying upon the certification.

(g) A person who in good faith enters into a transaction in reliance upon a certification of trust may enforce the transaction against the trust property as if the representations contained in the certification were correct.

(h) A person making a demand for the trust instrument in addition to a certification of trust or excerpts is liable for damages if the court determines that the person did not act in good faith in demanding the trust instrument.

(i) This section does not limit the right of a person to obtain a copy of the trust instrument in a judicial proceeding concerning the trust.";

Also on page 3, in line 3, before "K.S.A." by inserting "K.S.A. 58a-1013 and"; also in line 3, by striking "21-5905 is" and inserting "58a-411 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by

striking "judicial process" and inserting "the uniform trust code; relating to modification or termination of noncharitable irrevocable trusts; certification of trusts"; also in line 2, after "amending" by inserting "K.S.A. 58a-1013 and"; also in line 2, by striking "21-5905" and inserting "58a-411"; in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

Senator Owens moved the Senate adopt the Conference Committee Report on **HB 2655**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Steineger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to Senate Substitute for HB 2730 submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2730, as follows:

On page 25, in line 27, by striking "(1)" and inserting "and (c)(1)"; in line 28, by striking "(b)(5)" and inserting "(c)(4)";

And your committee on conference recommends the adoption of this report.

MARK TADDIKEN

RUTH TEICHMAN

MARCI FRANCISCO

Conferees on part of Senate

LARRY R. POWELL
 DAN KERSCHEN
 JERRY D. WILLIAMS

Conferees on part of House

Senator Taddiken moved the Senate adopt the Conference Committee Report on **S Sub for HB 2730**.

On roll call, the vote was: Yeas 36; Nays 3; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, Reitz, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Lynn, Pilcher-Cook, A. Schmidt.

Absent or Not Voting: Steineger.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote no on **S Sub for HB 2730** because it goes too far in restricting lodging establishments from providing breakfasts, receptions, and other offering of food items to its occupants. As stated in hearings regarding food inspections, it will now require all lodging establishments to acquire a food establishment license to serve any food that is not offered in a packaged format. This is a restriction which is unnecessary and will diminish such offerings from lodging establishments.

Furthermore, S Sub for HB 2730 does not go far enough in supporting our small neighborhood meat processing facilities that are vital businesses to rural communities. –

ALLEN C. SCHMIDT

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 134** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Further Amended by House Committee of the Whole, as follows:

On page 1, in line 12, by striking all following "Section 1.";

Also on page 1, by striking all in lines 13 through 30;

By striking all on pages 2 through 57 and inserting:

"K.S.A. 2011 Supp. 65-1626 is hereby amended to read as follows: 65-1626. For the purposes of this act:

(a) "Administer" means the direct application of a drug, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

(1) A practitioner or pursuant to the lawful direction of a practitioner;

(2) the patient or research subject at the direction and in the presence of the practitioner; or

(3) a pharmacist as authorized in K.S.A. 65-1635a, and amendments thereto.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of

a manufacturer, distributor or dispenser but shall not include a common carrier, public warehouseman or employee of the carrier or warehouseman when acting in the usual and lawful course of the carrier's or warehouseman's business.

(c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

(d) "Authorized distributor of record" means a wholesale distributor with whom a manufacturer has established an ongoing relationship to distribute the manufacturer's prescription drug. An ongoing relationship is deemed to exist between such wholesale distributor and a manufacturer when the wholesale distributor, including any affiliated group of the wholesale distributor, as defined in section 1504 of the internal revenue code, complies with any one of the following: (1) The wholesale distributor has a written agreement currently in effect with the manufacturer evidencing such ongoing relationship; and (2) the wholesale distributor is listed on the manufacturer's current list of authorized distributors of record, which is updated by the manufacturer on no less than a monthly basis.

(~~e~~)(e) "Board" means the state board of pharmacy created by K.S.A. 74-1603, and amendments thereto.

(~~e~~)(f) "Brand exchange" means the dispensing of a different drug product of the same dosage form and strength and of the same generic name as the brand name drug product prescribed.

(~~f~~)(g) "Brand name" means the registered trademark name given to a drug product by its manufacturer, labeler or distributor.

(~~e~~)(h) "Chain pharmacy warehouse" means a permanent physical location for drugs or devices, or both, that acts as a central warehouse and performs intracompany sales or transfers of prescription drugs or devices to chain pharmacies that have the same ownership or control. Chain pharmacy warehouses must be registered as wholesale distributors.

(~~f~~)(i) "Co-licensee" means a pharmaceutical manufacturer that has entered into an agreement with another pharmaceutical manufacturer to engage in a business activity or occupation related to the manufacture or distribution of a prescription drug and the national drug code on the drug product label shall be used to determine the identity of the drug manufacturer.

(j) "DEA" means the U.S. department of justice, drug enforcement administration.

(~~f~~)(k) "Deliver" or "delivery" means the actual, constructive or attempted transfer from one person to another of any drug whether or not an agency relationship exists.

(~~f~~)(l) "Direct supervision" means the process by which the responsible pharmacist shall observe and direct the activities of a pharmacy student or pharmacy technician to a sufficient degree to assure that all such activities are performed accurately, safely and without risk or harm to patients, and complete the final check before dispensing.

(~~k~~)(m) "Dispense" means to deliver prescription medication to the ultimate user or research subject by or pursuant to the lawful order of a practitioner or pursuant to the prescription of a mid-level practitioner.

(~~f~~)(n) "Dispenser" means a practitioner or pharmacist who dispenses prescription medication.

(~~m~~)(o) "Distribute" means to deliver, other than by administering or dispensing, any drug.

~~(n)~~(p) "Distributor" means a person who distributes a drug.

~~(o)~~(q) "Drop shipment" means the sale, by a manufacturer, that manufacturer's co-licensuree, that manufacturer's third party logistics provider, or that manufacturer's exclusive distributor, of the manufacturer's prescription drug, to a wholesale distributor whereby the wholesale distributor takes title but not possession of such prescription drug and the wholesale distributor invoices the pharmacy, the chain pharmacy warehouse, or other designated person authorized by law to dispense or administer such prescription drug, and the pharmacy, the chain pharmacy warehouse, or other designated person authorized by law to dispense or administer such prescription drug receives delivery of the prescription drug directly from the manufacturer, that manufacturer's co-licensuree, that manufacturer's third party logistics provider, or that manufacturer's exclusive distributor, of such prescription drug. Drop shipment shall be part of the "normal distribution channel."

~~(p)~~(r) "Drug" means: (1) Articles recognized in the official United States pharmacopoeia, or other such official compendiums of the United States, or official national formulary, or any supplement of any of them; (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals; (3) articles, other than food, intended to affect the structure or any function of the body of man or other animals; and (4) articles intended for use as a component of any articles specified in clause (1), (2) or (3) of this subsection; but does not include devices or their components, parts or accessories, except that the term "drug" shall not include amygdalin (laetrile) or any livestock remedy, if such livestock remedy had been registered in accordance with the provisions of article 5 of chapter 47 of the Kansas Statutes Annotated, prior to its repeal.

~~(q)~~(s) "Durable medical equipment" means technologically sophisticated medical devices that may be used in a residence, including the following: (1) Oxygen and oxygen delivery system; (2) ventilators; (3) respiratory disease management devices; (4) continuous positive airway pressure (CPAP) devices; (5) electronic and computerized wheelchairs and seating systems; (6) apnea monitors; (7) transcutaneous electrical nerve stimulator (TENS) units; (8) low air loss cutaneous pressure management devices; (9) sequential compression devices; (10) feeding pumps; (11) home phototherapy devices; (12) infusion delivery devices; (13) distribution of medical gases to end users for human consumption; (14) hospital beds; (15) nebulizers; or (16) other similar equipment determined by the board in rules and regulations adopted by the board.

(t) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(u) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

(v) "Electronic signature" means a confidential personalized digital key code, number or other method for secure electronic data transmissions which identifies a particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the transmission.

(w) "Electronic transmission" means the transmission of an electronic prescription.

formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(x) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

~~(y)~~ "Exclusive distributor" means any entity that: (1) Contracts with a manufacturer to provide or coordinate warehousing, wholesale distribution or other services on behalf of a manufacturer and who takes title to that manufacturer's prescription drug, but who does not have general responsibility to direct the sale or disposition of the manufacturer's prescription drug; (2) is registered as a wholesale distributor under the pharmacy act of the state of Kansas; and (3) to be considered part of the normal distribution channel, must be an authorized distributor of record.

~~(s) "Electronic transmission" means transmission of information in electronic form or the transmission of the exact visual image of a document by way of electronic equipment.~~

~~(z)~~ "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes but is not limited to transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

~~(aa)~~ "Generic name" means the established chemical name or official name of a drug or drug product.

~~(bb)~~ (1) "Institutional drug room" means any location where prescription-only drugs are stored and from which prescription-only drugs are administered or dispensed and which is maintained or operated for the purpose of providing the drug needs of:

- (A) Inmates of a jail or correctional institution or facility;
- (B) residents of a juvenile detention facility, as defined by the revised Kansas code for care of children and the revised Kansas juvenile justice code;
- (C) students of a public or private university or college, a community college or any other institution of higher learning which is located in Kansas;
- (D) employees of a business or other employer; or
- (E) persons receiving inpatient hospice services.

(2) "Institutional drug room" does not include:

- (A) Any registered pharmacy;
- (B) any office of a practitioner; or
- (C) a location where no prescription-only drugs are dispensed and no prescription-only drugs other than individual prescriptions are stored or administered.

~~(cc)~~ "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

~~(dd)~~ "Intracompany transaction" means any transaction or transfer between any division, subsidiary, parent or affiliated or related company under common ownership or control of a corporate entity, or any transaction or transfer between co-licensees of a co-licensed product.

~~(ee)~~ "Medical care facility" shall have the meaning provided in K.S.A. 65-425,

and amendments thereto, except that the term shall also include facilities licensed under the provisions of K.S.A. 75-3307b, and amendments thereto, except community mental health centers and facilities for the mentally retarded.

~~(*)~~(ff) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a drug either directly or indirectly by extraction from substances of natural origin, independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the drug or labeling or relabeling of its container, except that this term shall not include the preparation or compounding of a drug by an individual for the individual's own use or the preparation, compounding, packaging or labeling of a drug by:

(1) A practitioner or a practitioner's authorized agent incident to such practitioner's administering or dispensing of a drug in the course of the practitioner's professional practice;

(2) a practitioner, by a practitioner's authorized agent or under a practitioner's supervision for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale; or

(3) a pharmacist or the pharmacist's authorized agent acting under the direct supervision of the pharmacist for the purpose of, or incident to, the dispensing of a drug by the pharmacist.

~~(*)~~(gg) "Manufacturer" means a person licensed or approved by the FDA to engage in the manufacture of drugs and devices.

~~(*)~~(hh) "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed pursuant to the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

(ii) "Normal distribution channel" means a chain of custody for a prescription-only drug that goes from a manufacturer of the prescription-only drug, from that manufacturer to that manufacturer's co-licensed partner, from that manufacturer to that manufacturer's third-party logistics provider, or from that manufacturer to that manufacturer's exclusive distributor, directly or by drop shipment, to:

(1) A pharmacy to a patient or to other designated persons authorized by law to dispense or administer such drug to a patient;

(2) a wholesale distributor to a pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient;

(3) a wholesale distributor to a chain pharmacy warehouse to that chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient; or

(4) a chain pharmacy warehouse to the chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient.

~~(aa)~~(jj) "Person" means individual, corporation, government, governmental subdivision or agency, partnership, association or any other legal entity.

~~(bb)~~(kk) "Pharmacist" means any natural person licensed under this act to practice

pharmacy.

~~(ee)~~(ll) "Pharmacist-in-charge" means the pharmacist who is responsible to the board for a registered establishment's compliance with the laws and regulations of this state pertaining to the practice of pharmacy, manufacturing of drugs and the distribution of drugs. The pharmacist-in-charge shall supervise such establishment on a full-time or a part-time basis and perform such other duties relating to supervision of a registered establishment as may be prescribed by the board by rules and regulations. Nothing in this definition shall relieve other pharmacists or persons from their responsibility to comply with state and federal laws and regulations.

~~(mm)~~ "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving an internship; or (3) a graduate of a pharmacy program located outside of the United States which is not accredited and who has successfully passed equivalency examinations approved by the board.

~~(dd)~~(nn) "Pharmacy," "drug store" or "apothecary" means premises, laboratory, area or other place: (1) Where drugs are offered for sale where the profession of pharmacy is practiced and where prescriptions are compounded and dispensed; or (2) which has displayed upon it or within it the words "pharmacist," "pharmaceutical chemist," "pharmacy," "apothecary," "drugstore," "druggist," "drugs," "drug sundries" or any of these words or combinations of these words or words of similar import either in English or any sign containing any of these words; or (3) where the characteristic symbols of pharmacy or the characteristic prescription sign "Rx" may be exhibited. As used in this subsection, premises refers only to the portion of any building or structure leased, used or controlled by the licensee in the conduct of the business registered by the board at the address for which the registration was issued.

~~(ee)~~ "Pharmacy student" means an individual, registered with the board of pharmacy, enrolled in a accredited school of pharmacy.

~~(oo)~~ "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers or servers, and is controlled by the pharmacy.

~~(ff)~~(pp) "Pharmacy technician" means an individual who, under the direct supervision and control of a pharmacist, may perform packaging, manipulative, repetitive or other nondiscretionary tasks related to the processing of a prescription or medication order and who assists the pharmacist in the performance of pharmacy related duties, but who does not perform duties restricted to a pharmacist.

~~(gg)~~(qq) "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist or scientific investigator or other person authorized by law to use a prescription-only drug in teaching or chemical analysis or to conduct research with respect to a prescription-only drug.

~~(hh)~~(rr) "Preceptor" means a licensed pharmacist who possesses at least two years' experience as a pharmacist and who supervises students obtaining the pharmaceutical experience required by law as a condition to taking the examination for licensure as a pharmacist.

~~(ii)~~ "Prescription" means, according to the context, either a prescription order or a prescription medication.

~~(ss)~~ "Prescriber" means a practitioner or a mid-level practitioner.

~~(jj)~~(tt) "Prescription" or "prescription order" means: (1) An order to be filled by a

pharmacist for prescription medication issued and signed by a prescriber in the authorized course of such prescriber's professional practice; or (2) an order transmitted to a pharmacist through word of mouth, note, telephone or other means of communication directed by such prescriber, regardless of whether the communication is oral, electronic, facsimile or in printed form.

(uu) "Prescription medication" means any drug, including label and container according to context, which is dispensed pursuant to a prescription order.

~~(kk)~~(vv) "Prescription-only drug" means any drug whether intended for use by man or animal, required by federal or state law (including 21 U.S.C. § 353, as amended), to be dispensed only pursuant to a written or oral prescription or order of a practitioner or is restricted to use by practitioners only.

~~(ll)~~ "Prescription order" means: (1) An order to be filled by a pharmacist for prescription medication issued and signed by a practitioner or a mid-level practitioner in the authorized course of professional practice; or (2) an order transmitted to a pharmacist through word of mouth, note, telephone or other means of communication directed by such practitioner or mid-level practitioner.

~~(mm)~~(ww) "Probation" means the practice or operation under a temporary license, registration or permit or a conditional license, registration or permit of a business or profession for which a license, registration or permit is granted by the board under the provisions of the pharmacy act of the state of Kansas requiring certain actions to be accomplished or certain actions not to occur before a regular license, registration or permit is issued.

~~(nn)~~(xx) "Professional incompetency" means:

(1) One or more instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree which constitutes gross negligence, as determined by the board;

(2) repeated instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree which constitutes ordinary negligence, as determined by the board; or

(3) a pattern of pharmacy practice or other behavior which demonstrates a manifest incapacity or incompetence to practice pharmacy.

~~(oo)~~(yy) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized record-keeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

(zz) "Retail dealer" means a person selling at retail nonprescription drugs which are prepackaged, fully prepared by the manufacturer or distributor for use by the consumer and labeled in accordance with the requirements of the state and federal food, drug and cosmetic acts. Such nonprescription drugs shall not include: (1) A controlled substance; (2) a prescription-only drug; or (3) a drug intended for human use by hypodermic injection.

~~(pp)~~(aaa) "Secretary" means the executive secretary of the board.

~~(qq)~~(bbb) "Third party logistics provider" means an entity that: (1) Provides or coordinates warehousing, distribution or other services on behalf of a manufacturer, but does not take title to the prescription drug or have general responsibility to direct the

prescription drug's sale or disposition; (2) is registered as a wholesale distributor under the pharmacy act of the state of Kansas; and (3) to be considered part of the normal distribution channel, must also be an authorized distributor of record.

~~(#)~~(ccc) "Unprofessional conduct" means:

- (1) Fraud in securing a registration or permit;
- (2) intentional adulteration or mislabeling of any drug, medicine, chemical or poison;
- (3) causing any drug, medicine, chemical or poison to be adulterated or mislabeled, knowing the same to be adulterated or mislabeled;
- (4) intentionally falsifying or altering records or prescriptions;
- (5) unlawful possession of drugs and unlawful diversion of drugs to others;
- (6) willful betrayal of confidential information under K.S.A. 65-1654, and amendments thereto;
- (7) conduct likely to deceive, defraud or harm the public;
- (8) making a false or misleading statement regarding the licensee's professional practice or the efficacy or value of a drug;
- (9) commission of any act of sexual abuse, misconduct or exploitation related to the licensee's professional practice; or
- (10) performing unnecessary tests, examinations or services which have no legitimate pharmaceutical purpose.

~~(ss)~~ "Mid-level practitioner" means ~~an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed pursuant to the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.~~

~~(#)~~(ddd) "Vaccination protocol" means a written protocol, agreed to by a pharmacist and a person licensed to practice medicine and surgery by the state board of healing arts, which establishes procedures and recordkeeping and reporting requirements for administering a vaccine by the pharmacist for a period of time specified therein, not to exceed two years.

(eee) "Valid prescription order" means a prescription that is issued for a legitimate medical purpose by an individual prescriber licensed by law to administer and prescribe drugs and acting in the usual course of such prescriber's professional practice. A prescription issued solely on the basis of an internet-based questionnaire or consultation without an appropriate prescriber-patient relationship is not a valid prescription order.

~~(##)~~(ffi) "Veterinary medical teaching hospital pharmacy" means any location where prescription-only drugs are stored as part of an accredited college of veterinary medicine and from which prescription-only drugs are distributed for use in treatment of or administration to a nonhuman.

~~(vv)~~(ggg) "Wholesale distributor" means any person engaged in wholesale distribution of prescription drugs or devices in or into the state, including, but not limited to, manufacturers, repackagers, own-label distributors, private-label distributors, jobbers, brokers, warehouses, including manufacturers' and distributors' warehouses, co-licensees, exclusive distributors, third party logistics providers, chain pharmacy warehouses that conduct wholesale distributions, and wholesale drug warehouses,

independent wholesale drug traders and retail pharmacies that conduct wholesale distributions. Wholesale distributor shall not include persons engaged in the sale of durable medical equipment to consumers or patients.

~~(www)~~(hhh) "Wholesale distribution" means the distribution of prescription drugs or devices by wholesale distributors to persons other than consumers or patients, and includes the transfer of prescription drugs by a pharmacy to another pharmacy if the total number of units of transferred drugs during a twelve-month period does not exceed 5% of the total number of all units dispensed by the pharmacy during the immediately preceding twelve-month period. Wholesale distribution does not include:

(1) The sale, purchase or trade of a prescription drug or device, an offer to sell, purchase or trade a prescription drug or device or the dispensing of a prescription drug or device pursuant to a prescription;

(2) the sale, purchase or trade of a prescription drug or device or an offer to sell, purchase or trade a prescription drug or device for emergency medical reasons;

(3) intracompany transactions, as defined in this section, unless in violation of own use provisions;

(4) the sale, purchase or trade of a prescription drug or device or an offer to sell, purchase or trade a prescription drug or device among hospitals, chain pharmacy warehouses, pharmacies or other health care entities that are under common control;

(5) the sale, purchase or trade of a prescription drug or device or the offer to sell, purchase or trade a prescription drug or device by a charitable organization described in 503(c)(3) of the internal revenue code of 1954 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

(6) the purchase or other acquisition by a hospital or other similar health care entity that is a member of a group purchasing organization of a prescription drug or device for its own use from the group purchasing organization or from other hospitals or similar health care entities that are members of these organizations;

(7) the transfer of prescription drugs or devices between pharmacies pursuant to a centralized prescription processing agreement;

(8) the sale, purchase or trade of blood and blood components intended for transfusion;

(9) the return of recalled, expired, damaged or otherwise non-salable prescription drugs, when conducted by a hospital, health care entity, pharmacy, chain pharmacy warehouse or charitable institution in accordance with the board's rules and regulations;

(10) the sale, transfer, merger or consolidation of all or part of the business of a retail pharmacy or pharmacies from or with another retail pharmacy or pharmacies, whether accomplished as a purchase and sale of stock or business assets, in accordance with the board's rules and regulations;

(11) the distribution of drug samples by manufacturers' and authorized distributors' representatives;

(12) the sale of minimal quantities of drugs by retail pharmacies to licensed practitioners for office use; or

(13) the sale or transfer from a retail pharmacy or chain pharmacy warehouse of expired, damaged, returned or recalled prescription drugs to the original manufacturer, originating wholesale distributor or to a third party returns processor in accordance with the board's rules and regulations.

Sec. 2. K.S.A. 2011 Supp. 65-1637 is hereby amended to read as follows: 65-1637.

(a) In every store, shop or other place defined in this act as a "pharmacy" there shall be a pharmacist-in-charge and, except as otherwise provided by law, the compounding and dispensing of prescriptions shall be limited to pharmacists only. ~~Except as otherwise provided by the pharmacy act of this state, when a pharmacist is not in attendance at a pharmacy, the premises shall be enclosed and secured. Prescription orders may be written, oral, telephonic or by electronic transmission unless prohibited by law. Blank forms for written prescription orders may have two signature lines. If there are two lines, one signature line shall state: "Dispense as written" and the other signature line shall state: "Brand exchange permissible." Prescriptions shall only be filled or refilled in accordance with the following requirements:~~

~~(a) All prescriptions shall be filled in strict conformity with any directions of the prescriber, except that a pharmacist who receives a prescription order for a brand name drug product may exercise brand exchange with a view toward achieving a lesser cost to the purchaser unless:~~

~~(1) The prescriber, in the case of a prescription signed by the prescriber and written on a blank form containing two signature lines, signs the signature line following the statement "dispense as written," or~~

~~(2) the prescriber, in the case of a prescription signed by the prescriber, writes in the prescriber's own handwriting "dispense as written" on the prescription, or~~

~~(3) the prescriber, in the case of a prescription other than one in writing signed by the prescriber, expressly indicates the prescription is to be dispensed as communicated, or~~

~~(4) the federal food and drug administration has determined that a drug product of the same generic name is not bioequivalent to the prescribed brand name prescription medication.~~

~~(b) Prescription orders shall be recorded in writing by the pharmacist and the record so made by the pharmacist shall constitute the original prescription to be dispensed by the pharmacist. This record, if telephoned by other than the physician shall bear the name of the person so telephoning. Nothing in this paragraph shall be construed as altering or affecting in any way laws of this state or any federal act requiring a written prescription order.~~

~~(c) (1) Except as provided in paragraph (2), no prescription shall be refilled unless authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filled by the pharmacist.~~

~~(2) A pharmacist may refill a prescription order issued on or after the effective date of this act for any prescription drug except a drug listed on schedule II of the uniform controlled substances act or a narcotic drug listed on any schedule of the uniform controlled substances act without the prescriber's authorization when all reasonable efforts to contact the prescriber have failed and when, in the pharmacist's professional judgment, continuation of the medication is necessary for the patient's health, safety and welfare. Such prescription refill shall only be in an amount judged by the pharmacist to be sufficient to maintain the patient until the prescriber can be contacted, but in no event shall a refill under this paragraph be more than a seven day supply or one package of the drug. However, if the prescriber states on a prescription that there shall be no emergency refilling of that prescription, then the pharmacist shall not dispense any emergency medication pursuant to that prescription. A pharmacist who refills a prescription order under this subsection (c)(2) shall contact the prescriber of the~~

prescription order on the next business day subsequent to the refill or as soon thereafter as possible. No pharmacist shall be required to refill any prescription order under this subsection (c)(2). A prescriber shall not be subject to liability for any damages resulting from the refilling of a prescription order by a pharmacist under this subsection (c)(2) unless such damages are occasioned by the gross negligence or willful or wanton acts or omissions by the prescriber.

~~(d) If any prescription order contains a provision that the prescription may be refilled a specific number of times within or during any particular period, such prescription shall not be refilled except in strict conformity with such requirements.~~

~~(e) If a prescription order contains a statement that during any particular time the prescription may be refilled at will, there shall be no limitation as to the number of times that such prescription may be refilled except that it may not be refilled after the expiration of the time specified or one year after the prescription was originally issued, whichever occurs first.~~

~~(f) Any pharmacist who exercises brand exchange and dispenses a less expensive drug product shall not charge the purchaser more than the regular and customary retail price for the dispensed drug.~~

~~Nothing contained in this section shall be construed as preventing a pharmacist from refusing to fill or refill any prescription if in the pharmacist's professional judgment and discretion such pharmacist is of the opinion that it should not be filled or refilled~~

(b) Except as otherwise provided by the pharmacy act of this state, when a pharmacist is not in attendance at a pharmacy, the premises shall be enclosed and secured.

New Sec. 3. (a) The pharmacist shall exercise professional judgment regarding the accuracy, validity and authenticity of any prescription order consistent with federal and state laws and rules and regulations. A pharmacist shall not dispense a prescription drug if the pharmacist, in the exercise of professional judgment, determines that the prescription is not a valid prescription order.

(b) The prescriber may authorize an agent to transmit to the pharmacy a prescription order orally, by facsimile transmission or by electronic transmission provided that the first and last names of the transmitting agent are included in the order.

(c) (1) A new written or electronically prepared and transmitted prescription order shall be manually or electronically signed by the prescriber. If transmitted by the prescriber's agent, the first and last names of the transmitting agent shall be included in the order.

(2) If the prescription is for a controlled substance and is written or printed from an electronic prescription application, the prescription shall be manually signed by the prescriber prior to delivery of the prescription to the patient or prior to facsimile transmission of the prescription to the pharmacy.

(3) An electronically prepared prescription shall not be electronically transmitted to the pharmacy if the prescription has been printed prior to electronic transmission. An electronically prepared and transmitted prescription which is printed following electronic transmission shall be clearly labeled as a copy, not valid for dispensing.

(4) In consultation with industry, the state board of pharmacy shall conduct a study on the issues of electronic transmission of prior authorizations and step therapy protocols. The report on the results of such study shall be completed and submitted to the legislature no later than January 15, 2013.

(5) The board is hereby authorized to conduct pilot projects related to any new technology implementation when deemed necessary and practicable, except that no state moneys shall be expended for such purpose.

(d) An authorization to refill a prescription order or to renew or continue an existing drug therapy may be transmitted to a pharmacist through oral communication, in writing, by facsimile transmission or by electronic transmission initiated by or directed by the prescriber.

(1) If the transmission is completed by the prescriber's agent, and the first and last names of the transmitting agent are included in the order, the prescriber's signature is not required on the fax or alternate electronic transmission.

(2) If the refill order or renewal order differs in any manner from the original order, such as a change of the drug strength, dosage form or directions for use, the prescriber shall sign the order as provided by paragraph (1).

(e) Regardless of the means of transmission to a pharmacy, only a pharmacist or a pharmacist intern shall be authorized to receive a new prescription order from a prescriber or transmitting agent. A pharmacist, a pharmacist intern or a registered pharmacy technician may receive a refill or renewal order from a prescriber or transmitting agent if such registered pharmacy technician's supervising pharmacist has authorized that function.

(f) A refill is one or more dispensings of a prescription drug or device that results in the patient's receipt of the quantity authorized by the prescriber for a single fill as indicated on the prescription order.

(1) A prescription for a prescription drug or device that is not a controlled substance may authorize no more than 12 refills within 18 months following the date on which the prescription is issued.

(2) A prescription for a schedule III, IV or V controlled substance may authorize no more than five refills within six months following the date on which the prescription is issued.

(g) Prescriptions shall only be filled or refilled in accordance with the following requirements:

(1) All prescriptions shall be filled in strict conformity with any directions of the prescriber, except that a pharmacist who receives a prescription order for a brand name drug product may exercise brand exchange with a view toward achieving a lesser cost to the purchaser unless:

(A) The prescriber, in the case of a prescription manually or electronically signed by the prescriber and prepared on a form containing two signature lines, signs the signature line following the statement "dispense as written";

(B) the prescriber, in the case of a written prescription signed by the prescriber, writes in the prescriber's own handwriting "dispense as written" on the prescription;

(C) the prescriber, in the case of a prescription other than one in writing signed by the prescriber, expressly indicates the prescription is to be dispensed as communicated; or

(D) the federal food and drug administration has determined that a drug product of the same generic name is not bioequivalent to the prescribed brand name prescription medication.

(h) If a prescription order contains a statement that during any particular time the prescription may be refilled at will, there shall be no limitation as to the number of

times that such prescription may be refilled except that it may not be refilled after the expiration of the time specified or one year after the prescription was originally issued, whichever occurs first.

(i) Prescription orders shall be recorded in writing by the pharmacist and the record so made by the pharmacist shall constitute the original prescription to be dispensed by the pharmacist. This record, if telephoned by other than the prescriber, shall bear the name of the person so telephoning. Nothing in this section shall be construed as altering or affecting in any way laws of this state or any federal act requiring a written prescription order.

(j) (1) Except as provided in paragraph (2), no prescription shall be refilled unless authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filled by the pharmacist.

(2) A pharmacist may refill a prescription order issued on or after the effective date of this act for any prescription drug except a drug listed on schedule II of the uniform controlled substances act or a narcotic drug listed on any schedule of the uniform controlled substances act without the prescriber's authorization when all reasonable efforts to contact the prescriber have failed and when, in the pharmacist's professional judgment, continuation of the medication is necessary for the patient's health, safety and welfare. Such prescription refill shall only be in an amount judged by the pharmacist to be sufficient to maintain the patient until the prescriber can be contacted, but in no event shall a refill under this paragraph be more than a seven day supply or one package of the drug. However, if the prescriber states on a prescription that there shall be no emergency refilling of that prescription, then the pharmacist shall not dispense any emergency medication pursuant to that prescription. A pharmacist who refills a prescription order under this subsection (j)(2) shall contact the prescriber of the prescription order on the next business day subsequent to the refill or as soon thereafter as possible. No pharmacist shall be required to refill any prescription order under this subsection (j)(2). A prescriber shall not be subject to liability for any damages resulting from the refilling of a prescription order by a pharmacist under this subsection (j)(2) unless such damages are occasioned by the gross negligence or willful or wanton acts or omissions by the prescriber.

(k) If any prescription order contains a provision that the prescription may be refilled a specific number of times within or during any particular period, such prescription shall not be refilled except in strict conformity with such requirements.

(l) Any pharmacist who exercises brand exchange and dispenses a less expensive drug product shall not charge the purchaser more than the regular and customary retail price for the dispensed drug.

(m) Nothing contained in this section shall be construed as preventing a pharmacist from refusing to fill or refill any prescription if in the pharmacist's professional judgment and discretion such pharmacist is of the opinion that it should not be filled or refilled.

Sec. 4. K.S.A. 2011 Supp. 65-1683 is hereby amended to read as follows: 65-1683. (a) The board shall establish and maintain a prescription monitoring program for the monitoring of scheduled substances and drugs of concern dispensed in this state or dispensed to an address in this state.

(b) Each dispenser shall submit to the board by electronic means information required by the board regarding each prescription dispensed for a substance included

under subsection (a). The board shall promulgate rules and regulations specifying the nationally recognized telecommunications format to be used for submission of information that each dispenser shall submit to the board. Such information may include, but not be limited to:

- (1) The dispenser identification number;
- (2) the date the prescription is filled;
- (3) the prescription number;
- (4) whether the prescription is new or is a refill;
- (5) the national drug code for the drug dispensed;
- (6) the quantity dispensed;
- (7) the number of days supply of the drug;
- (8) the patient identification number;
- (9) the patient's name;
- (10) the patient's address;
- (11) the patient's date of birth;
- (12) the prescriber identification number;
- (13) the date the prescription was issued by the prescriber; and
- (14) the source of payment for the prescription.

(c) The board shall promulgate rules and regulations specifying the transmission methods and frequency of the dispenser submissions required under subsection (b).

(d) The board may issue a waiver to a dispenser that is unable to submit prescription information by electronic means. Such waiver may permit the dispenser to submit prescription information by paper form or other means, provided that all information required by rules and regulations is submitted in this alternative format.

(e) The board is hereby authorized to apply for and to accept grants and may accept any donation, gift or bequest made to the board for furthering any phase of the prescription monitoring program.

(f) The board shall remit all moneys received by it under subsection (e) to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the board or a person designated by the president.

Sec. 5. K.S.A. 2011 Supp. 65-1685 is hereby amended to read as follows: 65-1685.

(a) The prescription monitoring program database, all information contained therein and any records maintained by the board, or by any entity contracting with the board, submitted to, maintained or stored as a part of the database, shall be privileged and confidential, shall not be subject to subpoena or discovery in civil proceedings and may only be used for investigatory or evidentiary purposes related to violations of state or federal law and regulatory activities of entities charged with administrative oversight of those persons engaged in the prescribing or dispensing of scheduled substances and drugs of concern, shall not be a public record and shall not be subject to the Kansas open records act, K.S.A. 45-215 *et seq.*, and amendments thereto, except as provided in subsections (c) and (d).

(b) The board shall maintain procedures to ensure that the privacy and confidentiality of patients and patient information collected, recorded, transmitted and

maintained is not disclosed to persons except as provided in subsections (c) and (d).

(c) The board is hereby authorized to provide data in the prescription monitoring program to the following persons:

(1) Persons authorized to prescribe or dispense scheduled substances and drugs of concern, for the purpose of providing medical or pharmaceutical care for their patients;

(2) an individual who requests the individual's own prescription monitoring information in accordance with procedures established by the board;

(3) designated representatives from the professional licensing, certification or regulatory agencies charged with administrative oversight of those persons engaged in the prescribing or dispensing of scheduled substances and drugs of concern;

(4) local, state and federal law enforcement or prosecutorial officials engaged in the administration, investigation or enforcement of the laws governing scheduled substances and drugs of concern subject to the requirements in K.S.A. 22-2502, and amendments thereto;

(5) designated representatives from the ~~Kansas health policy authority department of health and environment~~ regarding authorized medicaid program recipients;

(6) persons authorized by a grand jury subpoena, inquisition subpoena or court order in a criminal action;

(7) personnel of the prescription monitoring program advisory committee for the purpose of operation of the program; ~~and~~

(8) personnel of the board for purposes of administration and enforcement of this act or the uniform controlled substances act, K.S.A. 65-4101 *et seq.*, and amendments thereto;

(9) persons authorized to prescribe or dispense scheduled substances and drugs of concern, when an individual is obtaining prescriptions in a manner that appears to be misuse, abuse or diversion of scheduled substances or drugs of concern; and

(10) medical examiners, coroners or other persons authorized under law to investigate or determine causes of death.

(d) The prescription monitoring program advisory committee established pursuant to K.S.A. 65-1689, and amendments thereto, is authorized to review and analyze the data for purposes of identifying patterns and activity of concern.

(1) If a review of information appears to indicate a person may be obtaining prescriptions in a manner that may represent misuse or abuse of controlled substances and drugs of concern, the advisory committee is authorized to notify the prescribers and dispensers who prescribed or dispensed the prescriptions. If the review identifies patterns or other evidence sufficient to create a reasonable suspicion of criminal activity, the advisory committee is authorized to notify the appropriate law enforcement agency.

(2) If a review of information appears to indicate that a violation of state or federal law relating to prescribing controlled substances and drugs of concern may have occurred, or that a prescriber or dispenser has knowingly prescribed, dispensed or obtained controlled substances and drugs of concern in a manner that is inconsistent with recognized standards of care for the profession, the advisory committee shall determine whether a report to the professional licensing, certification or regulatory agencies charged with administrative oversight of those persons engaged in prescribing or dispensing of controlled substances and drugs of concern or to the appropriate law enforcement agency is warranted.

(A) For purposes of such determination the advisory committee may, in consultation with the appropriate regulatory agencies and professional organizations, establish criteria regarding appropriate standards and utilize volunteer peer review committees of professionals with expertise in the particular practice to create such standards and review individual cases.

(B) The peer review committee or committees appointed herein shall have authority to request and receive information in the prescription monitoring program database from the director of the prescription monitoring program.

(C) If the determination is made that a referral to a regulatory or law enforcement agency is not warranted but educational or professional advising might be appropriate, the advisory committee may refer the prescribers or dispensers to other such resources.

(e) The board is hereby authorized to provide data in the prescription monitoring program to public or private entities for statistical, research or educational purposes after removing information that could be used to identify individual practitioners, dispensers, patients or persons who received prescriptions from dispensers.

Sec. 6. K.S.A. 2011 Supp. 65-1693 is hereby amended to read as follows: 65-1693.

(a) A dispenser who knowingly fails to submit prescription monitoring information to the board as required by this act or knowingly submits incorrect prescription monitoring information shall be guilty of a severity level 10, nonperson felony.

(b) A person authorized to have prescription monitoring information pursuant to this act who knowingly discloses such information in violation of this act shall be guilty of a severity level 10, nonperson felony.

(c) A person authorized to have prescription monitoring information pursuant to this act who knowingly uses such information in a manner or for a purpose in violation of this act shall be guilty of a severity level 10, nonperson felony.

(d) A person who knowingly, and without authorization, obtains or attempts to obtain prescription monitoring information shall be guilty of a severity level 10, nonperson felony.

(e) It shall not be a violation of this act for a practitioner or dispenser to disclose or use information obtained pursuant to this act when such information is disclosed or used solely in the course of such practitioner's or dispenser's care of the patient who is the subject of the information.

Sec. 7. K.S.A. 2011 Supp. 65-4101 is hereby amended to read as follows: 65-4101. As used in this act: (a) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by: (1) A practitioner or pursuant to the lawful direction of a practitioner; or (2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser. It does not include a common carrier, public warehouseman or employee of the carrier or warehouseman.

(c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

~~(d)~~ "Board" means the state board of pharmacy.

~~(d)~~(e) "Bureau" means the bureau of narcotics and dangerous drugs, United States department of justice, or its successor agency.

~~(e)~~(f) "Controlled substance" means any drug, substance or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113, and amendments thereto.

(g) (1) "Controlled substance analog" means a substance that is intended for human consumption, and:

(A) The chemical structure of which is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;

(B) which has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto; or

(C) with respect to a particular individual, which such individual represents or intends to have a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.

(2) "Controlled substance analog" does not include:

(A) A controlled substance;

(B) a substance for which there is an approved new drug application; or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug and cosmetic act, 21 U.S.C. § 355, to the extent conduct with respect to the substance is permitted by the exemption.

~~(f)~~(h) "Counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization bears the trademark, trade name or other identifying mark, imprint, number or device or any likeness thereof of a manufacturer, distributor or dispenser other than the person who in fact manufactured, distributed or dispensed the substance.

~~(g)~~(i) "Cultivate" means the planting or promotion of growth of five or more plants which contain or can produce controlled substances.

(j) "DEA" mean the U.S. department of justice, drug enforcement administration.

(k) "Deliver" or "delivery" means the actual, constructive or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

~~(h)~~(l) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the packaging, labeling or compounding necessary to prepare the substance for that delivery, or pursuant to the prescription of a mid-level practitioner.

~~(i)~~(m) "Dispenser" means a practitioner or pharmacist who dispenses.

~~(j)~~(n) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

~~(k)~~(o) "Distributor" means a person who distributes.

~~(l)~~(p) "Drug" means:

(1) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them;

(2) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or animals;

(3) substances, (other than food), intended to affect the structure or any function of the body of man or animals; and

(4) substances intended for use as a component of any article specified in clause (1), (2) or (3) of this subsection. It does not include devices or their components, parts or accessories.

~~(m)~~(q) "Immediate precursor" means a substance which the board has found to be and by rule and regulation designates as being the principal compound commonly used or produced primarily for use and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

~~(n)~~(r) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(s) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

(t) "Electronic signature" means a confidential personalized digital key, code, number or other method for secure electronic data transmissions which identifies a particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the transmission.

(u) "Electronic transmission" means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(v) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(w) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes, but is not limited to, transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

(x) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

(y) "Isomer" means all enantiomers and diastereomers.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly or by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for the individual's own lawful use or the preparation,

compounding, packaging or labeling of a controlled substance:

(1) By a practitioner or the practitioner's agent pursuant to a lawful order of a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner or by the practitioner's authorized agent under such practitioner's supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or medical care facility as an incident to dispensing of a controlled substance.

~~(a)~~(aa) "Marijuana" means all parts of all varieties of the plant *Cannabis* whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination.

~~(b)~~(bb) "Medical care facility" shall have the meaning ascribed to that term in K.S.A. 65-425, and amendments thereto.

~~(c)~~(cc) "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed under the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

~~(d)~~(dd) "Narcotic drug" means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis:

(1) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate;

(2) any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (1) but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salt, compound, derivative or preparation of coca leaves, and any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

~~(e)~~(ee) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under K.S.A. 65-4102, and amendments thereto, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextroromorphinan). It does include its racemic and levorotatory forms.

~~(f)~~(ff) "Opium poppy" means the plant of the species *Papaver somniferum* L. except its seeds.

~~(g)~~(gg) "Person" means individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership or association or any

other legal entity.

~~(h)~~(hh) "Pharmacist" means any natural person licensed under K.S.A. 65-1625 *et seq.*, to practice pharmacy.

(ii) "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving such person's internship; or (3) a graduate of a pharmacy program located outside of the United States which is not accredited and who had successfully passed equivalency examinations approved by the board.

(jj) "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers and servers, and is controlled by the pharmacy.

(kk) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

~~(u)~~ "Pharmacist" means an individual currently licensed by the board to practice the profession of pharmacy in this state.

~~(v)~~(ll) "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist licensed under the optometry law as a therapeutic licensee or diagnostic and therapeutic licensee, or scientific investigator or other person authorized by law to use a controlled substance in teaching or chemical analysis or to conduct research with respect to a controlled substance.

~~(w)~~(mm) "Prescriber" means a practitioner or a mid-level practitioner.

(nn) "Production" includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

~~(x)~~(oo) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized record-keeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

(pp) "Ultimate user" means a person who lawfully possesses a controlled substance for such person's own use or for the use of a member of such person's household or for administering to an animal owned by such person or by a member of such person's household.

(y) "Isomer" means all enantiomers and diastereomers.

(z) "Medical care facility" shall have the meaning ascribed to that term in K.S.A. 65-425, and amendments thereto.

(aa) "Cultivate" means the planting or promotion of growth of five or more plants which contain or can produce controlled substances.

~~(bb) (1) "Controlled substance analog" means a substance that is intended for human consumption, and:~~

~~(A) The chemical structure of which is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;~~

~~(B) which has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto; or~~

(C) with respect to a particular individual, which the individual represents or intends to have a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto:

(2) "Controlled substance analog" does not include:

(A) A controlled substance;

(B) a substance for which there is an approved new drug application; or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug, and cosmetic act (21 U.S.C. § 355) to the extent conduct with respect to the substance is permitted by the exemption:

(cc) "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed under the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

Sec. 8. K.S.A. 2011 Supp. 65-4111 is hereby amended to read as follows: 65-4111.

(a) The controlled substances listed in this section are included in schedule IV and the number set forth opposite each drug or substance is the DEA controlled substances code which has been assigned to it.

(b) Any material, compound, mixture or preparation which contains any quantity of the following substances including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation and having a potential for abuse associated with a depressant effect on the central nervous system:

(1) Alprazolam	2882
(2) Barbital	2145
(3) Bromazepam	2748
(4) Camazepam	2749
<u>(5) Carisoprodol</u>	<u>8192</u>
(5) <u>(6)</u> Chloral betaine	2460
(6) <u>(7)</u> Chloral hydrate	2465
(7) <u>(8)</u> Chlordiazepoxide	2744
(8) <u>(9)</u> Clobazam	2751
(9) <u>(10)</u> Clonazepam	2737
(10) <u>(11)</u> Clorazepate	2768
(11) <u>(12)</u> Clotiazepam	2752
(12) <u>(13)</u> Cloxazolam	2753
(13) <u>(14)</u> Delorazepam	2754
(14) <u>(15)</u> Diazepam	2765
(15) <u>(16)</u> Dichloralphenazone	2467
(16) <u>(17)</u> Estazolam	2756
(17) <u>(18)</u> Ethchlorvynol	2540
(18) <u>(19)</u> Ethinamate	2545
(19) <u>(20)</u> Ethyl loflazepate	2758

(20) (21) Fludiazepam	2759
(21) (22) Flunitrazepam	2763
(22) (23) Flurazepam	2767
(23) (24) Fospropofol	2138
(24) (25) Halazepam	2762
(25) (26) Haloxazolam	2771
(26) (27) Ketazolam	2772
(27) (28) Loprazolam	2773
(28) (29) Lorazepam	2885
(29) (30) Lormetazepam	2774
(30) (31) Mebutamate	2800
(31) (32) Medazepam	2836
(32) (33) Meprobamate	2820
(33) (34) Methohexital	2264
(34) (35) Methylphenobarbital (mephobarbital)	2250
(35) (36) Midazolam	2884
(36) (37) Nimetazepam	2837
(37) (38) Nitrazepam	2834
(38) (39) Nordiazepam	2838
(39) (40) Oxazepam	2835
(40) (41) Oxazolam	2839
(41) (42) Paraldehyde	2585
(42) (43) Petrichloral	2591
(43) (44) Phenobarbital	2285
(44) (45) Pinazepam	2883
(45) (46) Prazepam	2764
(46) (47) Quazepam	2881
(47) (48) Temazepam	2925
(48) (49) Tetrazepam	2886
(49) (50) Triazolam	2887
(50) (51) Zolpidem	2783
(51) (52) Zaleplon	2781
(52) (53) Zopiclone	2784

(c) Any material, compound, mixture, or preparation which contains any quantity of fenfluramine (1670), including its salts, isomers (whether optical, position or geometric) and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible. The provisions of this subsection (c) shall expire on the date fenfluramine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Cathine ((+)-norpseudoephedrine)	1230
(2) Diethylpropion	1610

- (3) Fencamfamin1760
- (4) Fenproporex1575
- (5) Mazindol1605
- (6) Mefenorex.....1580
- (7) Pemoline (including organometallic complexes and chelates thereof).....1530
- (8) Phenetermine.....1580

The provisions of this subsection (d)(8) shall expire on the date phentermine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

- (9) Pipradrol1750
- (10) SPA((-)-1-dimethylamino-1, 2-diphenylethane)1635
- (11) Sibutramine1675
- (12) Mondaфинil1680

(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following, including salts thereof:

- (1) Pentazocine9709
- (2) Butorphanol (including its optical isomers)9720

(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

- (1) Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit9167
- (2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propion-oxybutane)9278

(g) Butyl nitrite and its salts, isomers, esters, ethers or their salts.

(h) The board may except by rule and regulation any compound, mixture or preparation containing any depressant substance listed in subsection (b) from the application of all or any part of this act if the compound, mixture or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

Sec. 9. K.S.A. 2011 Supp. 65-4113 is hereby amended to read as follows: 65-4113.

(a) The controlled substances or drugs, by whatever official name, common or usual name, chemical name or brand name designated, listed in this section are included in schedule V.

(b) Any compound, mixture or preparation containing limited quantities of any of the following narcotic drugs which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(1) Not more than 200 milligrams of codeine or any of its salts per 100 milliliters or per 100 grams.

(2) Not more than 100 milligrams of dihydrocodeine or any of its salts per 100 milliliters or per 100 grams.

(3) Not more than 100 milligrams of ethylmorphine or any of its salts per 100 milliliters or per 100 grams.

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.

(6) Not more than .5 milligram of difenoxin (9168) and not less than 25 micrograms of atropine sulfate per dosage unit.

(c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Propylhexedrine (except when part of a compound used for nasal decongestion which is authorized to be sold lawfully over the counter without a prescription under the federal food, drug and cosmetic act, so long as it is used only for such purpose).....8161
- (2) Pyrovalerone.....1485

(d) Any compound, mixture or preparation containing any detectable quantity of ephedrine, its salts or optical isomers, or salts of optical isomers.

(e) Any compound, mixture or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers.

(f) Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

- (1) Ezogabine N-[2-amino-4(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester.....2779
- ~~(+)(2) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide]~~. 2746
- ~~(±)(3) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid]~~2782

Sec. 10. K.S.A. 65-4123 is hereby amended to read as follows: 65-4123. (a) Except as otherwise provided in K.S.A. 65-4117, and amendments thereto, or in this subsection (a), no schedule I controlled substance may be dispensed. The board by rules and regulations may designate in accordance with the provisions of this subsection (a) a schedule I controlled substance as a schedule I designated prescription substance. ~~A schedule I controlled substance designated as a schedule I designated prescription substance may be dispensed only upon the written prescription of a practitioner. Prior to designating a schedule I controlled substance as a schedule I designated prescription substance, the board shall find: (1) That the schedule I controlled substance has an accepted medical use in treatment in the United States; (2) that the public health will benefit by the designation of the substance as a schedule I designated prescription substance; and (3) that the substance may be sold lawfully under federal law pursuant to a prescription. No prescription for a schedule I designated prescription substance may be refilled.~~

(b) Except when dispensed by a practitioner, other than a pharmacy, to an ultimate user, no controlled substance in schedule II may be dispensed without the written or electronic prescription of a practitioner or a mid-level practitioner prescriber. In emergency situations, as defined by rules and regulations of the board, schedule II drugs may be dispensed upon oral prescription of a ~~practitioner or a mid-level practitioner prescriber~~ reduced promptly to writing or transmitted electronically and filed by the pharmacy. No prescription for a schedule II substance may be refilled.

(c) Except when dispensed by a practitioner, other than a pharmacy, to an ultimate user, a controlled substance included in schedule III, ~~or IV or V~~ which is a prescription drug shall not be dispensed without ~~a written or oral prescription of a practitioner or a mid-level practitioner~~ either a paper prescription manually signed by a prescriber, a facsimile of a manually signed paper prescription transmitted by the prescriber or the prescriber's agent to the pharmacy, an electronic prescription that has been digitally signed by a prescriber with a digital certificate, or an oral prescription made by an individual prescriber and promptly reduced to writing. The prescription shall not be filled or refilled more than six months after the date thereof or be refilled more than five times.

(d) A controlled substance shall not be distributed or dispensed ~~other than for a medical purpose. Prescriptions shall be retained in conformity with the requirements of K.S.A. 65-4121 and amendments thereto, except by a valid prescription order as defined in K.S.A. 65-1626, and amendments thereto. Electronic prescriptions shall be retained electronically for five years from the date of their creation or receipt. The records must be readily retrievable from all other records and easily rendered into a format a person can read. Paper, oral and facsimile prescriptions shall be maintained as a hard copy for five years at the registered location.~~

New Sec. 11. A controlled substance listed in schedules II through V, excluding schedule V nonnarcotic depressants that have an effect on the central nervous system, shall not be distributed on a gratuitous basis by a manufacturer or distributor to a practitioner, mid-level practitioner, pharmacist or any other person.

Sec. 12. K.S.A. 65-4123 and K.S.A. 2011 Supp. 65-1626, 65-1637, 65-1683, 65-1685, 65-1693, 65-4101, 65-4111 and 65-4113 are hereby repealed.

Sec. 13. This act shall take effect and be in force from and after its publication in the Kansas Register.";

On page 1, in the title, in line 1, by striking all following "ACT"; by striking all in lines 2 through 9 and inserting "concerning prescription of drugs; relating to controlled substances, electronic prescription and the prescription monitoring program; amending K.S.A. 65-4123 and K.S.A. 2011 Supp 65-1626, 65-1637, 65-1683, 65-1685, 65-1693, 65-4101, 65-4111 and 65-4113 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

BRENDA LANDWEHR
OWEN DONOHOE
GERALDINE FLAHERTY

Conferees on part of House

VICKI SCHMIDT
PETE BRUNGARDT
LAURA KELLY

Conferees on part of Senate

Senator V. Schmidt moved the Senate adopt the Conference Committee Report on **SB 134**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Steineger.

The Conference Committee Report was adopted.

REPORT ON ENROLLED BILLS

H Sub SB 74; SB 301, SB 303; H Sub for SB 315; SB 387; Sub SB 397; SB 424 reported correctly enrolled, properly signed and presented to the Governor on April 3, 2012.

SR 1854, SR 1855, SR 1856 reported correctly enrolled, properly signed and presented to the Secretary of the Senate April 3, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **SB 434** be passed.

ORIGINAL MOTION

On motion of Senator Owens, the Senate acceded to the request of the House for a conference on **HB 2562**.

The President appointed Senators Owens, King and Haley as conferees on the part of the Senate.

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Thursday, April 26, 2012.

Journal of the Senate

FIFTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, April 26, 2012, 10:00 a.m.

The Senate was called to order by Vice President John Vratil.

The roll was called with thirty-eight senators present.

Senators Steineger and Wagle were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

During the last days of any session, we always seem to find ourselves in a no-win situation.

If we don't get a certain major bill passed before we adjourn, they say we never get anything done

If we do get it passed, they say we rushed it through just so we can say we did something.

If we vote against a bill most of our party voted for, we are not loyal to our party.

If we vote along with the majority of our party, we don't have a mind of our own.

If we always vote what the majority of our constituents want, we don't qualify as statesman (or stateswoman.)

If we vote against what the majority wants, we are not representing our people.

If we show anger over an issue, it's a sign of our immaturity. If we never get angry, we have no backbone.

If we go home regularly and shake a lot of hands, we are just politicking.

If we don't go home and shake a lot of hands, we are losing touch with the grass roots.

We know it won't change, Lord. Just give us grace to accept it.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Reapportionment: **SB 470, SB 471.**

Ways and Means: **SB 469.**

REFERENCE OF APPOINTMENTS

The following appointments made by the Governor and Attorney General submitted to the Senate for confirmation, were referred to Committees as indicated:

By the Governor:

State Board of Indigents Defense Services, Member: Andrew Wimmer, to serve a three year term to expire January 15, 2014.

(Ways and Means)

Kansas Bioscience Authority, Member: Dale Rodman, to serve a four year term to expire March 15, 2016.

(Ways and Means)

Pooled Money Investment Board, Member: Robert Chestnut, to serve a four year term to expire March 15, 2016.

(Ways and Means)

Kansas Bioscience Authority, Member: Leon Harold Borck, to serve a four year term to expire March 15, 2016.

(Ways and Means)

Department of Transportation, Secretary: Michael Steven King, to serve at the pleasure of the Governor.

(Transportation)

By the Attorney General:

Kansas Crime Victims Compensation Board, Member: Suzanne Valdez, to serve a four year term to expire March 15, 2016.

(Ways and Means)

MESSAGE FROM THE GOVERNOR

April 23, 2012

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Order No. 12-05 for your information.

Sam Brownback,
Governor

The President announced Executive Order No. 12-05, concerning Regional/Emergencies and conditional and Temporary Relief from Motor Carrier Rules and Regulations is on file in the office of the Secretary of the Senate and is available for review at any time.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Morris, Vratil, Emler, Hensley, V. Schmidt, Schodorf, Kelly, Holland and Francisco introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1862—

A RESOLUTION offering official congratulations, gratitude and recognition to Pat Saville, Secretary of the Kansas Senate, on her impending retirement from service to the members of the Kansas Senate and the people of Kansas.

WHEREAS, Pat Saville was appointed Secretary of the Senate in December 1990 and upon her retirement in 2012, is the longest serving Secretary of the Senate in the history of the state. Pat has served in this critical and indispensable role for nearly 22 years under Senate Presidents Bud Burke, Dick Bond, Dave Kerr and Stephen R. Morris; and

WHEREAS, Pat began her lengthy state employment in 1964, spending seven years with the Veterans Commission before taking a position as a secretary to House members from 1975 through 1978. She then served as Secretary and Administrative Assistant to House Majority Leader Bob Frey from 1979 to 1982; Secretary to House Majority Leader Joe Knopp from 1987 to 1988; and Administrative Assistant/Executive Secretary to Senate President Bud Burke from 1989 to 1990; and

WHEREAS, Pat is a native Kansan, born September 10, 1943 at Marysville, Kansas, where she grew up with her two sisters and five brothers. She married Gary Saville in 1964, and kept the homefires burning bright while Gary served his country in Vietnam. They raised two daughters who, like their mother, are bright, successful, strong women: Kelley, married to husband Rick Smith, of Manhattan, Kansas; and Nicole, married to husband Joel Oliver, of Topeka. Pat and Gary have happily embraced their role as grandparents to granddaughters Carly and Kendall Smith, and Morgan and Ainslee Oliver, and to grandson Jonah Oliver. They eagerly look forward to the arrival of another grandchild this summer; and

WHEREAS, Pat attended Emporia State University and Washburn University and is a proud graduate of the Legislative Staff Management Institute at the University of Minnesota in 1998; and

WHEREAS, Throughout her career, Pat dedicated herself to her position, becoming actively engaged in national legislative staff organizations. She took on many responsibilities and leadership roles, including being a member of the NCSL Executive Committee for three years and ultimately, serving as President of the American Society of Legislative Clerks and Secretaries from 2000 to 2001. In 2007, Pat was honored for her leadership, receiving the prestigious NCSL and ASLCS Legislative Staff Achievement Award; and

WHEREAS, Pat established a lofty standard of excellence in the Senate Secretary's office, providing accurate, reliable and timely information to her senators and to members of the public. She has assembled a dedicated staff tirelessly devoted to that high standard. Pat's work ethic, grounded in her strong rural Kansas roots, serves as a shining example to all who work with her and all who come into contact with her; and

WHEREAS, Pat has seen the Kansas Senate through the sometimes turbulent transition to ever more sophisticated technology throughout her years of service. In those efforts, Pat's one driving force was to do what was right for the Senate, to keep true to the mission of this vaunted institution. Her mission has always been first and foremost about serving well – not only the elected men and women who occupy the Kansas Senate chamber today, but to honor those who served in the past and to establish a firm foundation for those to come: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we take this opportunity, in the presence of the members of the Kansas Senate, of Pat's family, friends, colleagues and coworkers, to say thank you to Pat Saville, Secretary of the Senate. Thank you for your extraordinary service, your sense of fairness, your unfailing attention to detail, and your unflinching adherence to what is right. We are grateful for all you have done for us, for the Senate and for the State of Kansas. You have been a stalwart of this chamber and an outstanding representative of the state in your service at the national level. You are a tremendous asset to the Kansas Senate. You are a great person, a great Kansan and a great friend. All of us gathered here today thank you and wish you and your family the very best in all the years to come; and

Be it further resolved: That the Deputy Secretary of the Senate shall send five enrolled copies of this resolution to Senator Morris.

On emergency motion of Senator Morris **SR 1862** was adopted unanimously.

Senator Morris congratulated Pat Saville, Secretary of the Senate, upon her impending retirement of the Kansas Senate. Senator Morris introduced Pat Saville's family in attendance: her husband Gary; daughter Kelley Smith and her husband Rick and granddaughters Carly and Kendall from Manhattan; daughter Nicole Oliver and her husband Joel and grandchildren Morgan, Ainslee and Jonah from Topeka; sister Betty Yonkey and her husband Art from Hickman, Nebraska; brother Don Kramer and his wife Dorothy from Marysville; sister-in-law and brother-in-law Mary and Errol Saville from Topeka; and sister-in-law and brother-in-law Gail and Dennis Lange from Marysville.

Also in attendance were Sheila Frahm, Betty Quarnstrom, Gayle Shaw and Jude Simmitt.

Pat was presented with a statue of Ad Astra Per Aspera and a framed copy of the resolution. The Senate warmly acknowledged Pat's service and achievement with a standing ovation. A reception honoring Pat followed in front of the Senate chamber.

REPORT ON ENROLLED BILLS

SR 1857, SR 1858, SR 1859, SR 1860, SR 1861 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on April 26, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **HB 2777** be passed.

On motion of Senator Emler, the Senate recessed until 2:30 p.m.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 472, AN ACT concerning the Kansas expanded lottery act; relating to racetrack gaming facilities; creating the Kansas agricultural opportunity act; amending K.S.A. 74-8826 and 74-8836 and K.S.A. 2011 Supp. 74-8734, 74-8741, 74-8744, 74-8745, 74-8746, 74-8747, 74-8751 and 74-8831 and repealing the existing sections; also repealing K.S.A. 74-8824, by Committee on Federal and State Affairs.

MESSAGE FROM THE HOUSE

The House nonconcur in Senate amendments to **Senate Substitute for HB 2077**, requests a conference and has appointed Representatives Suellentrop, Kleeb and Slattery as conferees on the part of the House.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** begs leave to submit the following report:

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

By the Speaker of the House of Representatives:

Board member, Kansas bioscience authority: K.S.A. 74-99b04

Earl McVicker, to fill a term expiring on March 15, 2015

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Friday, April 27, 2012.

Journal of the Senate

FIFTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, April 27, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-five senators present.
Senators Kultula, A. Schmidt, Schodorf, Steineger and Wagle were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

There are some statutes on the books
Which have a sunset clause.
We feel that since the daylight dies,
So should certain laws.

Speaking of which, O God, we'd like
To express with some regret,
Besides some laws there are other things
On which the sun should set.

Let the sun set on distrust,
And on licentiousness,
Racism and dishonesty
Should be dying in the west.

Let the sun set on deception,
On poverty and despair.
Wherever there is terrorism
Let the sun be setting there.

But at this point in time, O God,
If our preference we could get,
We might prefer it is this session
On which the sun should set!

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Federal and State Affairs: **SB 472.**

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Francisco introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1863—

A RESOLUTION congratulating and commending the 2011-2012
University of Kansas men's and women's basketball teams.

WHEREAS, The University of Kansas has had the honor of being home to two of the finest sports programs in the nation. Over the course of the last year, the players and coaches involved with the men's and women's basketball programs have shown what can be accomplished with hard work and dedication both on and off the basketball court and their continued efforts act to strengthen the university's proud athletic traditions that have been in place at KU since the days of coach Forrest "Phog" Allen; and

WHEREAS, The KU women's basketball team managed to pull off a long series of early season wins last fall under the leadership of coach Bonnie Henrickson and, despite losing their leading scorer in the middle of Big 12 Conference play and having to work their way through an incredibly competitive string of Big 12 Conference games, the lady Jayhawks secured a spot in the NCAA Tournament for the first time since 2000. From there the women's team then managed to make it all the way to the Sweet 16, tying the program's best NCAA finish; and

WHEREAS, The KU men's basketball team was declared to be in a state of rebuilding by many in the sports community after losing six of last year's players, but that did not stop them from having one of their best seasons yet. The Jayhawks defeated some of the top teams in the nation during their regular season and secured their eighth consecutive Big 12 Conference Championship title before making it all the way to the NCAA Tournament finals where they emerged as national runner-up. The team's Final Four appearance was the 14th in KU's storied history; and

WHEREAS, KU men's Head Coach Bill Self was named Big 12 Coach of the Year and Naismith College Coach of the Year and the players' classroom accomplishments were honored by being declared the winners of Inside Higher Ed's annual academic competition; and

WHEREAS, Both KU teams truly demonstrated an "ad astra" spirit, refusing to let their seasons and their spirits be diminished from the adversity they faced: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the University of Kansas men's and women's basketball teams on their outstanding 2011-2012 seasons. Their great athletic and academic achievements are sources of pride for the University of Kansas, the city of Lawrence and the state of Kansas. We wish all of the team members, coaches and staff the best of luck in future endeavors, both on and off the court; and

Be it further resolved: That the Secretary of the Senate shall send eight enrolled copies of this resolution to Senator Francisco.

On emergency motion of Senator Francisco **SR 1863** was adopted unanimously.

Senator Francisco introduced and congratulated the 2011–2012 University of Kansas men's and women's basketball teams. The following team members in attendance were introduced as follows: Tania Jackson, Cece Harper, Angel Goodrich, Carolyn Davis, Conner Teahan, Travis Releford, Jeff Withey and Jordan Juenemann. Also in attendance were Sheahon Zenger, Athletic Director and Nicole Cocoran, Director of Operations. The Senate acknowledged their achievement with a standing ovation.

Senators Kelly, Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1864—

A RESOLUTION recognizing April as the month of the military child.

WHEREAS, Former secretary of defense, Caspar Weinberger, established April as the month of the military child in 1986; and

WHEREAS, There are more than 33,000 Kansas military children; and

WHEREAS, From a young age, military children are impacted by multiple duty station changes or the deployment of one or both parents; and

WHEREAS, Military children display remarkable adaptability as they transcend the difficult challenges of moving to new cities and attending new schools; and

WHEREAS, Military children show amazing resiliency in their ability to establish and maintain multicultural, diverse friendships with people from all over the world; and

WHEREAS, Military children develop responsibility, maturity, strength, patience and a sense of pride in helping to keep a stable family system for their younger siblings while a parent is deployed; and

WHEREAS, Military children know and experience great joy when a deployed parent returns home: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the military children of Kansas for the sacrifices they make, the challenges they overcome and the contributions they make to the culture of Kansas; and

Be it further resolved: That the Secretary of the Senate shall send 20 enrolled copies of this resolution to Senator Kelly.

On emergency motion of Senator Kelly **SR 1864** was adopted unanimously.

The Senators complimented the children for their various activities, achievements and experiences in their roles as military children.

Senator Kelly and members of the Senate introduced and welcomed the following children of military families in recognizing April as the month of the military child.

Senator Kelly – General Lee Tafanelli, Sergeant Jessica Barnett, Sharon Watson, Major Robert Stinson, Specialist Stephanie Hodges, Lieutenant Colonel Bill Stebbins and Command Sergeant Major Scott Haworth.

Senator Lynn – Cassidy Seaba

Senator Kelsey – Naomi Henry

Senator Holland – Jacob Brown and Jared Brown.
 Senator Petersen – Sophia Olsen.
 Senator McGinn – Alison White.
 Senator Reitz – Reed Wheeler.
 Senator Pyle – Jessica Herlinger and Tyler Prine.
 Senator Brungardt – Makayla Wassenberg and Allyson Henry.
 Senator Merrick – Ty Shafer.
 Senator Hensley – Haleigh Peterson.
 Senator Apple – Shealee Crosby.
 Senator V. Schmidt – Sawyer Green.
 Senator Francisco – Taylor Gold.
 The Senate honored all the children of military families with a standing ovation.

CHANGE OF CONFERENCE

President Morris announced the appointment of Senator Faust-Goudeau as a member of the Conference Committee on **H Sub for SB 129** to replace Senator Kultala.

REPORT ON ENGROSSED BILLS

SB 134 reported correctly engrossed April 27, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** begs leave to submit the following report:

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

By the Governor:

State Court of Tax Appeals, Member: K.S.A. 74-2433

Samuel Sheldon, serves at the pleasure of the Governor

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

By the Governor:

State Court of Tax Appeals, Member: K.S.A. 74-2433

James Cooper, serves at the pleasure of the Governor

Committee on **Federal and State Affairs** recommends **HB 2324**, as amended by House Committee, be amended on page 4, by striking all in lines 6 through 10, and inserting the following:

"Sec. 2. K.S.A. 2011 Supp. 79-3301 is hereby amended to read as follows: 79-3301. As used in K.S.A. 79-3301 *et seq.*, and amendments thereto:

(a) "Carrier" means one who transports cigarettes from a manufacturer to a wholesale dealer or from one wholesale dealer to another.

(b) "Carton" means the container used by the manufacturer of cigarettes in which no more than 10 packages of cigarettes are placed prior to shipment from such manufacturer.

(c) "Cigarette" means any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape, and irrespective of tobacco being flavored, adulterated or mixed with any other ingredient if the wrapper is in greater part made of any material

except tobacco.

(d) "Consumer" means the person purchasing or receiving cigarettes or tobacco products for final use.

(e) "Dealer" means any person who engages in the sale or manufacture of cigarettes in the state of Kansas, and who is required to be licensed under the provisions of this act.

(f) "Dealer establishment" means any location or premises, other than vending machine locations, at or from which cigarettes are sold, and where records are kept.

(g) "Director" means the director of taxation.

(h) "Distributor" means: (1) Any person engaged in the business of selling tobacco products in this state who brings, or causes to be brought, into this state from outside the state any tobacco products for sale;

(2) any person who makes, manufactures, fabricates or stores tobacco products in this state for sale in this state; or

(3) any person engaged in the business of selling tobacco products outside this state who ships or transports tobacco products to any person in the business of selling tobacco products in this state.

(i) "Division" means the division of taxation.

(j) "License" means the privilege of a licensee to sell cigarettes or tobacco products in the state of Kansas, and the written evidence of such authority or privilege as issued by the director.

(k) "Licensee" means any person holding a current license issued pursuant to this act.

(l) "Manufacturer's salesperson" means a person employed by a cigarette manufacturer who sells cigarettes, manufactured by such employer and procured from wholesale dealers.

(m) "Meter imprints" means tax indicia applied by means of ink printing machines.

(n) (1) "Package" means a container in which no more than 25 individual cigarettes are wrapped and sealed by the manufacturer of cigarettes prior to shipment to a wholesale dealer;

(2) for the purposes of subsections (u), (v) and (w) of K.S.A. 79-3321, and amendments thereto, "package" means the same as provided in 15 U.S.C. § 1332(4).

(o) "Person" means any individual, partnership, society, association, joint-stock company, corporation, estate, receiver, trustee, assignee, referee or any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise and any combination of individuals.

(p) "Received" means the coming to rest of cigarettes for sale by any dealer in the state of Kansas.

(q) "Retail dealer" means a person, other than a vending machine operator, in possession of cigarettes or electronic cigarettes for the purpose of sale to a consumer.

(r) "Sale" means any transfer of title or possession or both, exchange, barter, distribution or gift of cigarettes or tobacco products, with or without consideration.

(s) "Sample" means cigarettes or tobacco products distributed to members of the general public at no cost for purposes of promoting the product.

(t) "Self-service display" means a display that contains cigarettes or tobacco products and is located in an area openly accessible to a retail dealer's consumers, and from which such consumers can readily access cigarettes or tobacco products without

the assistance of a salesperson. A display case that holds cigarettes or tobacco products behind locked doors does not constitute a self-service display.

(u) "Stamps" means tax indicia applied either by means of water applied gummed paper or heat process.

(v) "Tax indicia" means visible evidence of tax payment in the form of stamps or meter imprints.

(w) "Tobacco products" means cigars, cheroots, stogies, periques; granulated, plug cut, crimp cut, ready rubbed and other smoking tobacco; snuff, snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking. Tobacco products do not include cigarettes.

(x) "Tobacco speciality store" means a dealer establishment that derives at least 75% of such dealer establishment's revenue from cigarettes or tobacco products.

(y) "Vending machine" means any coin operated machine, contrivance or device, by means of which merchandise may be sold.

(z) "Vending machine distributor" means any person who sells cigarette vending machines to a vending machine operator operating vending machines in the state of Kansas.

(aa) "Vending machine operator" means any person who places a vending machine, owned, leased or operated by such person, at locations where cigarettes are sold from such vending machine. The owner or lessee of the premises upon which a vending machine is placed shall not be considered the operator of the machine, nor shall the owner or lessee, or any employee or agent of the owner or lessee be considered an authorized agent of the vending machine operator, if the owner or lessee does not own or lease the machine and the owner's or lessee's sole remuneration from the machine is a flat rental fee or commission based upon the number or value of cigarettes sold from the machine, or a combination of both.

(bb) "Wholesale dealer" means any person who sells cigarettes to other wholesale dealers, retail dealers, vending machine operators and manufacturer's salespersons for the purpose of resale in the state of Kansas.

(cc) "Wholesale sales price" means the original net invoice price for which a manufacturer sells a tobacco product to a distributor, as shown by the manufacturer's original invoice.

(dd) "Importer" means the same as provided in 26 U.S.C. § 5702(l).

(ee) "Manufacturer" means the same as provided in 26 U.S.C. § 5702(d).

(ff) "Electronic cigarette" means a battery-powered device, whether or not such device is shaped like a cigarette, that can provide inhaled doses of nicotine by delivering a vaporized solution by means of cartridges or other chemical delivery systems.

Sec. 3. K.S.A. 2011 Supp. 79-3303 is hereby amended to read as follows: 79-3303.
(a) Each person engaged in the business of selling cigarettes or electronic cigarettes in the state of Kansas and each vending machine distributor shall obtain a license as provided by this act. A separate application, license and fee is required for each dealer establishment owned or operated by a dealer. A vending machine operator is required to obtain a vending machine operator's master license and, in addition, a separate permit

for each vending machine operated by the operator. A vending machine operator may submit one application for the vending machine operator's master license and all permits for vending machines operated by the operator. The license shall be displayed in the dealer establishment and the vending machine permit shall remain securely and visibly attached to the vending machine and contain such information as the director may require. Any vending machine found without such permit attached to the machine shall be sealed by an agent of the director and such seal shall be removed only by an agent of the director after payment of the permit fee and the penalties provided by this act.

(b) The application for a vending machine operator's master license and vending machine permits shall list the brand name and serial number of each machine and such other information as required by the director. Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for any officer or employee of the division to divulge or make known in any way the location of any vending machine to any person not an officer or employee of the division, except that such information may be divulged to any law enforcement officer for use in the officer's official duties. Any officer or employee revealing any such location in violation of this provision, in addition to the penalties otherwise provided in this act, shall be dismissed from office.

(c) A vending machine operator, in the course of business as a vending machine operator, may dispose of or sell vending machines without securing a license to sell vending machines. The vending machine operator may move vending machines from one location to another and, if a vending machine becomes inoperative or is disposed of, the permit for such machine may be transferred to another machine. A vending machine operator, within 10 days, shall notify the director of the brand name and serial number of vending machines that become inoperative or that the operator disposes of, sells, acquires or brings into service in this state as additional machines.

(d) The key to the lower or storage compartment of a vending machine shall remain only in the possession of the vending machine operator or the operator's authorized agent. All services connected with the operation of a vending machine shall be performed by the vending machine operator or the operator's authorized agent. All vending machines shall be subject to inspection by the director or the director's authorized agents. No permit shall be issued for a vending machine unless it is constructed so that at least one package of each vertical column of cigarettes located therein is visible showing tax indicia.

(e) All vending machines operated on military installations shall have a permit affixed to the machines and the cigarettes shall show tax indicia of the Kansas tax.

(f) On or before the 10th day of each month, each vending machine distributor shall report to the director, on forms provided by the director, all sales of cigarette vending machines by the distributor to persons in the state of Kansas during the preceding month; the name and address of the purchaser; and the brand name, serial number and sale price of the machines.

(g) Concurrently with a change in ownership of a dealer establishment the license applicable to the establishment is void and shall be surrendered to the director and shall not be transferred. On removal of a dealer establishment from one location to another, the owner of the establishment shall notify the director and surrender the owner's license. The director shall issue a new license for the unexpired term of the surrendered

license on payment of a fee of \$2. If a dealer's license is lost, stolen or destroyed, the director may issue a new license on proof of loss, theft or destruction, at a cost of \$2. The director shall remit all moneys received under this subsection to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.";

And by renumbering sections accordingly;

Also on page 4, in line 11, after "Supp." by inserting "79-3301, 79-3303 and"; also in line 11, by striking "is" and inserting "are";

On page 1, in the title, in line 2, after "Supp." by inserting "79-3301, 79-3303 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Also, **HB 2572**, as amended by House Committee of the Whole, be amended on page 1, in line 10, after "disaster" by inserting "for which there has been";

On page 2, in line 17, by striking "\$12,000,000" and inserting "\$22,000,000"; and the bill be passed as amended.

HB 2729, as further amended by House Committee, be amended on page 4, in line 28, by striking "One-day temporary" and inserting "daily"; and the bill be passed as amended.

ORIGINAL MOTION

On motion of Senator Teichman, the Senate acceded to the request of the House for a conference on **S Sub for HB 2077**.

The President appointed Senators Teichman, Masterson and A. Schmidt as conferees on the part of the Senate.

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

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

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **SB 449** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 449," as follows:

"Substitute for SENATE BILL No. 449

By Committee on Ways and Means

"AN ACT making and concerning appropriations for fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, and June 30, 2015, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2011 Supp. 2-223, 12-5256, 55-193,

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72-8814, 74-50,107, 74-99b34, 75-2319, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i, 79-34,156, 79-34,171 and 82a-953a and repealing the existing sections."; and the substitute bill be passed.

On motion of Senator Emler the Senate adjourned until 10:00 a.m., Monday, April 30, 2012.

Journal of the Senate

FIFTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, April 30, 2012, 10:00 a.m.

The Senate was called to order by Vice President John Vratil.

The roll was called with thirty-nine senators present.

Senator Bruce was excused.

The Vice President introduced Chaplain Tony D. Venturella, Director of Communications in the Senate President's office, who delivered the invocation:

Heavenly Father,

We ask God's blessing – an extra-ordinary measure of grace and guidance – for each of these forty senators, their staff and assistants, and upon our senate servant-leaders.

Knowing that in the work that remains – the avenue of blessing, is not found in position, power or prestige, as much as it is, in the presence, of compassion, kindness, gentleness, humility and self-control.

We realize, in this place where laws are crafted and debated – that no greater law has ever been established, no statute has ever surpassed – the Royal law – the Golden Rule, the Great Command: To treat others, as we ourselves, would want to be treated.

In our endeavors, then, let us also seek to sow, faith, hope and love – and the greatest of these is love.

And as these legislators, continue the work, here, today and throughout this session, they serve as “watchmen and women,” as it were...guarding our city: our beloved state of beautiful sunflowers, valuable wheat... and precious souls. May they exercise strength with wisdom...for as was written long ago: “Except the Lord keep the city, the watchmen waketh but in vain.”

And Lord, in knowing our beloved Chaplain Fred we are blessed:

His prayers have kept us circumspect

In this place, for 31 years

He gave us courage, and calmed our fears.

Time has elapsed – in the blink of the eye

Today we say, Farewell – not good bye.
 Knowing his words – they will abide
 Both here and there – when we gavel in – on the other side!
 This is our hope, our trust, our confidence, Amen

The Pledge of Allegiance was led by Vice President John Vratil.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Morris, Vratil, Emler, Hensley, V. Schmidt, Schodorf, Kelly, Holland and Francisco introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1865—

A RESOLUTION congratulating and commending Reverend Fred S. Hollomon for his service as Chaplain of the Kansas Senate.

WHEREAS, Reverend Fred Hollomon, known affectionately by all in the statehouse as Reverend Fred, was born May 25, 1925, near Dawson, Georgia; and

WHEREAS, Reverend Fred's family moved to Dothan, Alabama, in 1938, where he graduated from high school in 1942. He attended the University of Alabama for one year before joining the U.S. Navy; and

WHEREAS, Reverend Fred was in the Navy from 1943 to 1946, where he graduated from Midshipman's School at Notre Dame and Aerial Navigator's School in Clinton, Oklahoma; and

WHEREAS, Reverend Fred returned to the University of Alabama where he received a B.S. degree in Business Administration in 1949. He worked in a bank for a year and a half and then went to Southwestern Baptist Theological Seminary in Ft. Worth, Texas, where he graduated with a Master of Religious Education and a Master of Divinity degree in 1956. He was ordained in the gospel ministry while there; and

WHEREAS, Reverend Fred served as pastor for 50 years in eight different Southern Baptist Churches. The last church was in Topeka, where he served as pastor for 14 years. He retired from the pastorate in 2002; and

WHEREAS, Reverend Fred worked as an administrative assistant in both the House and the Senate, which gave him a unique insider's perspective to the workings of the Legislature and the day-to-day challenges faced by those in public service; and

WHEREAS, Reverend Fred and his wife, Pat, have been married for 37 years. They have a blended family of nine children, seven girls and two boys. They have 19 grandchildren and eight great grandchildren; and

WHEREAS, Reverend Fred served as Chaplain of the Kansas Senate for 31 years. His prayers to open each day of the session encourage, uplift and renew us, often bringing a smile at the same time. As Chaplain, Reverend Fred has offered spiritual inspiration and guidance to the men and women of the Senate through his wonderful invocations and pastoral presence: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Reverend Fred S. Hollomon for his exemplary service as Chaplain of the Kansas Senate. We benefit from the wisdom, kindness and down-home wit of the wonderfully original prayers and prayer-poems offered by Reverend Fred. We deeply appreciate his devotion to serving our chamber and our people in his unique and

prayerful way. We thank him for his 31 years of service to the Kansas Senate and wish him and his family all the best in the future; and

Be it further resolved: That the Secretary of the Senate shall send 10 enrolled copies of this resolution to Senator Morris.

On emergency motion of Senator Morris **SR 1865** was adopted unanimously.

Senator Morris congratulated Reverend Hollomon for his service of thirty-one years as Chaplain of the Kansas Senate. Senator Morris introduced Fred's wife, Pat, who was also in attendance. The Senate warmly acknowledged Fred's service with a standing ovation. A reception followed.

REPORT ON ENROLLED BILLS

SR 1862, **SR 1863**, **SR 1864** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on April 30, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Reapportionment** recommends **HB 2371** be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2371," as follows:

"Senate Substitute for HOUSE BILL No. 2371

By Committee on Reapportionment

"AN ACT concerning reapportionment; relating to state legislative districts and state board of education member districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-3,731, 4-3,732, 4-3,733, 4-3,734, 4-3,735, 4-3,736, 4-3,737, 4-3,738, 4-3,739, 4-3,740, 4-3,741, 4-3,742, 4-3,743, 4-3,744, 4-3,745, 4-3,746, 4-3,747, 4-3,748, 4-3,749, 4-3,750, 4-3,751, 4-3,752, 4-3,753, 4-3,754, 4-3,755, 4-3,756, 4-3,757, 4-3,758, 4-3,759, 4-3,760, 4-3,761, 4-3,762, 4-3,763, 4-3,764, 4-3,765, 4-3,766, 4-3,767, 4-3,768, 4-3,769, 4-3,770, 4-3,771, 4-3,772, 4-3,773, 4-3,774, 4-3,775, 4-3,776, 4-3,777, 4-3,778, 4-3,779, 4-3,780, 4-3,781, 4-3,782, 4-3,783, 4-3,784, 4-3,785, 4-3,786, 4-3,787, 4-3,788, 4-3,789, 4-3,790, 4-3,791, 4-3,792, 4-3,793, 4-3,794, 4-3,795, 4-3,796, 4-3,797, 4-3,798, 4-3,799, 4-3,800, 4-3,801, 4-3,802, 4-3,803, 4-3,804, 4-3,805, 4-3,806, 4-3,807, 4-3,808, 4-3,809, 4-3,810, 4-3,811, 4-3,812, 4-3,813, 4-3,814, 4-3,815, 4-3,816, 4-3,817, 4-3,818, 4-3,819, 4-3,820, 4-3,821, 4-3,822, 4-3,823, 4-3,824, 4-3,825, 4-3,826, 4-3,827, 4-3,828, 4-3,829, 4-3,830, 4-3,831, 4-3,832, 4-3,833, 4-3,834, 4-3,835, 4-3,836, 4-3,837, 4-3,838, 4-3,839, 4-3,840, 4-3,841, 4-3,842, 4-3,843, 4-3,844, 4-3,845, 4-3,846, 4-3,847, 4-3,848, 4-3,849, 4-3,850, 4-3,851, 4-3,852, 4-3,853, 4-3,854, 4-3,855, 4-3,856, 4-3,857, 4-3,858, 4-4,451, 4-4,452, 4-4,453, 4-4,454, 4-4,455, 4-4,456, 4-4,457, 4-4,458, 4-4,459, 4-4,460, 4-4,461, 4-4,462, 4-4,463, 4-4,464, 4-4,465, 4-4,466, 4-4,467, 4-4,468, 4-4,469, 4-4,470, 4-4,471, 4-4,472, 4-4,473, 4-4,474, 4-4,475, 4-4,476, 4-4,477, 4-4,478, 4-4,479, 4-4,480, 4-4,481, 4-4,482, 4-4,483, 4-4,484, 4-4,485, 4-4,486, 4-4,487, 4-4,488, 4-4,489, 4-4,490, 4-4,491, 4-4,492, 4-4,493, 4-514, 4-515, 4-516, 4-517, 4-518, 4-519, 4-520, 4-521, 4-522, 4-523, 4-524 and 4-525.";

and the substitute bill be passed.

On motion of Senator Emler, the Senate recessed until 2:00 p.m.

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

ORIGINAL MOTIONS

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **SB 434; HB 2572, HB 2647, HB 2729, HB 2777.**

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Longbine in the chair.

On motion of Senator Longbine the following report was adopted:

Recommended **SB 434; HB 2777** be passed.

HB 2572, HB 2729 be amended by the adoption of the committee amendments, and the bills be passed as amended.

HB 2647 be passed over and retain a place on the calendar.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Emler an emergency was declared by a 2/3 constitutional majority, and **SB 434; HB 2572, HB 2729, HB 2777** were advanced to Final Action and roll call.

SB 434, AN ACT concerning corrections; relating to the purchase of land.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Bruce.

The bill passed.

HB 2572, AN ACT concerning the adjutant general; relating to the funding for disasters; creating the disaster reimbursement fund and the Kansas emergency management and homeland security fund.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 1; Absent or Not Voting 1.

Yeas: Abrams, Apple, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Present and Passing: Emler.

Absent or Not Voting: Bruce.

The bill passed, as amended.

HB 2729, AN ACT concerning motor vehicles; relating to parks and recreation motor vehicle permits; amending K.S.A. 32-901 and K.S.A. 2011 Supp. 8-134 and repealing the existing sections.

On roll call, the vote was: Yeas 13; Nays 23; Present and Passing 3; Absent or Not Voting 1.

Yeas: Brungardt, Donovan, Emler, Francisco, Huntington, Kelsey, Longbine, Morris, Ostmeyer, Reitz, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Faust-Goudeau, Hensley, Holland, Kelly, King, Kultala, Love, Lynn, Marshall, Masterson, Merrick, Olson, Petersen, Pilcher-Cook, Pyle, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Wagle.

Present and Passing: Haley, McGinn, Owens.

Absent or Not Voting: Bruce.

A constitutional majority having failed to vote in favor of the bill, **HB 2729** did not pass.

HB 2777, AN ACT concerning state institutions; relating to special education and related services provided by the state school for the blind and the state school for the deaf; amending K.S.A. 76-1006 and 76-1102 and K.S.A. 2011 Supp. 72-978 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Bruce.

The bill passed.

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Tuesday, May 1, 2012.

Journal of the Senate

FIFTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, May 1, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Sometimes I get to thinking of the ways I wish You would bless me.
I would let me get elected without having to campaign.
All my bills would pass unanimously, and the bills I didn't like would fail miserably.
My business and my home would run smoothly – without a hitch – throughout the session, and all my phone calls would be complimentary.
Every time I stood on the floor to speak, the chamber would grow quiet and everyone would listen in hushed silence.
All those who rise to oppose me would have to admit I was right before they sat down. Even the reporters would nod and say “Amen”.
But I hasten to add, O God, that since I have asked You for so many things You never gave me....I think I am better off when You don't listen to my advice.
I pray in the Name of Jesus Christ., AMEN

The Pledge of Allegiance was led by President Stephen Morris.

MESSAGE FROM THE GOVERNOR

April 27, 2012

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Order No. 12-06 for your information.

Sam Brownback
Governor

The President announced Executive Order No. 12-06, concerning Regional Emergencies regarding Conditional and Temporary Relief from Motor Carrier Rules and Regulations is on file in the office of the Secretary of the Senate and is available for review at any time.

MESSAGE FROM THE GOVERNOR

April 27, 2012

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Directive No. 12-429 for your information.

Sam Brownback,
Governor

The President announced Executive Directive No. 12-429, Authorizing Expenditure of Federal Funds, is on file in the office of the Secretary of the Senate and is available for review at any time.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **HB 2631**.
The House adopts the Conference Committee report on **SB 262**.

CHANGE OF CONFERENCE

President Morris announced the appointment of Senator Schodorf to replace Senator McGinn and Senator Hensley to replace Senator Kelly on the Conference Committee on **SB 258**.

ORIGINAL MOTIONS

Having voted on the prevailing side on **HB 2729**, Senator A. Schmidt moved the Senate reconsider its action on **HB 2729** and the bill be returned to final action. The motion carried.

Having voted on the prevailing side on **HB 2729**, Senator A. Schmidt moved the Senate reconsider its action and the bill be returned to the calender under the heading of General Orders. The motion carried.

On motion of Senator Emler, the Senate recessed until 2:00 p.m.

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

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **Senate Substitute for HB 2454**.

The House adopts the Conference Committee report on **HB 2655**.

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **S Sub for HB 2371**.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of the bill on the calendar under the heading of General Orders with Senator Brungardt in the chair.

On motion of Senator Brungardt the following report was adopted:

Recommended **S Substitute for HB 2371** be amended by adoption of the committee report recommending a substitute bill, be further amended by motion of Senator Schodorf on: page 157, by striking all in lines 4 through 43;

By striking all on pages 158 through 243 and inserting the following:

"Sec. 134. Senatorial district 1 shall consist of all of Atchison county; and all of Brown county; and all of Doniphan county; and all of Jackson county; and all of Nemaha county; and the following voting districts in Pottawatomie county: (000010), (000040); and the following blocks in voting district (000050), tract 0004.00, block group 3, in Pottawatomie county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 195, block 196, block 197, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 224, block 225, block 226; and the following voting districts in Pottawatomie county: (000060), (000070), (000090), (000100); and the following blocks in voting district (000110), tract 0001.00, block group 1, in Pottawatomie county: block 043, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 093, block 097, block 098, block 100, block 104, block 105, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 130, block 131, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 221, block 225, block 228, block 230; and the following blocks in voting district (000110), tract 0001.00, block group 2, in Pottawatomie county: block 097, block 183, block 184; and the following blocks in voting district (000110), tract 0002.00, block group 1, in Pottawatomie county: block 000, block 001, block 002, block 003, block 031, block 032, block 033; and the following voting districts in Pottawatomie county: (000130); and the following blocks in voting district (000140), tract 0004.00, block group 4, in Pottawatomie county: block 069, block 070, block 072, block 077, block 084, block 147, block 148, block 149, block 150, block 153, block 154, block 155, block 156, block 160, block 161, block 162, block 163, block 166, block 167; and the

following blocks in voting district (000150), tract 0004.00, block group 3, in Pottawatomie county: block 209, block 210, block 211, block 212, block 213, block 227, block 228, block 229, block 230, block 231; and the following blocks in voting district (000150), tract 0004.00, block group 4, in Pottawatomie county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 012, block 014, block 015, block 016, block 059, block 060, block 061, block 062, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 151, block 152, block 157, block 158, block 159, block 164, block 212, block 219, block 220; and the following voting districts in Pottawatomie county: (000170), (000190); and the following blocks in voting district (000200), tract 0001.00, block group 1, in Pottawatomie county: block 171, block 172, block 173, block 226, block 227; and the following blocks in voting district (000200), tract 0001.00, block group 2, in Pottawatomie county: block 065, block 066, block 098, block 099, block 100, block 103, block 187, block 188; and the following blocks in voting district (000200), tract 0001.00, block group 3, in Pottawatomie county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 049, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 113, block 119, block 120, block 121, block 122, block 123, block 124, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 168, block 170, block 171; and the following blocks in voting district (000200), tract 0002.00, block group 1, in Pottawatomie county: block 004, block 005, block 006, block 007, block 008, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 068, block 069, block 070, block 071; and the following blocks in voting district (000200), tract 0002.00, block group 4, in Pottawatomie county: block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 096, block 097, block 098, block 099, block 100, block 104, block 105, block 106, block 110; and the following voting districts in Pottawatomie county: (000210), (000220); and the following blocks in voting district (000230), tract 0001.00, block group 1, in Pottawatomie county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 016, block

017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 048, block 094, block 095, block 096, block 229; and the following blocks in voting district (000230), tract 0004.00, block group 1, in Pottawatomie county: block 359, block 360, block 361, block 363, block 376, block 377, block 378, block 379, block 380, block 415, block 416, block 417, block 418, block 419; and the following blocks in voting district (000230), tract 0004.00, block group 4, in Pottawatomie county: block 144, block 145, block 146, block 168, block 169, block 170, block 171, block 172, block 173, block 176, block 177, block 214; and the following voting districts in Pottawatomie county: (000240), (000250), (00026A), (000270), (900010), (900040).

Sec. 135. Senatorial district 2 shall consist of the following blocks in voting district (000010), tract 0015.00, block group 2, in Douglas county: block 008, block 009, block 010, block 011, block 012, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052; and the following blocks in voting district (000030), tract 0008.01, block group 1, in Douglas county: block 006; and the following blocks in voting district (000050), tract 0001.00, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 015, block 017, block 018, block 019, block 022, block 023, block 024, block 027, block 028, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 045, block 046, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 066, block 069, block 070, block 072, block 073, block 074, block 075, block 087, block 089, block 090, block 092; and the following blocks in voting district (000050), tract 0001.00, block group 3, in Douglas county: block 000, block 001, block 002, block 003; and the following blocks in voting district (00006A), tract 0006.03, block group 1, in Douglas county: block 002, block 003, block 004, block 005, block 013, block 014, block 016, block 017, block 018, block 035, block 036, block 040, block 058, block 060, block 065, block 066, block 098; and the following blocks in voting district (00006A), tract 0014.00, block group 2, in Douglas county: block 002, block 003; and the following blocks in voting district (00006A), tract 0015.00, block group 1, in Douglas county: block 080, block 081, block 093, block 094, block 095, block 097; and the following blocks in voting district (00006A), tract 0015.00, block group 2, in Douglas county: block 072, block 073, block 074; and the following blocks in voting district (00006A), tract 0016.00, block group 2, in Douglas county: block 012, block 013, block 044, block 046, block 047, block 048, block 049, block 056; and the following voting districts in Douglas county: (00007A), (000080), (000090), (00010A), (000110), (00012A), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000210), (000220), (000240), (000250), (000260), (000270), (000290), (000300), (000310), (000320), (000330), (000340); and the following blocks in voting district (000360), tract 0009.01, block group 2, in Douglas county: block 004, block 005, block 012, block 014, block 015, block 016, block 017; and the following voting districts in Douglas county: (000400); and the following blocks in voting district (000410), tract 0010.01, block group 1, in Douglas county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block

011, block 012, block 023, block 024, block 025, block 026, block 027, block 028, block 037, block 038, block 042, block 043, block 044; and the following voting districts in Douglas county: (000420); and the following blocks in voting district (000430), tract 0002.00, block group 5, in Douglas county: block 005, block 006, block 007, block 008; and the following blocks in voting district (000430), tract 0010.01, block group 1, in Douglas county: block 000, block 001, block 002, block 003; and the following blocks in voting district (000460), tract 0001.00, block group 3, in Douglas county: block 024, block 026; and the following blocks in voting district (000460), tract 0002.00, block group 1, in Douglas county: block 003, block 004, block 005, block 006, block 007, block 008, block 021, block 026, block 027, block 036, block 037, block 038, block 039; and the following blocks in voting district (000460), tract 0002.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 025, block 026, block 027; and the following blocks in voting district (000460), tract 0005.01, block group 1, in Douglas county: block 040, block 041; and the following voting districts in Douglas county: (000470); and the following blocks in voting district (00048A), tract 0001.00, block group 1, in Douglas county: block 012, block 013, block 014, block 016, block 020, block 021, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 064, block 065, block 067, block 068, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 088, block 091, block 093, block 094, block 095; and the following blocks in voting district (00048A), tract 0001.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040; and the following blocks in voting district (00048A), tract 0001.00, block group 3, in Douglas county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 025, block 027, block 028, block 029, block 030, block 031; and the following voting districts in Douglas county: (00048B), (00048C), (00048D), (00050A), (00050C), (00052A); and the following blocks in voting district (000560), tract 0008.01, block group 1, in Douglas county: block 004, block 005; and the following blocks in voting district (000560), tract 0016.00, block group 2, in Douglas county: block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 045, block 050, block 051, block 052, block 053, block 054, block 055, block 057, block 058, block 062, block 063, block 064; and the following blocks in voting district (000580), tract 0015.00, block group 1, in Douglas county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 098, block 099; and the following blocks in voting district (000580), tract 0015.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005,

block 006, block 007, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 075; and the following voting districts in Douglas county: (00061A), (400010), (400020), (400030), (400040), (400060), (400080), (900040), (900050), (900060), (900070), (900080), (900090), (900150), (900170); and the following voting districts in Jefferson county: (000010), (000020), (000030), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130).

Sec. 136. Senatorial district 3 shall consist of the following voting districts in Douglas county: (000020); and the following blocks in voting district (000050), tract 0001.00, block group 1, in Douglas county: block 086; and the following blocks in voting district (000050), tract 0001.00, block group 3, in Douglas county: block 004, block 006, block 007, block 009, block 010; and the following blocks in voting district (000200), tract 0008.02, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 013, block 014, block 015, block 016, block 017, block 023, block 024, block 025, block 026; and the following blocks in voting district (000200), tract 0008.02, block group 2, in Douglas county: block 000, block 001, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 023; and the following blocks in voting district (000200), tract 0008.02, block group 3, in Douglas county: block 000, block 001, block 002, block 003, block 006, block 009, block 010, block 011, block 012, block 023; and the following blocks in voting district (000200), tract 0009.02, block group 1, in Douglas county: block 027, block 028, block 041, block 042; and the following voting districts in Douglas county: (000230), (000280), (000350); and the following blocks in voting district (000360), tract 0009.01, block group 4, in Douglas county: block 001, block 003, block 004, block 005, block 006; and the following blocks in voting district (000360), tract 0009.01, block group 5, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following voting districts in Douglas county: (000370), (000380); and the following blocks in voting district (000410), tract 0010.01, block group 2, in Douglas county: block 002, block 005, block 006, block 008, block 009, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 034, block 035; and the following blocks in voting district (000430), tract 0002.00, block group 5, in Douglas county: block 009; and the following blocks in voting district (000430), tract 0002.00, block group 6, in Douglas county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (000430), tract 0010.02, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following voting districts in Douglas county: (00044A), (000450); and the following blocks in voting district (000460), tract 0002.00, block group 1, in Douglas county: block 010, block 011; and the following blocks in voting district (00048A), tract 0001.00, block group 3, in Douglas county: block 008; and the following blocks in voting district (00053A), tract 0008.01, block group 1, in Douglas county: block 000, block 001, block 002, block 018, block 019, block 020, block 021,

block 022, block 023, block 024, block 025, block 026, block 027, block 030, block 043; and the following blocks in voting district (00053A), tract 0008.01, block group 2, in Douglas county: block 004, block 005, block 006, block 007, block 008, block 009, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 034, block 036, block 042; and the following blocks in voting district (000560), tract 0008.01, block group 1, in Douglas county: block 003; and the following voting districts in Douglas county: (000600), (000620), (000630), (000640), (000650), (000660); and the following blocks in voting district (00067A), tract 0008.01, block group 1, in Douglas county: block 017, block 028, block 029, block 038, block 039, block 048, block 049; and the following blocks in voting district (00067A), tract 0008.01, block group 2, in Douglas county: block 032, block 033, block 038, block 039, block 040, block 041, block 043, block 045; and the following blocks in voting district (00067A), tract 0008.02, block group 2, in Douglas county: block 004, block 005, block 006, block 007, block 018; and the following blocks in voting district (00067A), tract 0009.02, block group 1, in Douglas county: block 031, block 032, block 037, block 043; and the following blocks in voting district (00067A), tract 0012.01, block group 1, in Douglas county: block 070, block 071, block 072, block 077, block 081, block 082, block 083; and the following voting districts in Douglas county: (00067B); and the following blocks in voting district (000680), tract 0012.01, block group 1, in Douglas county: block 130, block 131, block 132, block 133, block 135, block 136, block 137, block 138, block 139; and the following blocks in voting district (000680), tract 0012.03, block group 1, in Douglas county: block 015, block 016, block 017, block 018, block 019, block 020, block 051, block 052, block 053, block 054, block 073, block 074, block 075, block 076, block 077, block 079, block 081; and the following voting districts in Douglas county: (200010), (200020), (400050), (400070), (400090), (400100); and the following blocks in voting district (400110), tract 0008.01, block group 1, in Douglas county: block 015; and the following voting districts in Douglas county: (900020), (900100), (900110), (900120), (900130), (900140), (900160); and the following voting districts in Leavenworth county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (000300), (000310), (000320), (000350), (000360), (000370), (000380), (000390), (900010), (900020), (900030), (900080).

Sec. 137. Senatorial district 4 shall consist of the following voting districts in Wyandotte county: (600090), (600100); and the following blocks in voting district (600110), tract 0400.01, block group 1, in Wyandotte county: block 126; and the following blocks in voting district (600110), tract 0400.02, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 041, block 042, block 043, block 044, block 050; and the following blocks in voting district (600110), tract 0418.00, block group 1, in Wyandotte county: block 017, block 031; and the following blocks in voting district (600110), tract 0419.00, block group 1, in Wyandotte county: block 000, block 006, block 007; and the following blocks in voting district (600110), tract 0419.00, block group 2, in Wyandotte county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 034; and the following blocks in voting district (600110), tract 0425.01,

block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following voting districts in Wyandotte county: (600120), (600130), (600140), (600150), (600160), (600170), (600180), (600190), (600200), (600210), (600220), (600230), (600240); and the following blocks in voting district (600250), tract 0419.00, block group 2, in Wyandotte county: block 010, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (600250), tract 0420.02, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (600250), tract 0424.00, block group 2, in Wyandotte county: block 001; and the following blocks in voting district (600250), tract 0425.01, block group 1, in Wyandotte county: block 023, block 024, block 025, block 026; and the following blocks in voting district (600260), tract 0420.02, block group 1, in Wyandotte county: block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (600260), tract 0420.02, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (600270), tract 0421.00, block group 3, in Wyandotte county: block 010, block 011, block 013, block 014, block 015; and the following blocks in voting district (600290), tract 0421.00, block group 1, in Wyandotte county: block 009, block 010, block 011, block 012; and the following blocks in voting district (600290), tract 0421.00, block group 3, in Wyandotte county: block 006, block 007, block 008, block 009; and the following voting districts in Wyandotte county: (600450), (600460), (600470); and the following blocks in voting district (600480), tract 0415.00, block group 1, in Wyandotte county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 036, block 038; and the following blocks in voting district (600480), tract 0415.00, block group 2, in Wyandotte county: block 017, block 018, block 019, block 020, block 023, block 024; and the following blocks in voting district (600480), tract 0425.02, block group 1, in Wyandotte county: block 015, block 095; and the following blocks in voting district (600480), tract 0439.05, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 038, block 039, block 063, block 065; and the following voting districts in Wyandotte county: (600500); and the following blocks in voting district (600520), tract 0439.05, block group 1, in Wyandotte county: block 014, block 017, block 018, block 022; and the following blocks in voting district (600520), tract 0441.01, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following voting

districts in Wyandotte county: (600590), (600600), (600610), (600620), (600630), (600640), (600650), (600660), (600670), (600680), (600690), (600700), (600710), (600720), (600870), (600880), (600890), (600900), (600910), (600920), (600940), (600950), (600970), (600980), (600990), (601000).

Sec. 138. Senatorial district 5 shall consist of the following voting districts in Leavenworth county: (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (00017A), (00017B), (000180), (00019A), (00019B), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (00027A), (000280), (00029A), (00029C), (00029D), (000330), (000340), (300010), (800010), (900040), (900050), (900060); and the following blocks in voting district (600040), tract 0448.05, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 041, block 042, block 043; and the following blocks in voting district (600040), tract 0448.06, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028; and the following voting districts in Wyandotte county: (600530); and the following blocks in voting district (600540), tract 0441.02, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600550), tract 0441.02, block group 1, in Wyandotte county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020; and the following blocks in voting district (600550), tract 0447.04, block group 2, in Wyandotte county: block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 055; and the following voting districts in Wyandotte county: (600730), (600740), (600750); and the following blocks in voting district (600760), tract 0447.03, block group 1, in Wyandotte county: block 028, block 029, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 101, block 104, block 106; and the following blocks in voting district (600760), tract 0447.04, block group 2, in Wyandotte county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 040, block 041, block 044, block 045, block 046, block 047; and the following blocks in voting district (600760), tract 0448.03, block group 2, in Wyandotte county: block 025, block 026,

block 027, block 028, block 029, block 030, block 031, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 098, block 099; and the following voting districts in Wyandotte county: (600930), (600960), (601010), (601020), (601030), (601040), (601050), (601060), (601070), (601080), (601090), (601100).

Sec. 139. Senatorial district 6 shall consist of the following blocks in voting district (000920), tract 0522.01, block group 1, in Johnson county: block 000, block 025; and the following blocks in voting district (001540), tract 0522.01, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 023, block 024, block 030, block 031; and the following voting districts in Johnson county: (900490), (900500); and the following blocks in voting district (900510), tract 0522.01, block group 2, in Johnson county: block 013, block 019, block 020; and the following blocks in voting district (900510), tract 0522.01, block group 3, in Johnson county: block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 021; and the following blocks in voting district (900520), tract 0522.01, block group 2, in Johnson county: block 014, block 017, block 018; and the following voting districts in Wyandotte county: (600010), (600020), (600030); and the following blocks in voting district (600040), tract 0448.05, block group 1, in Wyandotte county: block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 030, block 032, block 033, block 034, block 035, block 036; and the following blocks in voting district (600040), tract 0448.06, block group 1, in Wyandotte county: block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 075, block 079, block 080, block 081, block 085, block 086, block 088, block 089, block 090, block 091, block 092; and the following voting districts in Wyandotte county: (600050), (600060), (600070), (600080); and the following blocks in voting district (600110), tract 0400.02, block group 1, in Wyandotte county: block 037, block 038, block 039, block 040, block 045, block 046, block 047, block 048, block 049, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063; and the following blocks in voting district (600250), tract 0424.00, block group 2, in Wyandotte county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (600250), tract 0424.00, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in

voting district (600250), tract 0425.01, block group 1, in Wyandotte county: block 014, block 015, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 120, block 121, block 122, block 123, block 124, block 125; and the following blocks in voting district (600260), tract 0424.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 006; and the following blocks in voting district (600270), tract 0423.00, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 012, block 013, block 014, block 015; and the following blocks in voting district (600270), tract 0423.00, block group 3, in Wyandotte county: block 000, block 001, block 002, block 005, block 009, block 024; and the following voting districts in Wyandotte county: (600280); and the following blocks in voting district (600290), tract 0423.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600290), tract 0423.00, block group 2, in Wyandotte county: block 004, block 005, block 006, block 007, block 008, block 009; and the following voting districts in Wyandotte county: (600300), (600310), (600320), (600330), (600340), (600350), (600360), (600370), (600380), (600390), (600400), (600410), (600420), (600430), (600440); and the following blocks in voting district (600480), tract 0439.05, block group 2, in Wyandotte county: block 032, block 033, block 034, block 036, block 037, block 040, block 041, block 042, block 043, block 044, block 045, block 050, block 051, block 052, block 053, block 054, block 055, block 061, block 062; and the following voting districts in Wyandotte county: (600490), (600510); and the following blocks in voting district (600520), tract 0440.01, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (600520), tract 0440.01, block group 3, in Wyandotte county: block 026, block 028; and the following blocks in voting district (600540), tract 0440.01, block group 1, in Wyandotte county: block 000, block 001, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 024, block 025, block 026; and the following blocks in voting district (600550), tract 0440.01, block group 1, in Wyandotte county: block 002, block 003; and the following voting districts in Wyandotte county: (600560), (600570), (600580); and the following blocks in voting district (600760), tract 0447.03, block group 1, in Wyandotte county: block 078, block 086, block 087, block 098, block 099, block 100, block 102, block 103, block 108; and the following blocks in voting district (600760), tract 0447.04, block group 2, in Wyandotte county: block 042, block 043, block 048, block 049, block 050, block 051, block 052, block 053; and the following voting districts in Wyandotte county: (600770), (600780), (600790), (600800), (600810), (600820), (600830), (600840), (600850), (600860).

Sec. 140. Senatorial district 7 shall consist of the following voting districts in Johnson county: (000100), (000110), (000120), (000130), (000200), (000210), (000220), (000230), (000840), (000850), (000860), (000870), (000880), (000890), (000900), (000910); and the following blocks in voting district (000920), tract 0503.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block

004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (000920), tract 0503.01, block group 2, in Johnson county: block 000, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following voting districts in Johnson county: (000930), (000940), (000950), (000960), (000970); and the following blocks in voting district (001540), tract 0504.00, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 014, block 015; and the following blocks in voting district (001540), tract 0504.00, block group 3, in Johnson county: block 001, block 002, block 003, block 021; and the following voting districts in Johnson county: (001550), (001560), (001590), (001600), (001700), (001720), (001770), (001830), (002280), (002290), (002500), (002510), (002520), (002530), (002540), (002550), (002560), (002570), (002580), (002590), (002600), (002610), (002620), (002630), (002640), (002650), (002660), (002670), (002680), (002690), (002700), (002710), (002720), (002730), (002740), (002750), (003130), (003140), (003150); and the following blocks in voting district (900520), tract 0521.01, block group 1, in Johnson county: block 003; and the following voting districts in Johnson county: (900990), (901320).

Sec. 141. Senatorial district 8 shall consist of the following voting districts in Johnson county: (000630), (000640), (000650), (001490), (001690), (001730), (001740), (001750), (001760), (001780), (001790), (001800), (001810), (001820), (001840), (001850), (001860), (001870), (001880), (001890); and the following blocks in voting district (001900), tract 0518.05, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (001900), tract 0532.01, block group 1, in Johnson county: block 018; and the following voting districts in Johnson county: (001910), (001920), (001930), (001940), (001950), (001960), (001970), (001980), (001990), (002000), (002010), (002020), (002030), (002040), (002050), (002060), (002070), (002080), (002120), (002130), (002140), (002150), (00217B), (002300), (002310), (002320); and the following blocks in voting district (002340), tract 0518.06, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (002350), tract 0518.06, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (002380), tract 0531.02, block group 2, in Johnson county: block 009, block 010, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (900460), tract 0530.05, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (901050), tract 0530.08, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 015; and

the following blocks in voting district (901050), tract 0530.08, block group 2, in Johnson county: block 000, block 015.

Sec. 142. Senatorial district 9 shall consist of the following voting districts in Johnson county: (000070), (000080), (000560); and the following blocks in voting district (001000), tract 0535.55, block group 1, in Johnson county: block 012, block 013, block 014, block 015, block 020, block 021, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (001000), tract 0535.55, block group 2, in Johnson county: block 009, block 014, block 015, block 016; and the following blocks in voting district (001000), tract 0535.55, block group 3, in Johnson county: block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (001090), tract 0535.55, block group 1, in Johnson county: block 016, block 017, block 018, block 019, block 022, block 023; and the following blocks in voting district (001090), tract 0536.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (001090), tract 0536.01, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 024, block 025, block 026, block 027, block 028, block 029; and the following voting districts in Johnson county: (001130), (001150), (001160), (00117A), (00117B), (001200), (001210), (001220), (001240), (001250), (001260), (001280), (001290); and the following blocks in voting district (001420), tract 0529.05, block group 1, in Johnson county: block 020, block 021, block 022; and the following voting districts in Johnson county: (001520), (00153J), (00153K); and the following blocks in voting district (002980), tract 0526.03, block group 2, in Johnson county: block 018; and the following voting districts in Johnson county: (003000), (003010), (003020), (004070), (004080), (004090), (004100), (004140), (004180), (900040), (900050), (900060), (900390), (900420), (900640), (900660), (900670), (900680), (900700), (900720), (900730), (900740), (900750), (900760); and the following blocks in voting district (900870), tract 0529.10, block group 1, in Johnson county: block 019, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039; and the following blocks in voting district (901360), tract 0526.03, block group 2, in Johnson county: block 008, block 009; and the following voting districts in Johnson county: (901370), (901380), (901400); and the following blocks in voting district (901550), tract 0535.55, block group 1, in Johnson county: block 029, block 030, block 031, block 032; and the following blocks in voting district (901550), tract 0535.57, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (901550), tract 0535.57, block group 2, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 014; and the following blocks in voting district (901650), tract 0528.02, block group 4, in Johnson county: block 002, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 032; and the following voting districts in

Johnson county: (901660), (901670); and the following blocks in voting district (901700), tract 0529.05, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 023; and the following blocks in voting district (901700), tract 0529.05, block group 2, in Johnson county: block 008, block 009, block 010, block 011, block 012, block 017, block 018, block 019; and the following blocks in voting district (901700), tract 0529.08, block group 4, in Johnson county: block 004; and the following voting districts in Johnson county: (901720); and the following blocks in voting district (901810), tract 0536.02, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 006, block 007, block 008, block 009, block 010, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 035, block 036; and the following voting districts in Johnson county: (901850), (901910), (901930), (901940).

Sec. 143. Senatorial district 10 shall consist of the following voting districts in Johnson county: (000190); and the following blocks in voting district (000580), tract 0524.18, block group 2, in Johnson county: block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (000580), tract 0524.19, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (000590), tract 9800.02, block group 1, in Johnson county: block 008, block 013, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following voting districts in Johnson county: (001570), (001580), (001610), (001620), (001630), (001640), (001650), (001660), (001670), (001680), (001710), (002760), (002770), (002780), (002790), (002800), (002810), (002820), (002830), (002850), (002860), (002870), (002880), (002890), (002900), (002910), (002920), (002960); and the following blocks in voting district (002980), tract 0526.03, block group 1, in Johnson county: block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (002980), tract 0526.03, block group 2, in Johnson county: block 017, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032; and the following voting districts in Johnson county: (002990), (003040), (003050), (003060), (003070), (003080), (900030); and the following blocks in voting district (900510), tract 0521.01, block group 1, in Johnson county: block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 043, block 047; and the following blocks in voting district (900520), tract 0521.01, block group 1, in Johnson county: block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 041, block 042, block 044, block 045, block 046, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066; and the following voting districts in Johnson county: (900530), (900540), (900550), (900560), (901330), (901340), (901350); and the following blocks in voting district (901360), tract 0526.03, block group 2, in Johnson county: block 000, block 001, block

002, block 003, block 004, block 005, block 006, block 007, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Johnson county: (901390); and the following voting districts in Wyandotte county: (601110).

Sec. 144. Senatorial district 11 shall consist of the following voting districts in Johnson county: (000240), (000270), (000350), (000370); and the following blocks in voting district (001900), tract 0518.05, block group 4, in Johnson county: block 028, block 029; and the following blocks in voting district (001900), tract 0532.01, block group 1, in Johnson county: block 017; and the following voting districts in Johnson county: (002090), (002160), (002180), (002190), (002200), (002210), (00222B), (002230), (002240), (002330); and the following blocks in voting district (002340), tract 0518.06, block group 5, in Johnson county: block 003, block 004, block 005, block 006, block 015, block 016, block 017, block 018, block 019, block 023, block 024, block 025; and the following blocks in voting district (002350), tract 0518.06, block group 5, in Johnson county: block 000, block 001, block 002, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 020, block 021, block 022; and the following voting districts in Johnson county: (002370); and the following blocks in voting district (002380), tract 0531.05, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following voting districts in Johnson county: (002390), (002400), (002410), (00242A), (00242B), (900190), (900200), (900210), (900220), (900230), (900240), (900250), (900260), (900270), (900280); and the following blocks in voting district (900290), tract 0534.10, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 021, block 022; and the following voting districts in Johnson county: (900300), (900310), (900320), (900330), (900340), (901020), (901040), (901060), (901070), (901080), (901090), (901100), (901110); and the following blocks in voting district (901160), tract 0534.10, block group 4, in Johnson county: block 010, block 017, block 018, block 019, block 020, block 023, block 024.

Sec. 145. Senatorial district 12 shall consist of the following voting districts in Franklin county: (000010), (000020), (000030), (000040), (000050); and the following blocks in voting district (000060), tract 9541.00, block group 5, in Franklin county: block 133, block 134, block 135, block 137, block 138, block 139, block 140, block 145, block 174, block 175, block 176, block 177, block 193; and the following blocks in voting district (000060), tract 9541.00, block group 6, in Franklin county: block 006, block 007, block 008, block 014, block 017, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 064, block 069, block 070, block 071, block 072, block 073, block 076, block 078, block 079, block 082, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 138, block 144, block 188, block 189, block 191, block 193, block 194; and the following voting districts in Franklin county: (000070), (000080); and the following blocks in

voting district (000090), tract 9545.00, block group 4, in Franklin county: block 019, block 023, block 078; and the following voting districts in Franklin county: (000100); and the following blocks in voting district (000110), tract 9545.00, block group 2, in Franklin county: block 162, block 164, block 166, block 167, block 168, block 169, block 171, block 172, block 173; and the following blocks in voting district (000110), tract 9545.00, block group 3, in Franklin county: block 018, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 063, block 064; and the following blocks in voting district (000110), tract 9545.00, block group 4, in Franklin county: block 066, block 067, block 068, block 069, block 070, block 071, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 145, block 147, block 148, block 149, block 150, block 151; and the following blocks in voting district (000110), tract 9545.00, block group 5, in Franklin county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 019, block 027, block 028, block 029; and the following voting districts in Franklin county: (00012A), (00013A), (00013B), (00013C), (000140), (000150), (000160), (000170), (000180), (000190), (00020A), (000210), (000220), (000230); and the following blocks in voting district (000240), tract 9545.00, block group 3, in Franklin county: block 058, block 059, block 060, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 094, block 186, block 187, block 188, block 189, block 190, block 191, block 192; and the following blocks in voting district (000240), tract 9545.00, block group 5, in Franklin county: block 026, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114; and the following voting districts in Franklin county: (900010); and all of Linn county; and all of Miami county.

Sec. 146. Senatorial district 13 shall consist of the following blocks in voting district (000020), tract 9526.00, block group 1, in Allen county: block 566, block 567, block 568, block 569, block 570, block 576, block 577, block 578, block 579, block 580, block 581, block 582, block 583, block 584, block 608, block 609, block 610,

block 611, block 612, block 613, block 614, block 615, block 616, block 617, block 618, block 619, block 620, block 621, block 622, block 623, block 624, block 625, block 626, block 627, block 628, block 721, block 726, block 727, block 728, block 729, block 730, block 731, block 732, block 733, block 734, block 736; and the following blocks in voting district (000020), tract 9530.00, block group 1, in Allen county: block 196, block 197, block 198, block 199, block 201, block 231, block 242, block 243, block 244, block 245, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286; and the following voting districts in Allen county: (000030), (000040); and the following blocks in voting district (00006A), tract 9530.00, block group 1, in Allen county: block 101, block 102, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 121, block 122, block 123, block 126, block 162, block 163, block 164, block 165, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 288; and the following blocks in voting district (00006A), tract 9530.00, block group 2, in Allen county: block 040; and the following voting districts in Allen county: (000140), (000150), (000170), (000180), (000190); and all of Bourbon county; and the following voting districts in Cherokee county: (000050), (00010B), (000110), (000120), (00013A), (00013B), (00013C), (00013D), (000140), (00015A), (00015B), (000160), (000170), (00018A), (00018B), (00018C), (000200), (000220), (000250), (000260), (000270), (000280), (000290), (000310), (000320), (000330), (000340), (000350), (00039A), (000400), (000410), (00042A), (00042B); and all of Crawford county.

Sec. 147. Senatorial district 14 shall consist of the following voting districts in Cherokee county: (000010), (000020), (000030), (00004A), (00004B), (000060), (000070), (000080), (000090), (00010A), (000190), (000210), (000230), (000240), (00030A), (00030B), (000360), (00037A), (00037B), (00037C), (000380); and all of Labette county; and the following voting districts in Montgomery county: (00001A), (00001B), (00001C), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000250), (000260), (000430), (00044A), (00044B), (00044C), (900010), (900020), (900030), (900040); and the following voting districts in Neosho county: (000010), (00002A), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (00012A), (00012B), (00012C), (000130), (000140), (000150), (000160), (000170), (000180); and the following blocks in voting district (000190), tract 9516.00, block group 4, in Neosho county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 022, block 023, block 032, block 033, block 034; and the following blocks in voting district (000190), tract 9517.00, block group 1, in Neosho county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 056, block 057, block 059; and the following blocks in voting district (000190), tract 9517.00, block group 2, in Neosho

county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 020, block 023, block 024, block 030, block 031, block 036, block 073, block 079; and the following voting districts in Neosho county: (000200), (000210), (00022A), (00022B), (00022C), (00022D), (000230), (000240), (900010), (900020).

Sec. 148. Senatorial district 15 shall consist of the following voting districts in Allen county: (000010); and the following blocks in voting district (000020), tract 9530.00, block group 1, in Allen county: block 200, block 202, block 203, block 204, block 205, block 206, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 232, block 233, block 234, block 236, block 240, block 241, block 274, block 275; and the following blocks in voting district (000020), tract 9530.00, block group 4, in Allen county: block 133, block 134, block 135, block 159, block 160, block 161; and the following voting districts in Allen county: (000050); and the following blocks in voting district (00006A), tract 9530.00, block group 1, in Allen county: block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 103, block 104, block 105, block 106, block 107, block 124, block 125, block 127, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 289, block 290; and the following blocks in voting district (00006A), tract 9530.00, block group 2, in Allen county: block 000, block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 015, block 016, block 018, block 033, block 034, block 035, block 036, block 039, block 049, block 095, block 105, block 106; and the following blocks in voting district (00006A), tract 9530.00, block group 4, in Allen county: block 000, block 001, block 002, block 013, block 014, block 015, block 064, block 087, block 093, block 095, block 096, block 097, block 099, block 100, block 101, block 102, block 104, block 105, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 124, block 125, block 126, block 127, block 128, block 129, block 131, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 158, block 163; and the following voting districts in Allen county: (00006B), (00006C), (000070), (000080), (000090), (00010A), (00010B), (000110), (000120), (000130), (00016A), (00016B), (00016C), (00020A), (00020B), (000210); and all of Anderson county; and all of Chautauqua county; and the following voting districts in Coffey county: (000010), (000020), (000030), (00004A), (00004B), (00005A), (00005B), (00005C), (000060); and the following blocks in voting district (000070), tract 9661.00, block group 1, in Coffey county: block 167, block 171; and the following voting districts in Coffey county: (000080), (000090); and the following blocks in voting district (000100), tract 9662.00, block group 2, in Coffey county: block 017, block 018, block 083; and the following blocks in voting district (000100), tract 9662.00, block group 3, in Coffey county: block 213, block 253, block 254, block 255, block 256, block 258, block 259, block 260, block 261, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block

291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 303, block 305, block 306, block 320, block 327; and the following voting districts in Coffey county: (000110), (000120), (000130), (000140); and the following blocks in voting district (000150), tract 9661.00, block group 1, in Coffey county: block 158; and the following voting districts in Coffey county: (000160), (000170), (900010), (900020), (900030); and all of Elk county; and the following blocks in voting district (000060), tract 9541.00, block group 6, in Franklin county: block 101, block 102, block 103, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 123, block 153, block 154, block 155, block 156, block 157; and the following blocks in voting district (000090), tract 9541.00, block group 6, in Franklin county: block 134, block 135, block 136, block 137, block 139, block 140, block 141, block 142, block 143, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 174, block 175, block 177, block 186; and the following blocks in voting district (000090), tract 9545.00, block group 4, in Franklin county: block 018, block 020, block 021, block 022, block 048, block 072, block 073, block 074, block 075, block 076, block 077, block 094, block 095, block 096, block 097, block 141, block 142, block 143, block 144; and the following blocks in voting district (000090), tract 9545.00, block group 6, in Franklin county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 049, block 050, block 051, block 052, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 090, block 091, block 092, block 093, block 216; and the following blocks in voting district (000110), tract 9545.00, block group 4, in Franklin county: block 093; and the following blocks in voting district (000110), tract 9545.00, block group 5, in Franklin county: block 020, block 021, block 022, block 023; and the following blocks in voting district (000240), tract 9545.00, block group 5, in Franklin county: block 018, block 024, block 025, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 115; and the following blocks in voting district (000240), tract 9545.00, block group 6, in Franklin county: block 167, block 168, block 169, block 170, block 171; and the following voting districts in Franklin county: (000250); and all of Greenwood county; and the following voting districts in Montgomery county: (000240), (000270), (000280), (000290), (000300), (000310), (00032A), (00032B), (000330), (000340), (000350), (000360), (000370), (000380), (000390), (00040A), (00040B), (00040C), (000410), (000420), (000450), (000460), (000470), (900050), (900060); and the following blocks in voting district (000190), tract 9516.00, block group 4, in Neosho county: block 010, block 011; and the following blocks in voting district (000190), tract 9517.00, block group 1, in Neosho county: block 000; and all of Wilson county; and all of Woodson county.

Sec. 149. Senatorial district 16 shall consist of all of Butler county; and the following blocks in voting district (500490), tract 0101.06, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009,

block 010, block 011, block 012, block 013, block 014, block 017, block 032, block 038, block 040, block 041; and the following blocks in voting district (500490), tract 0101.16, block group 1, in Sedgwick county: block 139, block 140, block 159, block 160, block 161, block 162, block 163, block 164, block 179, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 198, block 199, block 200, block 202, block 203; and the following blocks in voting district (500490), tract 0108.02, block group 1, in Sedgwick county: block 000, block 001, block 002, block 035, block 036, block 037, block 038, block 040, block 041, block 046, block 047, block 048, block 050, block 051, block 052, block 053; and the following voting districts in Sedgwick county: (500500), (500510), (500520); and the following blocks in voting district (500530), tract 0101.15, block group 1, in Sedgwick county: block 028, block 029; and the following blocks in voting district (500530), tract 0101.16, block group 1, in Sedgwick county: block 166, block 174, block 175, block 176, block 180, block 181; and the following blocks in voting district (500540), tract 0101.15, block group 1, in Sedgwick county: block 008, block 009, block 022, block 023, block 024, block 025, block 037, block 038, block 039, block 094, block 095, block 099, block 100, block 101, block 125, block 126, block 127; and the following blocks in voting district (500540), tract 0101.16, block group 1, in Sedgwick county: block 169, block 171, block 173; and the following blocks in voting district (500560), tract 0101.15, block group 1, in Sedgwick county: block 116; and the following voting districts in Sedgwick county: (500710); and the following blocks in voting district (502240), tract 0101.11, block group 1, in Sedgwick county: block 000, block 001, block 023, block 028; and the following blocks in voting district (502240), tract 0101.16, block group 1, in Sedgwick county: block 209, block 210, block 215, block 216; and the following voting districts in Sedgwick county: (502250); and the following blocks in voting district (503020), tract 0100.01, block group 2, in Sedgwick county: block 000; and the following blocks in voting district (503020), tract 0101.15, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 107, block 108, block 109, block 110, block 115, block 121, block 122, block 123, block 124; and the following blocks in voting district (503020), tract 0101.16, block group 1, in Sedgwick county: block 167, block 168, block 194; and the following blocks in voting district (503090), tract 0101.15, block group 1, in Sedgwick county: block 026, block 027; and the following blocks in voting district (503090), tract 0101.16, block group 1, in Sedgwick county: block 172; and the following voting districts in Sedgwick county: (503110); and the following blocks in voting district (503160), tract 0101.15, block group 1, in Sedgwick county: block 030, block 031; and the following blocks in voting district (503160), tract 0101.16, block group 1, in Sedgwick county: block 183; and the following blocks in voting district (503530), tract 0101.16, block group 1, in Sedgwick county: block 096, block 097, block 110, block 111, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 123, block 124, block 132, block 133, block 134, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 158, block 170; and the following blocks in voting district (503550), tract 0101.16, block group 1, in Sedgwick county: block 211; and the following voting districts in Sedgwick county: (503560), (503580), (530540), (700490); and the following blocks in voting district (700530), tract 0101.15, block group 1, in Sedgwick county: block 072, block 073, block 074, block 076; and the

following voting districts in Sedgwick county: (700620), (700660), (700670), (900010).

Sec. 150. Senatorial district 17 shall consist of all of Chase county; and the following blocks in voting district (000070), tract 9661.00, block group 1, in Coffey county: block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 092, block 093, block 094, block 095, block 096, block 097, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 168, block 169, block 170, block 174, block 175; and the following blocks in voting district (000070), tract 9662.00, block group 3, in Coffey county: block 000, block 001, block 002, block 003, block 004, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 314, block 315, block 316, block 317, block 326; and the following blocks in voting district (000100), tract 9662.00, block group 3, in Coffey county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 207, block 208, block 209, block 210, block 211, block 212, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 257, block 262, block 263, block 304, block 307, block 308, block 309, block 310, block 311, block 312, block 313, block 318,

block 319, block 321, block 322, block 323, block 324, block 325, block 328, block 329, block 330; and the following blocks in voting district (000150), tract 9661.00, block group 1, in Coffey county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 172, block 173, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219; and the following voting districts in Dickinson county: (000060), (000080), (000120), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000230), (000240), (000250), (000270), (000280), (000300), (000310); and all of Lyon county; and all of Marion county; and all of Morris county; and the following voting districts in Osage county: (000010), (000020), (000030), (000060), (000080), (000090), (000100), (000130), (000140), (000220); and the following blocks in voting district (000230), tract 0103.00, block group 1, in Osage county: block 116, block 117, block 124, block 125, block 126, block 140, block 145, block 148, block 149; and the following voting districts in Osage county: (000240).

Sec. 151. Senatorial district 18 shall consist of the following voting districts in Shawnee county: (000090), (000150); and the following blocks in voting district (000250), tract 0008.00, block group 1, in Shawnee county: block 076, block 082, block 083; and the following blocks in voting district (000260), tract 0008.00, block group 1, in Shawnee county: block 081, block 091; and the following voting districts in Shawnee county: (000330), (000350), (000410), (000420), (000430), (000440); and the following blocks in voting district (000480), tract 0008.00, block group 1, in Shawnee county: block 085, block 096; and the following voting districts in Shawnee county: (000590), (000600), (000610), (000630), (000640), (000650), (000660), (000740), (001040), (001050), (001060), (001070), (001080), (001090), (001100), (001120), (001130), (001140), (001150), (001160), (001170), (001180), (001190), (001210), (001220); and the following blocks in voting district (001230), tract 0019.00, block group 1, in Shawnee county: block 025, block 026; and the following blocks in voting district

(001230), tract 0019.00, block group 2, in Shawnee county: block 000, block 001, block 007, block 008, block 009, block 010, block 017, block 018; and the following voting districts in Shawnee county: (001360), (001370), (001380), (001410), (001460), (001760), (001850), (001880), (001890), (100050), (200010), (200020), (200120), (200140), (400070), (400100), (400110), (500010); and the following blocks in voting district (500110), tract 0036.07, block group 3, in Shawnee county: block 004, block 024, block 025; and the following voting districts in Shawnee county: (600010), (600020); and the following blocks in voting district (600030), tract 0004.00, block group 1, in Shawnee county: block 000, block 001; and the following blocks in voting district (600030), tract 0005.00, block group 2, in Shawnee county: block 010, block 011; and the following blocks in voting district (600030), tract 0040.00, block group 3, in Shawnee county: block 011, block 012; and the following voting districts in Shawnee county: (600050), (600060), (600150), (600160), (600220), (600230), (600240), (600340), (600350), (600360), (600370), (600380), (600390), (600470), (600510), (600530), (600570), (600580), (800020), (800030), (900030), (900040), (900050); and all of Wabaunsee county.

Sec. 152. Senatorial district 19 shall consist of the following blocks in voting district (000010), tract 0014.00, block group 2, in Douglas county: block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 038, block 043; and the following blocks in voting district (000030), tract 0008.01, block group 1, in Douglas county: block 007, block 009, block 010, block 012, block 046; and the following blocks in voting district (000030), tract 0014.00, block group 1, in Douglas county: block 009, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 029, block 030, block 031, block 032, block 034, block 035, block 036, block 038, block 039, block 040, block 062, block 092, block 093, block 094; and the following blocks in voting district (000030), tract 0014.00, block group 2, in Douglas county: block 136, block 145, block 146, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 193, block 194, block 195, block 196, block 197, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 228; and the following blocks in voting district (000030), tract 0014.00, block group 3, in Douglas county: block 000, block 001, block 002, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 055, block 070, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 220, block 221, block 224, block 225; and the following blocks in voting district (00006A), tract 0006.03, block group 1, in Douglas county: block 059, block 061, block 062, block 063, block 064; and the following blocks in voting district (00006A), tract 0014.00, block group 2, in Douglas county: block 000, block 001, block 004, block 005, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block

032, block 033, block 034, block 035, block 036, block 042, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 198, block 199, block 225, block 226, block 227, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237; and the following blocks in voting district (00006A), tract 0014.00, block group 3, in Douglas county: block 003, block 004, block 005, block 006, block 007, block 008, block 222; and the following blocks in voting district (000200), tract 0009.02, block group 1, in Douglas county: block 040; and the following blocks in voting district (00053A), tract 0008.01, block group 1, in Douglas county: block 011, block 031, block 032, block 033, block 035, block 036, block 037, block 044, block 045, block 047; and the following blocks in voting district (00053A), tract 0014.00, block group 1, in Douglas county: block 006, block 007, block 008; and the following blocks in voting district (000560), tract 0008.01, block group 1, in Douglas county: block 008; and the following blocks in voting district (000580), tract 0014.00, block group 2, in Douglas county: block 006, block 007, block 037, block 039, block 040, block 041; and the following voting districts in Douglas county: (000590); and the following blocks in voting district (00067A), tract 0008.01, block group 1, in Douglas county: block 040, block 041, block 042; and the following blocks in voting district (00067A), tract 0008.02, block group 2, in Douglas county: block 016, block 017, block 019, block 020, block 021, block 022; and the following blocks in voting district (00067A), tract 0009.02, block group 1, in Douglas county: block 038, block 039; and the following blocks in voting district (00067A), tract 0012.01, block group 1, in Douglas county: block 073, block 074, block 075, block 076; and the following blocks in voting district (00067A), tract 0014.00, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 010, block 011, block 012, block 013, block 014, block 015, block 025, block 026, block 027, block 028, block 037, block 045, block 046, block 047; and the following blocks in voting district (000680), tract 0014.00, block group 1, in Douglas county: block 033, block 041, block 042, block 043, block 044, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 063, block 066,

block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 090, block 091; and the following blocks in voting district (000680), tract 0014.00, block group 3, in Douglas county: block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 188, block 189, block 190, block 191, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 219; and the following blocks in voting district (400110), tract 0008.01, block group 1, in Douglas county: block 013, block 014, block 034; and the following voting districts in Douglas county: (900010); and the following voting districts in Jefferson county: (000040); and the following voting districts in Osage county: (000007), (000040), (000050), (000110), (000120), (000150), (000160), (000170), (000180), (000190), (000200), (000210); and the following blocks in voting district (000230), tract 0103.00, block group 1, in Osage county: block 062, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 118, block 119, block 120, block 121, block 122, block 123, block 129, block 130, block 146, block 147, block 176, block 177, block 178, block 187, block 570, block 573, block 579, block 580; and the following blocks in voting district (000230), tract 0104.00, block group 1, in Osage county: block 002, block 003, block 006, block 008, block 009, block 012, block 014; and the following blocks in voting district (000230), tract 0104.00, block group 2, in Osage county: block 001, block 002, block 003, block 006, block 010, block 013, block 015, block 078, block 094, block 095; and the following voting districts in Osage county: (900010), (900020), (900030), (900040); and the following voting districts in Shawnee county: (000080), (000180), (000190); and the following blocks in voting district (000250), tract 0008.00, block group 1, in Shawnee county: block 089; and the following blocks in voting district (000250), tract 0009.00, block group 4, in Shawnee county: block 012, block 013; and the following blocks in voting district (000260), tract 0008.00, block group 1, in Shawnee county: block 090; and the following blocks in voting district (000260), tract 0009.00, block group 4, in Shawnee county: block 000, block 001, block 002, block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 015, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 026, block 030, block 041, block 045, block 046, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 063, block 064, block 076, block 078, block 079, block 080; and the following blocks in voting district (000260), tract 0031.00, block group 1, in Shawnee county: block 002, block 003, block 004; and the following blocks in voting district (000260), tract 0039.01, block group 1, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 018, block 019, block 021, block 022; and the following blocks in voting district (000260), tract 0039.01, block group 3, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 011; and the following voting districts in Shawnee county: (000270), (000280), (000290), (000300), (000310), (000370); and the

following blocks in voting district (000480), tract 0008.00, block group 1, in Shawnee county: block 086; and the following blocks in voting district (000480), tract 0009.00, block group 1, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (000480), tract 0009.00, block group 2, in Shawnee county: block 000, block 001, block 002, block 003; and the following blocks in voting district (000480), tract 0009.00, block group 3, in Shawnee county: block 000, block 001, block 002, block 003; and the following blocks in voting district (000480), tract 0009.00, block group 4, in Shawnee county: block 003, block 005, block 014, block 016, block 017, block 025, block 027, block 028, block 029, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 042, block 043, block 044, block 077; and the following voting districts in Shawnee county: (000490), (000500), (000510), (000520), (000530), (000540), (000550), (000560), (000570), (000580), (000690), (000700), (000710), (000750), (000760), (000770), (000780), (000790), (000800), (000820), (000830), (000840), (000850), (000860), (000870), (000880), (000890), (000910), (000920), (000930), (000940), (000950), (001010), (001910), (100060), (200090), (500070), (500080), (500120), (500130); and the following blocks in voting district (600030), tract 0004.00, block group 1, in Shawnee county: block 015, block 016; and the following blocks in voting district (600030), tract 0004.00, block group 3, in Shawnee county: block 000, block 001, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600030), tract 0040.00, block group 3, in Shawnee county: block 007, block 008, block 009, block 013, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040; and the following blocks in voting district (600030), tract 0040.00, block group 4, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Shawnee county: (600130), (600140); and the following blocks in voting district (600210), tract 0030.02, block group 2, in Shawnee county: block 017, block 023, block 024, block 025, block 026, block 029, block 030, block 039, block 041, block 042, block 043, block 044, block 046; and the following blocks in voting district (600210), tract 0030.02, block group 3, in Shawnee county: block 048, block 053; and the following voting districts in Shawnee county: (600420), (600430), (600440); and the following blocks in voting district (900020), tract 0030.02, block group 2, in Shawnee county: block 040; and the following blocks in voting district (900020), tract 0030.02, block group 3, in Shawnee county: block 049, block 050.

Sec. 153. Senatorial district 20 shall consist of the following voting districts in Shawnee county: (000210), (000240), (000340), (000960), (000970), (000980), (000990), (001000), (001030), (001200); and the following blocks in voting district (001230), tract 0019.00, block group 1, in Shawnee county: block 027, block 028; and the following blocks in voting district (001230), tract 0019.00, block group 2, in Shawnee county: block 002, block 005, block 006, block 011, block 016, block 019, block 020, block 021; and the following voting districts in Shawnee county: (001240), (001250), (001260), (001270), (001280), (001290), (001300), (001310), (001320),

(001330), (001340), (001350), (001400), (001420), (001430), (001440), (001450), (001470), (001480), (001490), (001500), (001510), (001520), (001530), (001540), (001550), (001560), (001570), (001590), (001600), (001610), (001620), (001630), (001640), (001650), (001670), (001680), (001710), (001720), (001780), (100030), (100040), (200050), (200070), (200080), (200130), (200150), (200160), (300090); and the following blocks in voting district (500110), tract 0036.04, block group 1, in Shawnee county: block 000, block 001; and the following blocks in voting district (500110), tract 0036.07, block group 1, in Shawnee county: block 001, block 028, block 029, block 036, block 040, block 041, block 042, block 051, block 052, block 053; and the following blocks in voting district (500110), tract 0036.07, block group 3, in Shawnee county: block 005, block 006, block 007, block 009, block 023, block 026, block 027, block 031; and the following voting districts in Shawnee county: (500140), (500160), (600040), (600080), (600090), (600110), (600170), (600180), (600190); and the following blocks in voting district (600210), tract 0037.00, block group 4, in Shawnee county: block 004; and the following voting districts in Shawnee county: (600250), (600260), (600270), (600280), (600290), (600300), (600310), (600330), (600490), (600500), (700010), (700020), (800010), (800040), (800060), (800070), (900010); and the following blocks in voting district (900020), tract 0030.02, block group 2, in Shawnee county: block 038, block 045, block 049, block 050, block 051, block 052; and the following blocks in voting district (900020), tract 0037.00, block group 1, in Shawnee county: block 007, block 013, block 076, block 093, block 094, block 105, block 110; and the following blocks in voting district (900020), tract 0037.00, block group 3, in Shawnee county: block 000, block 013, block 022, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (900020), tract 0037.00, block group 4, in Shawnee county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 024, block 025, block 026, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 076, block 082, block 083, block 084, block 148, block 149; and the following voting districts in Shawnee county: (900060), (900070), (900080), (900090).

Sec. 154. Senatorial district 21 shall consist of all of Clay county; and all of Cloud county; and the following voting districts in Geary county: (000010), (00002A); and the following blocks in voting district (00002B), tract 0006.00, block group 3, in Geary county: block 012; and the following blocks in voting district (00002C), tract 0006.00, block group 3, in Geary county: block 032, block 035, block 036, block 037, block 059; and the following blocks in voting district (00002D), tract 0006.00, block group 3, in Geary county: block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 033, block 034, block 038; and the following blocks in voting district (00002E), tract 0006.00, block group 3, in Geary county: block 015, block 016, block 017, block 018, block 019, block 020, block 039; and the following blocks in voting district (00002F), tract 0006.00, block group 3, in Geary county: block 013, block 014, block 060; and the following voting districts in Geary county: (00002M), (00002O), (00002P), (00002Q), (00002R); and the following

blocks in voting district (000040), tract 0007.00, block group 1, in Geary county: block 052, block 053, block 054, block 055, block 056, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 156, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 303, block 304, block 333, block 336, block 337, block 346, block 347, block 348, block 355, block 356, block 357, block 358, block 359, block 389, block 390, block 391, block 392, block 393, block 504, block 508; and the following blocks in voting district (000050), tract 0007.00, block group 1, in Geary county: block 000, block 001, block 002, block 305, block 306, block 307, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 324, block 325, block 326, block 327, block 328, block 329, block 330, block 331, block 332, block 334, block 335, block 338, block 339, block 340, block 341, block 342, block 343, block 344, block 345, block 349, block 350, block 351, block 352, block 353, block 354, block 360, block 361, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 377, block 378, block 495; and the following blocks in voting district (000060), tract 0007.00, block group 1, in Geary county: block 050, block 051, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 081, block 082, block 083, block 084, block 085, block 086, block 090, block 091, block 093, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 150, block 151, block 152, block 153, block 154, block 155, block 157, block 158, block 254, block 255, block 256, block 264, block 494; and the following blocks in voting district (00007A), tract 0007.00, block group 1, in Geary county: block 171, block 173, block 174, block 175, block 176, block 177, block 182, block 183, block 189; and the following blocks in voting district (00013A), tract 0007.00, block group 1, in Geary county: block 186, block 187, block 188; and the following voting districts in Geary county: (00022B); and the following blocks in voting district (000230), tract 0003.00, block group 2, in Geary county: block 012, block 013, block 014; and the following voting districts in Geary county: (000240), (000250), (000270); and the following blocks in voting district (900010), tract 0003.00, block group 2, in Geary county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 015, block 017, block 018, block 022; and the following blocks in voting district (900010), tract 0007.00, block group 1, in Geary county: block 184, block 185, block 220, block 221, block 222, block 236, block 239; and the following blocks in voting district (900010), tract 0008.00, block group 1, in Geary county: block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 234, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block

296, block 297, block 299, block 301, block 302, block 312, block 313, block 315, block 316, block 334, block 335, block 336, block 337, block 338, block 340; and the following blocks in voting district (900010), tract 0008.00, block group 2, in Geary county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 048, block 049, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 211, block 212, block 213, block 217, block 218, block 219, block 222, block 225, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 312, block 313, block 330, block 332, block 333, block 401, block 402, block 403, block 404; and the following blocks in voting district (900090), tract 0007.00, block group 1, in Geary county: block 087, block 088, block 089, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 172, block 178, block 179, block 180, block 181, block 190, block 197, block 198, block 199, block 206, block 209, block 497, block 498, block 499, block 502; and the following blocks in voting district (900120), tract 0007.00, block group 1, in Geary county: block 223, block 224, block 225, block 237, block 238; and the following blocks in voting district (900120), tract 0008.00, block group 2, in Geary county: block 208, block 209, block 210, block 214, block 215, block 216, block 220, block 221, block 223, block 224, block 226, block 227, block 299; and the following blocks in voting district (900180), tract 0008.00, block group 2, in Geary county: block 089, block 189; and all of Marshall county; and the following blocks in voting district (000010), tract 1766.00, block group 1, in Mitchell county: block 095, block 096, block 097, block 102, block 103, block 104, block 105, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 131, block 132, block 133, block 134, block 135, block 201, block 202, block 213, block 228; and the following voting districts in Mitchell county: (000020), (000030), (000040), (000050); and the following blocks in voting district (00006A), tract 1766.00, block group 1, in Mitchell county: block 079, block 080, block 081, block 098, block 099, block 100, block 101, block 136, block 137, block 138, block 139, block 140, block 141, block 144, block 147, block 148,

block 149, block 150, block 151, block 186, block 187, block 190, block 191, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 203, block 205, block 206, block 208, block 397, block 404; and the following blocks in voting district (00006A), tract 1766.00, block group 2, in Mitchell county: block 022, block 023, block 024, block 025, block 051, block 071, block 072, block 074, block 075, block 076, block 077; and the following blocks in voting district (00006A), tract 1766.00, block group 4, in Mitchell county: block 006, block 007, block 008, block 039, block 040, block 041, block 069; and the following blocks in voting district (00006A), tract 1767.00, block group 1, in Mitchell county: block 035, block 036, block 037; and the following voting districts in Mitchell county: (00006B), (00006C), (00006D); and the following blocks in voting district (000090), tract 1767.00, block group 1, in Mitchell county: block 078, block 079, block 080, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 106, block 107, block 108, block 109, block 110, block 125, block 400, block 401; and the following blocks in voting district (000090), tract 1767.00, block group 2, in Mitchell county: block 213, block 214, block 215, block 216, block 217; and the following voting districts in Mitchell county: (000100), (000110), (000150), (000160), (000200), (000220), (000250), (000270); and the following blocks in voting district (000290), tract 1766.00, block group 2, in Mitchell county: block 078, block 079; and the following blocks in voting district (000290), tract 1767.00, block group 1, in Mitchell county: block 000, block 001, block 002, block 003, block 016, block 017, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 056, block 057, block 058, block 059, block 060, block 061; and the following blocks in voting district (000300), tract 1767.00, block group 1, in Mitchell county: block 018, block 019, block 051, block 052, block 053, block 054, block 055, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 074, block 076, block 077, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119; and the following blocks in voting district (000300), tract 1767.00, block group 2, in Mitchell county: block 307, block 308, block 309, block 310, block 311; and the following voting districts in Ottawa county: (000020), (000040), (000050), (000060), (000080), (000090), (000100), (000110), (000120), (000140), (000150), (00016A), (00016B), (000170), (000190), (000200), (000210), (000220), (000230); and the following voting districts in Pottawatomie county: (000020), (000030); and the following blocks in voting district (000050), tract 0004.00, block group 3, in Pottawatomie county: block 021, block 022, block 023, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 177, block 193, block 194, block 198, block 232, block 423; and the following voting districts in Pottawatomie county: (000080); and the following blocks in voting district (000110), tract 0001.00, block group 1, in Pottawatomie county: block 044, block 045, block 052, block 054, block 055, block 056, block 057, block 058, block 070; and the following blocks in voting district (000110), tract 0001.00, block group 2, in Pottawatomie county: block 086, block 088, block 089, block 090; and the following voting districts in Pottawatomie county: (000120); and the following blocks in voting district (000140),

tract 0001.00, block group 2, in Pottawatomie county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 091, block 092, block 093, block 094, block 095, block 096, block 101, block 102, block 185, block 186; and the following blocks in voting district (000140), tract 0004.00, block group 4, in Pottawatomie county: block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 063, block 064, block 065, block 066, block 067, block 068, block 071, block 073, block 074, block 075, block 076, block 078, block 079, block 080, block 081, block 082, block 083, block 165, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 207, block 208, block 209, block 210, block 213, block 215, block 216, block 217, block 218; and the following blocks in voting district (000150), tract 0004.00, block group 3, in Pottawatomie county: block 187, block 188, block 189, block 190, block 191, block 192, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223; and the following blocks in voting district (000150), tract 0004.00, block group 4, in Pottawatomie county: block 010, block 011, block 013, block 017, block 022, block 023, block 024, block 033, block 058; and the following voting districts in Pottawatomie county: (000160), (000180); and the following blocks in voting district (000200), tract 0001.00, block group 2, in Pottawatomie county: block 035, block 062, block 063, block 064, block 067, block 104; and the following blocks in voting district (000200), tract 0001.00, block group 3, in Pottawatomie county: block 007, block 009, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 050, block 060, block 061, block 112, block 114, block 115, block 116, block 117, block 118, block 125, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 149, block 150, block 166, block 169; and the following blocks in voting district (000200), tract 0001.00, block group 4, in Pottawatomie county: block 236, block 238, block 239, block 240, block 241; and the following blocks in voting district (000230), tract 0001.00, block group 1, in Pottawatomie county: block 046, block 047, block 049, block 050, block 051, block 053; and the following blocks in voting district (000230), tract 0001.00, block group 2, in Pottawatomie county: block 000, block 087; and the following blocks in voting district (000230), tract 0004.00, block group 4, in Pottawatomie county: block 174, block 175, block 178, block 179, block 180, block 211; and the following voting districts in Pottawatomie county: (900030); and all of Republic county; and the following blocks in voting district (000010), tract 0009.00, block group 4, in Riley county: block 049, block 051, block

052, block 053, block 054, block 055, block 056, block 057, block 058; and the following voting districts in Riley county: (000020), (000030), (000040), (00005A), (00005B); and the following blocks in voting district (000060), tract 0002.00, block group 4, in Riley county: block 025, block 026; and the following blocks in voting district (000060), tract 0013.02, block group 1, in Riley county: block 070, block 076, block 077, block 078, block 079, block 080, block 081, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 150, block 151, block 152, block 162, block 164, block 165, block 167, block 181; and the following blocks in voting district (000060), tract 0013.02, block group 2, in Riley county: block 000, block 001, block 002, block 031, block 032, block 033, block 034, block 084, block 085, block 086, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 156; and the following blocks in voting district (000060), tract 0013.02, block group 3, in Riley county: block 015; and the following blocks in voting district (000060), tract 0013.02, block group 4, in Riley county: block 325; and the following voting districts in Riley county: (000070), (000080); and the following blocks in voting district (00039A), tract 0013.02, block group 1, in Riley county: block 138, block 139, block 140, block 141, block 142, block 143, block 145, block 146, block 147, block 148, block 149, block 182; and the following blocks in voting district (000400), tract 0009.00, block group 4, in Riley county: block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 060, block 116, block 118; and the following blocks in voting district (000420), tract 0002.00, block group 3, in Riley county: block 000, block 012, block 013, block 014, block 015, block 016, block 019; and the following blocks in voting district (000420), tract 0002.00, block group 4, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following voting districts in Riley county: (000430); and the following blocks in voting district (00044A), tract 0009.00, block group 1, in Riley county: block 129, block 130, block 132, block 140; and the following voting districts in Riley county: (000450), (000460); and the following blocks in voting district (00047A), tract 0013.02, block group 1, in Riley county: block 119, block 120, block 121, block 122, block 161, block 163, block 166, block 180; and the following blocks in voting district (00047A), tract 0013.02, block group 2, in Riley county: block 138, block 139, block 148, block 149, block 150, block 152, block 153, block 154, block 155; and the following blocks in voting district (00047A), tract 0013.02, block group 3, in Riley county: block 013, block 014, block 020, block 021, block 022, block 023; and the following voting districts in Riley county: (000480); and the following blocks in voting district (300010), tract 0009.00, block group 1, in Riley county: block 024, block 025; and the following blocks in voting district (300010), tract 9800.00, block group 1, in Riley county: block 311, block 312, block 313, block 314; and the following voting districts in Riley county: (300090);

and the following blocks in voting district (400010), tract 0002.00, block group 1, in Riley county: block 039; and the following blocks in voting district (400010), tract 0008.02, block group 2, in Riley county: block 024; and the following blocks in voting district (400020), tract 0002.00, block group 1, in Riley county: block 038; and the following blocks in voting district (400030), tract 0002.00, block group 1, in Riley county: block 035, block 036, block 037; and the following blocks in voting district (400030), tract 0002.00, block group 3, in Riley county: block 020, block 027, block 034; and all of Washington county.

Sec. 155. Senatorial district 22 shall consist of the following blocks in voting district (00002B), tract 0006.00, block group 1, in Geary county: block 095, block 096, block 098, block 099; and the following blocks in voting district (00002B), tract 0006.00, block group 2, in Geary county: block 013, block 015, block 016, block 017, block 019, block 021; and the following blocks in voting district (00002B), tract 0006.00, block group 3, in Geary county: block 009, block 010, block 011, block 045, block 046, block 047, block 048, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 061, block 062, block 065, block 066; and the following blocks in voting district (00002C), tract 0006.00, block group 2, in Geary county: block 022; and the following blocks in voting district (00002C), tract 0006.00, block group 3, in Geary county: block 049, block 058; and the following blocks in voting district (00002D), tract 0006.00, block group 3, in Geary county: block 042; and the following blocks in voting district (00002E), tract 0006.00, block group 3, in Geary county: block 040, block 041; and the following blocks in voting district (00002F), tract 0006.00, block group 3, in Geary county: block 043, block 044; and the following voting districts in Geary county: (00002G), (00002H), (00002I), (00002J), (00002K), (00002L), (00002N); and the following blocks in voting district (000040), tract 0007.00, block group 1, in Geary county: block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 057, block 058, block 059; and the following blocks in voting district (000050), tract 0007.00, block group 1, in Geary county: block 003, block 004, block 005, block 006, block 007, block 040, block 308, block 309; and the following blocks in voting district (000060), tract 0007.00, block group 1, in Geary county: block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 079, block 080, block 094, block 500, block 505, block 506, block 507; and the following blocks in voting district (00007A), tract 0001.00, block group 3, in Geary county: block 081, block 082, block 083, block 085, block 086, block 087, block 088, block 089, block 091, block 092, block 093, block 094, block 096, block 098; and the following blocks in voting district (00007A), tract 0005.00, block group 1, in Geary county: block 039; and the following blocks in voting district (00007A), tract 0005.00, block group 2, in Geary county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049,

block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087; and the following blocks in voting district (00007A), tract 0005.00, block group 4, in Geary county: block 000, block 001, block 002, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 044, block 045, block 049; and the following voting districts in Geary county: (000080), (000090), (000100), (000110); and the following blocks in voting district (00013A), tract 0004.00, block group 4, in Geary county: block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 061, block 062; and the following blocks in voting district (00013A), tract 0005.00, block group 4, in Geary county: block 046, block 047, block 048; and the following voting districts in Geary county: (000140), (000150), (00016A), (000180), (000190), (00022A); and the following blocks in voting district (000230), tract 0001.00, block group 2, in Geary county: block 001, block 002, block 015, block 016, block 017, block 018, block 018, block 025, block 026, block 027, block 049; and the following blocks in voting district (000230), tract 0002.00, block group 2, in Geary county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 022, block 023, block 024, block 025, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 041; and the following voting districts in Geary county: (000260); and the following blocks in voting district (900010), tract 0002.00, block group 1, in Geary county: block 000, block 001, block 002, block 003, block 008, block 016; and the following blocks in voting district (900010), tract 0002.00, block group 2, in Geary county: block 003, block 004, block 021; and the following blocks in voting district (900010), tract 0003.00, block group 2, in Geary county: block 010, block 011, block 016, block 021; and the following blocks in voting district (900010), tract 0008.00, block group 2, in Geary county: block 042, block 043, block 044, block 045, block 047, block 071, block 072, block 073, block 074, block 075, block 090, block 091, block 099, block 102, block 185, block 187, block 188, block 199, block 200, block 285, block 286, block 287, block 304, block 325; and the following voting districts in Geary county: (900020), (900030), (900040), (900050), (900060), (900070), (900080); and the following blocks in voting district (900090), tract 0001.00, block group 1, in Geary county: block 042, block 049, block 050, block 052, block 053, block 072, block 075, block 089, block 094; and the following blocks in voting district (900090), tract 0001.00, block group 3, in Geary county: block 000, block 003, block 013, block 016, block 017, block 018, block 080, block 084, block 095, block 097; and the following blocks in voting district (900090), tract 0005.00, block group 2, in Geary county: block 001, block 030, block 038, block 039; and the following blocks in voting

district (900090), tract 0007.00, block group 2, in Geary county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081; and the following voting districts in Geary county: (900100); and the following blocks in voting district (900120), tract 0004.00, block group 4, in Geary county: block 060; and the following blocks in voting district (900120), tract 0008.00, block group 2, in Geary county: block 201, block 202, block 203, block 204, block 205, block 206, block 207; and the following voting districts in Geary county: (900130), (900140), (900150), (900160), (900170); and the following blocks in voting district (900180), tract 0008.00, block group 2, in Geary county: block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 101, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 180, block 181, block 182, block 183, block 184, block 186, block 297, block 298, block 299, block 300, block 319, block 320, block 321, block 322, block 323, block 324, block 331; and the following voting districts in Geary county: (900190), (900200), (900210), (900220); and the following blocks in voting district (000010), tract 0009.00, block group 2, in Riley county: block 001, block 004, block 012, block 014, block 018, block 019, block 021, block 022, block 023, block 025, block 026, block 027, block 055, block 058, block 061; and the following blocks in voting district (000010), tract 0009.00, block group 3, in Riley county: block 005, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 039, block 041, block 042, block 044, block 076, block 077, block 078, block 079, block 082, block 085, block 086, block 093, block 094, block 096, block 097, block 101, block 102; and the following blocks in voting district (000060), tract 0013.02, block group 3, in Riley county: block 009, block 035; and the following voting districts in Riley county: (000120), (000140), (000170), (00022A), (00022B), (000230), (00025A), (00025B), (000310), (000320), (000330), (000340), (000350), (00036A), (000370), (000380); and the following blocks in voting district (00039A), tract 0002.00, block group 4, in Riley county: block 042, block 043, block 044, block 045, block 046, block 047, block 051, block 052, block 054, block 064, block 070; and the following blocks in voting district (00039A), tract 0011.00, block group 1, in Riley county: block 000, block 009; and the following blocks in voting district (00039A), tract 0013.01, block group 2, in Riley county: block 000, block 018, block 024, block 025, block 026; and the following blocks in voting district (00039A), tract 0013.02, block group 1, in Riley county: block 144, block 168; and the following blocks in voting district

(00039A), tract 0013.02, block group 3, in Riley county: block 000, block 001, block 002, block 024, block 025, block 027, block 028, block 042, block 043; and the following voting districts in Riley county: (00039B), (00039C), (00039E), (00039G), (00039H); and the following blocks in voting district (000400), tract 0009.00, block group 3, in Riley county: block 000, block 001, block 002, block 003, block 004, block 006, block 007; and the following blocks in voting district (000400), tract 0009.00, block group 4, in Riley county: block 050; and the following voting districts in Riley county: (000410); and the following blocks in voting district (000420), tract 0002.00, block group 2, in Riley county: block 007, block 008, block 025, block 041; and the following blocks in voting district (000420), tract 0002.00, block group 3, in Riley county: block 001, block 017; and the following blocks in voting district (000420), tract 0002.00, block group 4, in Riley county: block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 050, block 053, block 056, block 057, block 058, block 060, block 061, block 062, block 063, block 068, block 069, block 071; and the following blocks in voting district (000420), tract 0002.00, block group 5, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 009, block 014, block 015, block 018; and the following blocks in voting district (000420), tract 0011.00, block group 3, in Riley county: block 000, block 001, block 003, block 004, block 005; and the following blocks in voting district (00044A), tract 0006.00, block group 1, in Riley county: block 011, block 012, block 013, block 014; and the following blocks in voting district (00044A), tract 0006.00, block group 5, in Riley county: block 074; and the following blocks in voting district (00044A), tract 0009.00, block group 1, in Riley county: block 002, block 005, block 006, block 007, block 008, block 010, block 014, block 017, block 018, block 019, block 020, block 021, block 023, block 027, block 028, block 030, block 031, block 033, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 061, block 091, block 125, block 128; and the following blocks in voting district (00044A), tract 0009.00, block group 2, in Riley county: block 009, block 010, block 011, block 013, block 015, block 016, block 017, block 020, block 028, block 029, block 030, block 031, block 032, block 034, block 035, block 036, block 052, block 053, block 054, block 056, block 057, block 059, block 060, block 064; and the following blocks in voting district (00044A), tract 0009.00, block group 3, in Riley county: block 080, block 081, block 083, block 084, block 095, block 100; and the following blocks in voting district (00044A), tract 0010.02, block group 2, in Riley county: block 235, block 236; and the following blocks in voting district (00047A), tract 0006.00, block group 1, in Riley county: block 001, block 006, block 007, block 010; and the following blocks in voting district (00047A), tract 0006.00, block group 5, in Riley county: block 072; and the following blocks in voting district (00047A), tract 0013.01, block group 2, in Riley county: block 034, block 041, block 042, block 044, block 047, block 049, block 051; and the following blocks in voting district (00047A), tract 0013.02, block group 3, in Riley county: block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 016, block 017, block 018, block 019, block 026, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 038, block 040, block 041, block 044; and the following voting

districts in Riley county: (00047B), (00047C), (00047D); and the following blocks in voting district (300010), tract 0009.00, block group 1, in Riley county: block 011, block 012, block 013, block 016, block 022, block 026, block 126; and the following voting districts in Riley county: (300020), (300030), (300040), (300050), (300060), (300070), (300100); and the following blocks in voting district (400010), tract 0007.00, block group 3, in Riley county: block 016; and the following blocks in voting district (400010), tract 0008.02, block group 1, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034; and the following blocks in voting district (400010), tract 0008.02, block group 2, in Riley county: block 009, block 010, block 013, block 018, block 019, block 020, block 021, block 022, block 023, block 025, block 026, block 027, block 028, block 029, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079; and the following blocks in voting district (400010), tract 0009.00, block group 3, in Riley county: block 051, block 052, block 053, block 054, block 055, block 056, block 058, block 059, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 087, block 088, block 089, block 090, block 091, block 092; and the following blocks in voting district (400020), tract 0008.01, block group 2, in Riley county: block 000, block 001, block 007, block 008; and the following blocks in voting district (400020), tract 0008.01, block group 3, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (400020), tract 0008.01, block group 4, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (400020), tract 0008.01, block group 5, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (400020), tract 0008.02, block group 2, in Riley county: block 005, block 006, block 007, block 008, block 011, block 012, block 014, block 015, block 016, block 017, block 030; and the following blocks in voting district (400030), tract 0002.00, block group 1, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034; and the following blocks in voting district (400030), tract 0002.00, block group 3, in Riley county: block 002, block 003, block 004, block 005, block 006,

block 007, block 008, block 009, block 010, block 011, block 018, block 021, block 022, block 023, block 024, block 025, block 026, block 028, block 029, block 030, block 031, block 032, block 033, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (400030), tract 0005.00, block group 4, in Riley county: block 006, block 015, block 017; and the following voting districts in Riley county: (400040), (400050), (400060), (400070), (400080), (400090), (500010), (500030), (600001), (800001), (900010), (900020), (900030), (900040), (900050), (900060).

Sec. 156. Senatorial district 23 shall consist of the following voting districts in Johnson county: (000090), (00014A), (00014C), (000160); and the following blocks in voting district (001000), tract 0535.55, block group 2, in Johnson county: block 010, block 011, block 012, block 013; and the following blocks in voting district (001000), tract 0535.55, block group 3, in Johnson county: block 000, block 001, block 002, block 008; and the following blocks in voting district (001000), tract 0535.56, block group 1, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 019, block 023, block 024, block 025, block 026; and the following blocks in voting district (001000), tract 0535.56, block group 2, in Johnson county: block 000, block 001, block 012, block 013; and the following voting districts in Johnson county: (001010), (001030), (001040), (001050), (001060), (001070); and the following blocks in voting district (001090), tract 0536.01, block group 2, in Johnson county: block 017, block 020, block 021, block 022, block 023; and the following blocks in voting district (001090), tract 0536.02, block group 1, in Johnson county: block 003; and the following voting districts in Johnson county: (001100), (001270), (001320), (001330), (001350), (001380), (001390), (00153P), (00311A), (00311B), (00311D), (003120), (004030), (004040), (004190), (100030), (900080), (900090), (900100), (900110), (900120), (900130), (900150), (900160), (900170), (900180), (900570), (900580), (900600), (900610), (900620), (900650), (900820), (900850), (900860), (900910), (900920), (900930), (900940), (900980), (901440), (901460), (901470), (901510); and the following blocks in voting district (901550), tract 0535.08, block group 1, in Johnson county: block 014, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (901550), tract 0535.55, block group 3, in Johnson county: block 009; and the following blocks in voting district (901550), tract 0535.57, block group 1, in Johnson county: block 019, block 020; and the following blocks in voting district (901550), tract 0535.57, block group 2, in Johnson county: block 000, block 001, block 013, block 015; and the following blocks in voting district (901550), tract 0536.02, block group 1, in Johnson county: block 000, block 001, block 002, block 030, block 031, block 032, block 033, block 034, block 035, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 054, block 062, block 100; and the following voting districts in Johnson county: (901560), (901570), (901610), (901620), (901630), (901680), (901730), (901750), (901760), (901780), (901800); and the following blocks in voting district (901810), tract 0536.02, block group 1, in Johnson county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 036, block 038, block 039, block

040, block 057, block 058, block 059, block 060, block 061, block 069, block 070, block 071, block 073, block 078, block 079; and the following blocks in voting district (901810), tract 0537.11, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Johnson county: (901820), (901830), (901840), (901860), (901870), (901880), (901890), (901900), (901950), (901970).

Sec. 157. Senatorial district 24 shall consist of the following voting districts in Dickinson county: (000010), (00002A), (00002B), (000030), (000040), (000050), (000070), (000090), (000100), (000110), (000130), (000140), (000220), (000260), (000290), (000320), (900010), (900020), (900030); and the following voting districts in Ottawa county: (000010), (000030), (000070), (000130), (000180); and all of Saline county.

Sec. 158. Senatorial district 25 shall consist of the following blocks in voting district (500010), tract 0034.00, block group 1, in Sedgwick county: block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (500010), tract 0034.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (500010), tract 0034.00, block group 3, in Sedgwick county: block 017, block 018, block 019, block 020, block 034, block 035, block 036, block 037; and the following blocks in voting district (500010), tract 0038.00, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 014, block 017, block 018, block 019, block 020, block 021, block 026; and the following blocks in voting district (500010), tract 0038.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (500010), tract 0038.00, block group 3, in Sedgwick county: block 013, block 014, block 015, block 016; and the following blocks in voting district (500010), tract 0039.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 019, block 020; and the following voting districts in Sedgwick county: (500020), (500030), (500040); and the following blocks in voting district (500050), tract 0024.00, block group 1, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 027, block 028, block 029; and the following voting districts in Sedgwick county: (500740), (500750), (500760), (500770); and the following blocks in voting district (500780), tract 0062.00, block group 2, in Sedgwick county: block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (500780), tract 0062.00, block group 3, in Sedgwick county: block 000, block 001, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Sedgwick county: (500950), (500960), (500970), (500980), (500990), (501000), (501010), (501020), (501030), (501040); and the following blocks in voting district (501160), tract 0051.00, block group 1, in Sedgwick county: block 007, block

008, block 009, block 011; and the following blocks in voting district (501160), tract 0051.00, block group 3, in Sedgwick county: block 001, block 010; and the following blocks in voting district (501160), tract 0053.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (501160), tract 0053.00, block group 2, in Sedgwick county: block 000, block 001, block 002; and the following voting districts in Sedgwick county: (501830), (501840), (501850), (501860), (501870), (501880), (501900), (501910), (501920); and the following blocks in voting district (501930), tract 0086.00, block group 1, in Sedgwick county: block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (501930), tract 0086.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (501930), tract 0088.00, block group 4, in Sedgwick county: block 005, block 006; and the following blocks in voting district (501940), tract 0084.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (501940), tract 0084.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (501940), tract 0084.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (501940), tract 0085.00, block group 1, in Sedgwick county: block 000; and the following blocks in voting district (501940), tract 0085.00, block group 2, in Sedgwick county: block 000; and the following blocks in voting district (501940), tract 0086.00, block group 1, in Sedgwick county: block 000, block 003, block 004; and the following blocks in voting district (502010), tract 0083.00, block group 3, in Sedgwick county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018.

Sec. 159. Senatorial district 26 shall consist of the following voting districts in Sedgwick county: (500940), (501050), (501060), (501070), (501080), (501090), (501100), (501110), (501120), (501130), (501140), (501150); and the following blocks in voting district (501160), tract 0052.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (501160), tract 0091.00, block group 2, in Sedgwick county: block 000,

block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following voting districts in Sedgwick county: (501220), (501230), (501240), (501260), (501290), (501300), (501310); and the following blocks in voting district (501410), tract 0092.00, block group 2, in Sedgwick county: block 008, block 015, block 020, block 030, block 031, block 032, block 033, block 034, block 037, block 038, block 039, block 040, block 046, block 047, block 048, block 049, block 050, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 077, block 129, block 130, block 131; and the following voting districts in Sedgwick county: (501680); and the following blocks in voting district (501690), tract 0095.07, block group 1, in Sedgwick county: block 004, block 007, block 008, block 016; and the following blocks in voting district (501720), tract 0095.07, block group 2, in Sedgwick county: block 030, block 031, block 032, block 037, block 039; and the following voting districts in Sedgwick county: (501760), (501770), (501780), (501790), (502120), (502130); and the following blocks in voting district (502140), tract 0095.09, block group 1, in Sedgwick county: block 047, block 049, block 050, block 051, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 063, block 064, block 065, block 066, block 070, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 081; and the following blocks in voting district (502140), tract 0095.10, block group 1, in Sedgwick county: block 019, block 022, block 028, block 029, block 030; and the following voting districts in Sedgwick county: (502150); and the following blocks in voting district (502180), tract 0095.07, block group 1, in Sedgwick county: block 001, block 002, block 003, block 009, block 010, block 011, block 012; and the following blocks in voting district (502180), tract 0095.07, block group 2, in Sedgwick county: block 000, block 001, block 002, block 008, block 019, block 020, block 021, block 024, block 025, block 026, block 027, block 035, block 036; and the following blocks in voting district (502200), tract 0095.09, block group 2, in Sedgwick county: block 000, block 002, block 009, block 010, block 011, block 015, block 018; and the following voting districts in Sedgwick county: (502210); and the following blocks in voting district (502270), tract 0098.02, block group 1, in Sedgwick county: block 009, block 010, block 011, block 012; and the following blocks in voting district (502270), tract 0098.02, block group 3, in Sedgwick county: block 000; and the following voting districts in Sedgwick county: (502320), (502340), (502350), (502360), (502370), (502380), (502400), (502450); and the following blocks in voting district (502480), tract 0104.00, block group 2, in Sedgwick county: block 049, block 088, block 089, block 090, block 093, block 095, block 113, block 114, block 120; and the following voting districts in Sedgwick county: (502500), (502510); and the following blocks in voting district (502560), tract 0104.00, block group 2, in Sedgwick county: block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 040, block 043, block 044, block 045, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block

085, block 086, block 087, block 091, block 092, block 115, block 116, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140; and the following blocks in voting district (502630), tract 0054.00, block group 1, in Sedgwick county: block 115, block 123, block 125; and the following blocks in voting district (502630), tract 0055.01, block group 1, in Sedgwick county: block 006; and the following blocks in voting district (502630), tract 0055.01, block group 2, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (502630), tract 0055.01, block group 3, in Sedgwick county: block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (502630), tract 0055.01, block group 4, in Sedgwick county: block 020; and the following blocks in voting district (502630), tract 0096.05, block group 2, in Sedgwick county: block 126; and the following voting districts in Sedgwick county: (502640), (502660), (502690), (502700), (502710), (502720), (502730), (502740), (502750), (502760), (502770), (502780), (502790), (502800), (502810), (502820), (503170), (503260), (503270), (503280); and the following blocks in voting district (503590), tract 0054.00, block group 1, in Sedgwick county: block 113, block 116, block 117; and the following blocks in voting district (503590), tract 0055.01, block group 3, in Sedgwick county: block 006; and the following voting districts in Sedgwick county: (503670), (503710), (503760), (503770), (503780), (503930), (503940), (503950), (503960), (503970), (503990), (504000), (504010), (504020), (600190), (600440), (600460); and the following blocks in voting district (700260), tract 0105.00, block group 1, in Sedgwick county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 125, block 126, block 131, block 133, block 134, block 135, block 139, block 140, block 141, block 142, block 143, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159; and the following blocks in voting district (700290), tract 0105.00, block group 1, in Sedgwick county: block 132, block 137, block 145, block 146, block 147; and the following voting districts in Sedgwick county: (700300), (700510), (700650), (700690),

(700840), (700890), (700950), (700960), (900020), (900030), (900040), (900080), (900090), (900100), (900110), (900120).

Sec. 160. Senatorial district 27 shall consist of the following voting districts in Sedgwick county: (501340), (501380), (501390), (501400); and the following blocks in voting district (501410), tract 0092.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052; and the following blocks in voting district (501410), tract 0092.00, block group 2, in Sedgwick county: block 000, block 001, block 003, block 004, block 005, block 006, block 007, block 011, block 012, block 021, block 022, block 035, block 036; and the following voting districts in Sedgwick county: (501420), (501430), (501440), (501450), (501460), (501470), (501480), (501490), (501500), (501520), (501530), (501540), (501550), (501560), (501570), (501580), (501590), (501600), (501610), (501620), (501630), (501640), (501650), (501660), (501670); and the following blocks in voting district (501690), tract 0095.07, block group 1, in Sedgwick county: block 014, block 015, block 027; and the following voting districts in Sedgwick county: (501700), (501710); and the following blocks in voting district (501720), tract 0095.07, block group 1, in Sedgwick county: block 039, block 040, block 046, block 047; and the following blocks in voting district (501720), tract 0095.07, block group 2, in Sedgwick county: block 011, block 012, block 015, block 016, block 017, block 018, block 028, block 029, block 033; and the following voting districts in Sedgwick county: (501730), (501740), (501750), (501810); and the following blocks in voting district (501930), tract 0093.01, block group 3, in Sedgwick county: block 014, block 018, block 019, block 020, block 021, block 024; and the following blocks in voting district (501930), tract 0095.03, block group 1, in Sedgwick county: block 021; and the following blocks in voting district (501940), tract 0095.03, block group 1, in Sedgwick county: block 002; and the following blocks in voting district (502010), tract 0095.03, block group 1, in Sedgwick county: block 000, block 001; and the following blocks in voting district (502010), tract 0103.00, block group 4, in Sedgwick county: block 118, block 119; and the following blocks in voting district (502020), tract 0103.00, block group 4, in Sedgwick county: block 096, block 097, block 105, block 106, block 114, block 117; and the following blocks in voting district (502140), tract 0095.09, block group 1, in Sedgwick county: block 042, block 043, block 044, block 045, block 046, block 080; and the following blocks in voting district (502140), tract 0095.10, block group 1, in Sedgwick county: block 009, block 010, block 016, block 017, block 018; and the following voting districts in Sedgwick county: (502160), (502170); and the following blocks in voting district (502180), tract 0095.07, block group 1, in Sedgwick county: block 013, block 031, block 034; and the following blocks in voting district (502180), tract 0095.07, block group 2, in Sedgwick county: block 009, block 010, block 014, block 034; and the following blocks in voting district (502200), tract 0095.09, block group 1, in Sedgwick county: block 000, block 001; and the following voting districts in Sedgwick county: (502410), (502420), (502430), (502440), (502460), (502470); and the following blocks

in voting district (503290), tract 0103.00, block group 1, in Sedgwick county: block 089, block 090, block 091; and the following blocks in voting district (503290), tract 0103.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (503290), tract 0103.00, block group 3, in Sedgwick county: block 023, block 024, block 025, block 026, block 027, block 028, block 039, block 040, block 041, block 042, block 043, block 071, block 092, block 093, block 097, block 098, block 099, block 100; and the following blocks in voting district (503290), tract 0103.00, block group 5, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055; and the following voting districts in Sedgwick county: (503300), (503310), (503320), (600250), (600390); and the following blocks in voting district (700210), tract 0103.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 009, block 010, block 011, block 019, block 071, block 073, block 078, block 079, block 080, block 081; and the following blocks in voting district (700210), tract 0103.00, block group 4, in Sedgwick county: block 093, block 095, block 103, block 104, block 108, block 109, block 110, block 111, block 115, block 116, block 120, block 121, block 123; and the following voting districts in Sedgwick county: (700220), (700230), (700250); and the following blocks in voting district (700290), tract 0105.00, block group 1, in Sedgwick county: block 148; and the following voting districts in Sedgwick county: (700630).

Sec. 161. Senatorial district 28 shall consist of the following voting districts in Sedgwick county: (500390); and the following blocks in voting district (500780), tract 0063.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (500780), tract 0063.00, block group 2, in Sedgwick county: block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026; and the following blocks in voting district (500780), tract 0064.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500780), tract 0064.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012, block 013, block 014; and the following blocks in voting district (500820), tract 0066.00, block group 1, in Sedgwick county: block 006; and the following blocks in voting district (500820), tract 0067.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 015, block 016; and

the following blocks in voting district (500820), tract 0067.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500820), tract 0068.00, block group 4, in Sedgwick county: block 013, block 014, block 015, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (500820), tract 0068.00, block group 5, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following voting districts in Sedgwick county: (500830), (500840), (500850), (500870), (500880), (500890), (500900), (500910), (501170), (501180), (501190), (501200), (501210), (501320), (501330), (502260); and the following blocks in voting district (502270), tract 0100.04, block group 2, in Sedgwick county: block 067, block 070, block 071, block 072; and the following blocks in voting district (502270), tract 0100.04, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (502270), tract 0100.05, block group 1, in Sedgwick county: block 000, block 004, block 005, block 006, block 007, block 008, block 012, block 017; and the following blocks in voting district (502270), tract 0100.05, block group 2, in Sedgwick county: block 000, block 001, block 002; and the following voting districts in Sedgwick county: (502280), (502290), (502300), (502570), (502580), (502590), (502600), (502610); and the following blocks in voting district (502630), tract 0055.01, block group 3, in Sedgwick county: block 001; and the following voting districts in Sedgwick county: (502650), (502670), (502680); and the following blocks in voting district (503130), tract 0066.00, block group 1, in Sedgwick county: block 001, block 002, block 005; and the following blocks in voting district (503130), tract 0067.00, block group 1, in Sedgwick county: block 017, block 018; and the following blocks in voting district (503590), tract 0054.00, block group 1, in Sedgwick county: block 102, block 107, block 108, block 109, block 110, block 111, block 112, block 114; and the following blocks in voting district (503590), tract 0055.01, block group 3, in Sedgwick county: block 000; and the following blocks in voting district (503590), tract 0056.00, block group 3, in Sedgwick county: block 043, block 044; and the following voting districts in Sedgwick county: (503600), (503610), (503630), (503640), (503650), (503660), (600010), (600020), (600130), (600140), (600330), (600350), (600380), (600780), (700500), (700580), (700700), (700810), (700820), (700850), (700880).

Sec. 162. Senatorial district 29 shall consist of the following blocks in voting district (500010), tract 0038.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 010, block 011, block 012, block 013, block 015, block 016, block 022, block 023, block 024, block 025; and the following blocks in voting district (500050), tract 0023.00, block group 1, in Sedgwick county: block 002, block 003, block 006, block 007; and the following blocks in voting district (500050), tract 0023.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district

(500050), tract 0023.00, block group 3, in Sedgwick county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 022, block 023, block 026; and the following blocks in voting district (500050), tract 0024.00, block group 1, in Sedgwick county: block 000, block 016, block 017, block 026; and the following blocks in voting district (500050), tract 0035.00, block group 1, in Sedgwick county: block 002, block 003, block 004, block 005, block 006, block 007, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (500050), tract 0035.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044; and the following voting districts in Sedgwick county: (500060), (500070), (500080); and the following blocks in voting district (500090), tract 0010.00, block group 1, in Sedgwick county: block 012; and the following blocks in voting district (500090), tract 0010.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 013, block 014, block 015, block 016, block 017, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (500090), tract 0010.00, block group 3, in Sedgwick county: block 003, block 004, block 005, block 010, block 011, block 012; and the following blocks in voting district (500090), tract 0010.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (500090), tract 0075.00, block group 2, in Sedgwick county: block 017, block 018, block 019, block 020, block 029; and the following blocks in voting district (500090), tract 0076.00, block group 2, in Sedgwick county: block 024; and the following voting districts in Sedgwick county: (500120), (500130), (500140), (500150), (500160); and the following blocks in voting district (500170), tract 0007.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (500170), tract 0078.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030; and the following blocks in voting district (500170), tract 0078.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500170), tract 0078.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district

(500170), tract 0101.13, block group 2, in Sedgwick county: block 153, block 156, block 159, block 160, block 161, block 162, block 163, block 164; and the following blocks in voting district (500180), tract 0009.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 024; and the following blocks in voting district (500180), tract 0077.00, block group 1, in Sedgwick county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067; and the following blocks in voting district (500180), tract 0101.13, block group 2, in Sedgwick county: block 151, block 152; and the following voting districts in Sedgwick county: (500190), (500200); and the following blocks in voting district (500230), tract 0108.01, block group 1, in Sedgwick county: block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (500330), tract 0022.00, block group 2, in Sedgwick county: block 014; and the following blocks in voting district (500340), tract 0036.00, block group 1, in Sedgwick county: block 005, block 006, block 007; and the following blocks in voting district (500790), tract 0022.00, block group 1, in Sedgwick county: block 014, block 015; and the following blocks in voting district (500790), tract 0022.00, block group 2, in Sedgwick county: block 011, block 012, block 013, block 015, block 016, block 017; and the following blocks in voting district (500790), tract 0035.00, block group 1, in Sedgwick county: block 000, block 001, block 008, block 009, block 010, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (500790), tract 0036.00, block group 1, in Sedgwick county: block 003, block 004, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (500790), tract 0036.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (500790), tract 0036.00, block group 3, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500790), tract 0036.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500790), tract 0063.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Sedgwick county: (500800), (501820), (501890), (501950), (501960); and the following blocks in voting district (501970),

tract 0081.00, block group 2, in Sedgwick county: block 135, block 137, block 138, block 139, block 160, block 161, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 184, block 185, block 186, block 187, block 188, block 190, block 199, block 200, block 201, block 239, block 240, block 251; and the following blocks in voting district (501980), tract 0081.00, block group 2, in Sedgwick county: block 107, block 108, block 112, block 113; and the following blocks in voting district (501990), tract 0001.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (501990), tract 0001.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 012, block 013; and the following blocks in voting district (501990), tract 0081.00, block group 2, in Sedgwick county: block 140, block 141, block 142, block 143, block 144, block 146, block 147, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 162, block 163, block 172, block 193, block 194, block 195, block 197, block 198, block 207, block 212, block 213, block 234, block 235, block 236; and the following blocks in voting district (501990), tract 0082.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (501990), tract 0082.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 021, block 022, block 025; and the following blocks in voting district (502000), tract 0081.00, block group 2, in Sedgwick county: block 148, block 149; and the following blocks in voting district (502000), tract 0082.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (502010), tract 0083.00, block group 1, in Sedgwick county: block 027, block 028, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (502010), tract 0083.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (502010), tract 0083.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (502010), tract 0083.00, block group 4, in Sedgwick county: block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 023; and the following blocks in voting district (502020), tract 0083.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block

024, block 025, block 026, block 029, block 030, block 031, block 032; and the following blocks in voting district (502020), tract 0083.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 021, block 022; and the following blocks in voting district (502950), tract 0081.00, block group 2, in Sedgwick county: block 109, block 114, block 115, block 116, block 136, block 237.

Sec. 163. Senatorial district 30 shall consist of the following blocks in voting district (500090), tract 0010.00, block group 2, in Sedgwick county: block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (500090), tract 0010.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 006, block 007, block 008, block 009; and the following blocks in voting district (500090), tract 0076.00, block group 2, in Sedgwick county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 016, block 017, block 023, block 025, block 026, block 027, block 028; and the following voting districts in Sedgwick county: (500100), (500110), (500210); and the following blocks in voting district (500220), tract 0108.01, block group 1, in Sedgwick county: block 003, block 004, block 005, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 033, block 034, block 035; and the following voting districts in Sedgwick county: (500320); and the following blocks in voting district (500330), tract 0022.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (500330), tract 0022.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (500330), tract 0022.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (500330), tract 0023.00, block group 1, in Sedgwick county: block 000, block 001, block 004, block 005, block 008, block 009, block 010, block 011; and the following blocks in voting district (500330), tract 0023.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 018, block 019, block 020, block 021, block 024, block 025; and the following blocks in voting district (500340), tract 0021.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032; and the following blocks in voting district (500340), tract 0021.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (500340), tract 0036.00, block group 1, in Sedgwick county: block 000, block 001; and the following voting districts in Sedgwick county: (500350), (500360), (500370), (500380), (500400), (500410), (500420), (500430), (500440), (500450), (500460), (500470), (500480); and the following blocks in voting district (500490), tract 0108.01, block group 1, in Sedgwick county: block

000, block 001, block 002, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 036; and the following blocks in voting district (500530), tract 0101.15, block group 1, in Sedgwick county: block 035, block 036, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052; and the following blocks in voting district (500530), tract 0101.16, block group 1, in Sedgwick county: block 177, block 178, block 185, block 186; and the following blocks in voting district (500540), tract 0072.01, block group 2, in Sedgwick county: block 010, block 034, block 080; and the following blocks in voting district (500540), tract 0101.15, block group 1, in Sedgwick county: block 040, block 044, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 064, block 065, block 067, block 069, block 080, block 081, block 082, block 083, block 084, block 085, block 128, block 129, block 130, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 142; and the following blocks in voting district (500560), tract 0072.01, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003; and the following blocks in voting district (500560), tract 0072.01, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 016, block 017, block 018, block 020, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 066, block 087, block 090, block 091; and the following blocks in voting district (500560), tract 0100.02, block group 2, in Sedgwick county: block 019, block 020, block 021, block 022, block 023; and the following voting districts in Sedgwick county: (500570), (500580), (500590), (500650), (500660), (500670), (500690); and the following blocks in voting district (500790), tract 0022.00, block group 1, in Sedgwick county: block 013; and the following blocks in voting district (500790), tract 0022.00, block group 2, in Sedgwick county: block 010; and the following blocks in voting district (500790), tract 0036.00, block group 1, in Sedgwick county: block 002; and the following blocks in voting district (500790), tract 0036.00, block group 3, in Sedgwick county: block 000; and the following voting districts in Sedgwick county: (500810); and the following blocks in voting district (500820), tract 0070.00, block group 3, in Sedgwick county: block 017, block 021, block 022, block 025, block 028, block 029, block 030; and the following blocks in voting district (503020), tract 0100.01, block group 2, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 016, block 017, block 018, block 021, block 022, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 039, block 040, block 041, block 056, block 057, block 058, block 066; and the following blocks in voting district (503020), tract 0100.02, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 024, block 025, block 028, block 029, block 030, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 052, block 053, block 061, block 064, block 065, block 066, block 067, block 070, block 072, block 073, block 076, block 077, block 079, block 080, block 083, block

084, block 085; and the following voting districts in Sedgwick county: (503030), (503040), (503050), (503060), (503070), (503080); and the following blocks in voting district (503090), tract 0101.15, block group 1, in Sedgwick county: block 041, block 042, block 043; and the following voting districts in Sedgwick county: (503100), (503120); and the following blocks in voting district (503130), tract 0066.00, block group 1, in Sedgwick county: block 000; and the following blocks in voting district (503130), tract 0070.00, block group 3, in Sedgwick county: block 016, block 018, block 019, block 020; and the following blocks in voting district (503130), tract 0072.03, block group 1, in Sedgwick county: block 011; and the following voting districts in Sedgwick county: (503140), (503150); and the following blocks in voting district (503160), tract 0101.15, block group 1, in Sedgwick county: block 032, block 033, block 034; and the following blocks in voting district (503160), tract 0101.16, block group 1, in Sedgwick county: block 182, block 184; and the following voting districts in Sedgwick county: (600420), (600430); and the following blocks in voting district (700530), tract 0072.01, block group 2, in Sedgwick county: block 011, block 012, block 019, block 021, block 081, block 082, block 083, block 084, block 085, block 086; and the following blocks in voting district (700530), tract 0101.15, block group 1, in Sedgwick county: block 068, block 070, block 071, block 075, block 077, block 078, block 079; and the following voting districts in Sedgwick county: (700800), (900060).

Sec. 164. Senatorial district 31 shall consist of all of Harvey county; and the following blocks in voting district (500170), tract 0101.13, block group 2, in Sedgwick county: block 098, block 099, block 129, block 130, block 131, block 133, block 140, block 141, block 142, block 143, block 144, block 148, block 149, block 150, block 154, block 155; and the following blocks in voting district (500180), tract 0077.00, block group 1, in Sedgwick county: block 003, block 004; and the following blocks in voting district (500180), tract 0101.13, block group 2, in Sedgwick county: block 127; and the following blocks in voting district (500220), tract 0108.02, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 032, block 033, block 034, block 039, block 042; and the following blocks in voting district (500230), tract 0101.13, block group 2, in Sedgwick county: block 121; and the following blocks in voting district (500230), tract 0108.02, block group 1, in Sedgwick county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 027, block 028, block 029, block 030, block 031, block 043, block 044, block 045, block 049, block 054; and the following voting districts in Sedgwick county: (500240), (500250), (500260), (500270), (500280), (500310); and the following blocks in voting district (500490), tract 0101.06, block group 1, in Sedgwick county: block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 033, block 034, block 035, block 036, block 039; and the following blocks in voting district (500490), tract 0101.11, block group 1, in Sedgwick county: block 042, block 043, block 044, block 045, block 046, block 047, block 048; and the following voting districts in Sedgwick county: (500720), (500730); and the following blocks in voting district (501970), tract 0081.00, block group 2, in Sedgwick county: block 133, block 134, block 181, block 182, block 183; and the following blocks in voting district (501980), tract 0081.00, block group 2, in Sedgwick county: block 078, block 085, block 089, block 090, block

099, block 100, block 241; and the following blocks in voting district (501990), tract 0081.00, block group 2, in Sedgwick county: block 074, block 081, block 082, block 083, block 084, block 088, block 145, block 242, block 243, block 244, block 245, block 247; and the following blocks in voting district (502000), tract 0081.00, block group 1, in Sedgwick county: block 029, block 030, block 031, block 032, block 035, block 036, block 037, block 038, block 039, block 040, block 043, block 044; and the following blocks in voting district (502000), tract 0081.00, block group 2, in Sedgwick county: block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 075, block 076, block 077, block 248, block 249; and the following blocks in voting district (502020), tract 0081.00, block group 2, in Sedgwick county: block 079, block 080; and the following blocks in voting district (502020), tract 0081.00, block group 3, in Sedgwick county: block 033, block 034, block 035, block 036, block 037, block 040, block 041, block 042, block 043, block 046, block 049; and the following blocks in voting district (502020), tract 0103.00, block group 4, in Sedgwick county: block 065, block 067, block 068, block 069, block 070, block 071, block 072, block 077, block 086, block 087, block 088, block 098, block 099, block 100, block 101, block 102, block 107; and the following voting districts in Sedgwick county: (502030), (502040), (502050), (502070), (502080), (502220), (502230); and the following blocks in voting district (502240), tract 0101.11, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025, block 026, block 027, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 049, block 050; and the following blocks in voting district (502240), tract 0101.11, block group 4, in Sedgwick county: block 000, block 003; and the following blocks in voting district (502240), tract 0101.16, block group 1, in Sedgwick county: block 218, block 219; and the following blocks in voting district (502480), tract 0104.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 013, block 014, block 015, block 016, block 017, block 018, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 078, block 079, block 080, block 081; and the following blocks in voting district (502480), tract 0104.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 046, block 047, block 048, block 094, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 117, block 118, block 119, block 141; and the following blocks in voting district (502560), tract 0104.00, block group 1, in Sedgwick county: block 010, block 011, block 012, block 019, block 020, block 021, block 022, block 023, block 024,

block 025, block 026, block 027, block 028, block 073, block 074, block 075, block 076, block 077; and the following blocks in voting district (502560), tract 0104.00, block group 2, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 028, block 029, block 030, block 039, block 041, block 042, block 050, block 051, block 142, block 143; and the following voting districts in Sedgwick county: (502830), (502840), (502850), (502860), (502870), (502880), (502890), (502900), (502910), (502930), (502940); and the following blocks in voting district (502950), tract 0081.00, block group 2, in Sedgwick county: block 043, block 044, block 086, block 087, block 091, block 094, block 101, block 102, block 110, block 111, block 117, block 118, block 119, block 120, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 238, block 246; and the following voting districts in Sedgwick county: (502960), (502970), (502980), (502990), (503000), (503010); and the following blocks in voting district (503290), tract 0103.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 065, block 066, block 067, block 068, block 069, block 070; and the following blocks in voting district (503290), tract 0103.00, block group 4, in Sedgwick county: block 002, block 003, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 028, block 037, block 038, block 039, block 041, block 074, block 075, block 078, block 122; and the following voting districts in Sedgwick county: (503370), (503380), (503390), (503400), (503410), (503450), (503460), (503470), (503480), (503490), (503500), (503510), (503520); and the following blocks in voting district (503530), tract 0101.16, block group 1, in Sedgwick county: block 066, block 069, block 074, block 075, block 079, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 099, block 112, block 221; and the following blocks in voting district (503550), tract 0101.16, block group 1, in Sedgwick county: block 080, block 100, block 101, block 102, block 103, block 104, block 204, block 205, block 206, block 212, block 213, block 214; and the following voting districts in Sedgwick county: (503800), (600030), (600090), (600150), (600360), (600400), (600470), (700010), (700020), (700030), (700040), (700050), (700060), (700070), (700080), (700090), (700110), (700120), (700130), (700140), (700150), (700160), (700170), (700180), (700200); and the following blocks in voting district (700210), tract 0103.00, block group 3, in Sedgwick county: block 059, block 060, block 061, block 062, block 063, block 064, block 072, block 075, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 094; and the following blocks in voting district (700210), tract 0103.00, block group 4, in Sedgwick county: block 082, block 083, block 084, block 085, block 089, block 090, block 092, block 094; and the following blocks in voting district (700260), tract 0105.00, block group 1, in Sedgwick county: block 000,

block 001, block 002, block 003, block 004, block 005, block 006, block 104, block 105, block 160, block 161; and the following voting districts in Sedgwick county: (700310), (700320), (700330), (700350), (700380), (700390), (700400), (700410), (700430), (700460), (700470), (700540), (700550), (700560), (700570), (700600), (700640), (700710), (700780), (700790), (700830), (700860), (700900), (700910), (700920), (700930), (700940), (900050).

Sec. 165. Senatorial district 32 shall consist of all of Cowley county; and the following voting districts in Sedgwick county: (502490), (503180), (503190), (503210), (503220), (503230), (503250), (503700), (503740), (503750), (503920), (600340), (600370), (700590); and all of Sumner county.

Sec. 166. Senatorial district 33 shall consist of all of Barber county; and the following voting districts in Barton county: (000070); and the following blocks in voting district (000200), tract 9718.00, block group 4, in Barton county: block 005, block 011; and the following voting districts in Barton county: (00022C), (00022D), (00022E), (00022F), (00023C), (000300), (000330), (000340); and all of Comanche county; and all of Edwards county; and the following voting districts in Ford county: (000010), (000020), (000030); and the following blocks in voting district (000040), tract 9617.00, block group 2, in Ford county: block 174, block 175, block 188, block 189, block 190, block 191, block 258, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 303, block 304, block 305, block 306, block 307, block 308, block 309, block 310, block 311, block 313, block 314, block 315, block 316, block 317, block 318, block 327; and the following voting districts in Ford county: (00005A), (00005B), (00005C), (000060), (000070); and the following blocks in voting district (00008A), tract 9618.00, block group 3, in Ford county: block 009, block 010, block 011, block 012, block 036, block 037, block 038, block 039, block 040, block 043, block 044; and the following blocks in voting district (00008A), tract 9618.00, block group 4, in Ford county: block 005, block 006, block 007, block 008, block 019, block 020, block 021, block 022, block 038, block 039, block 040, block 057, block 058; and the following blocks in voting district (00008A), tract 9619.00, block group 1, in Ford county: block 000, block 001, block 002, block 003, block 005, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050; and the following blocks in voting district (00008A), tract 9619.00, block group 4, in Ford county: block 028, block 029, block 030, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057; and the following blocks in voting district (00008A), tract 9619.00, block group 5, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079,

block 080; and the following blocks in voting district (00008A), tract 9619.00, block group 6, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042; and the following voting districts in Ford county: (00008B), (00008C), (00008D); and the following blocks in voting district (000090), tract 9619.00, block group 6, in Ford county: block 007; and the following blocks in voting district (000090), tract 9620.00, block group 3, in Ford county: block 001, block 002, block 003, block 004, block 020, block 061, block 069, block 070, block 071, block 072, block 075; and the following blocks in voting district (000100), tract 9618.00, block group 2, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044; and the following blocks in voting district (000100), tract 9618.00, block group 3, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 041, block 042; and the following blocks in voting district (000100), tract 9619.00, block group 4, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 058; and the following blocks in voting district (000190), tract 9620.00, block group 3, in Ford county: block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 062, block 064; and the following voting districts in Ford county: (000200), (000210), (000230), (000240); and the following blocks in voting district (000250), tract 9616.00, block group 1, in Ford county: block 206, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 261, block 262, block 294, block 295, block 296, block 301, block 302, block 303, block 304, block 305, block 306, block 307, block 308; and the following blocks in voting district (000250), tract 9618.00, block group 5, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 016, block 017, block

018, block 020, block 022, block 028, block 040, block 041, block 042, block 043, block 120, block 134; and the following voting districts in Ford county: (000260), (000280), (000290); and the following blocks in voting district (000310), tract 9616.00, block group 1, in Ford county: block 059, block 063, block 064, block 065, block 066, block 067, block 068, block 074, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 210, block 220, block 221, block 231, block 260, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 297, block 298, block 299, block 300, block 309, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 355, block 358, block 359, block 360, block 361, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 379, block 380, block 381, block 382, block 383, block 384, block 385, block 386, block 387, block 388, block 389, block 390, block 391, block 392, block 393, block 394, block 395, block 396, block 397, block 398, block 399, block 400, block 401, block 402, block 407, block 408, block 409, block 410, block 411, block 412, block 413, block 414, block 415, block 416, block 417; and the following blocks in voting district (000320), tract 9616.00, block group 1, in Ford county: block 022, block 025, block 026, block 027, block 028, block 029, block 030, block 033, block 034, block 035, block 036, block 038, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 144, block 145, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 324, block 325, block 326, block 327, block 328, block 329, block 330, block 331, block 332, block 333, block 334, block 335, block 336, block 337, block 338, block 339, block 340; and the following blocks in voting district (000320), tract 9617.00, block group 2, in Ford county: block 000; and the following blocks in voting district (000330), tract 9617.00, block group 2, in Ford county: block 319, block 320, block 321, block 322, block 323, block 328, block 329, block 330, block 331, block 332, block 333, block 334, block 370, block 371, block 372, block 373, block

374, block 375, block 376, block 377, block 378, block 383, block 384, block 428, block 429, block 430, block 431, block 432, block 433, block 577, block 578; and all of Harper county; and all of Kingman county; and all of Kiowa county; and all of Pawnee county; and all of Pratt county; and all of Stafford county.

Sec. 167. Senatorial district 34 shall consist of all of Reno county; and the following voting districts in Rice county: (000010), (000020), (000030), (000040), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000160), (000170), (000180), (00019A), (00019B), (00019C), (000200), (000210), (000220), (000230), (000250), (000260).

Sec. 168. Senatorial district 35 shall consist of the following voting districts in Barton county: (000010), (000020), (000030), (000040), (000050), (000060), (000080), (000090), (000100), (00011A), (00011B), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (00019A), (00019B); and the following blocks in voting district (000200), tract 9716.00, block group 4, in Barton county: block 024, block 025, block 026, block 027, block 028, block 029, block 035, block 036, block 037; and the following blocks in voting district (000200), tract 9716.00, block group 5, in Barton county: block 000, block 001, block 002, block 027, block 028, block 029, block 030, block 031, block 032, block 050, block 051; and the following blocks in voting district (000200), tract 9717.00, block group 1, in Barton county: block 025, block 026, block 027, block 050, block 051, block 052, block 053, block 061, block 062, block 063; and the following blocks in voting district (000200), tract 9717.00, block group 2, in Barton county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034; and the following blocks in voting district (000200), tract 9717.00, block group 3, in Barton county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (000200), tract 9718.00, block group 4, in Barton county: block 000, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Barton county: (000210), (00022A), (00022B), (00023A), (00023B), (000240), (000250), (000260), (00027A), (00027B), (000280), (000290), (000310), (000320), (000350), (000360), (000370), (000380), (000390), (900010); and all of Ellsworth county; and all of Lincoln county; and all of McPherson county; and the following blocks in voting district (000010), tract 1766.00, block group 1, in Mitchell county: block 127, block 128, block 129, block 130, block 204, block 209, block 210, block 211, block 212, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 229, block 230, block 231, block 232, block 233, block 234, block 238, block 266, block 267, block 268, block 269, block 273, block 274, block 275, block 276, block 277, block 392, block 393, block 394, block 400; and the following blocks in voting district (00006A), tract 1766.00, block group 1, in Mitchell county: block 207, block 286, block 287, block 288, block 289, block 292, block 399; and the following blocks in voting district (00006A), tract 1767.00, block group 1, in Mitchell county: block 038, block 039, block 198, block 199, block 200; and the following voting districts in Mitchell county: (000070), (000080); and the following blocks in voting district (000090), tract 1767.00, block group 1, in Mitchell county: block 105,

block 124, block 126, block 127, block 129, block 130, block 131, block 132, block 165, block 166, block 167; and the following voting districts in Mitchell county: (000120), (000130), (000140), (000170), (000180), (000190), (000210), (000230), (000240), (000260), (000280); and the following blocks in voting district (000290), tract 1767.00, block group 1, in Mitchell county: block 040, block 142, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 205, block 206; and the following blocks in voting district (000300), tract 1767.00, block group 1, in Mitchell county: block 120, block 121, block 122, block 123, block 128, block 133, block 136, block 137, block 138, block 139, block 140, block 141, block 145, block 146, block 147; and the following voting districts in Rice county: (000050), (000060), (000070), (000150), (000240); and all of Russell county.

Sec. 169. Senatorial district 36 shall consist of all of Clark county; and all of Ellis county; and the following voting districts in Finney county: (000220), (000280); and the following blocks in voting district (000040), tract 9617.00, block group 2, in Ford county: block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 312, block 325, block 326, block 382, block 394, block 395, block 396, block 397, block 398; and the following blocks in voting district (00008A), tract 9619.00, block group 3, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (000090), tract 9618.00, block group 1, in Ford county: block 038, block 058, block 059, block 060, block 062, block 070, block 073, block 076, block 077, block 079, block 080, block 081, block 082, block 083, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095; and the following blocks in voting district (000090), tract 9619.00, block group 1, in Ford county: block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 018, block 020, block 022, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 055, block 056, block 057, block 058, block 059, block 060; and the following blocks in voting district (000090), tract 9619.00, block group 2, in Ford county: block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 145; and the

following blocks in voting district (000090), tract 9619.00, block group 3, in Ford county: block 006, block 007, block 008, block 026, block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (000090), tract 9620.00, block group 2, in Ford county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 027, block 028, block 029, block 030, block 031, block 032; and the following blocks in voting district (000090), tract 9620.00, block group 3, in Ford county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 060; and the following blocks in voting district (000100), tract 9618.00, block group 1, in Ford county: block 026, block 028, block 036, block 041, block 042, block 043, block 044, block 045, block 046, block 049, block 050, block 051, block 052, block 053, block 056, block 066, block 067, block 068, block 069, block 074, block 075, block 078, block 084, block 085, block 086, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 108; and the following blocks in voting district (000190), tract 9618.00, block group 1, in Ford county: block 008, block 009, block 011, block 012, block 013, block 025, block 027, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 037, block 040, block 047, block 048, block 054, block 055, block 064, block 065, block 106, block 107, block 109; and the following blocks in voting district (000190), tract 9619.00, block group 1, in Ford county: block 015, block 016, block 017, block 019, block 021, block 023, block 024, block 025, block 026, block 027, block 041, block 052, block 053, block 054, block 061; and the following blocks in voting district (000190), tract 9619.00, block group 2, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 114, block 115, block 134, block 135, block 137, block 139, block 140, block 141, block 142, block 143, block 146, block 147, block 148, block 149, block 150; and the following blocks in voting district (000190), tract 9620.00, block group 3, in Ford county: block 063, block 065, block 066, block 076; and the following voting districts in Ford county: (000220); and the following blocks in voting district (000250), tract 9616.00, block group 1, in Ford county: block 203, block 204, block 205, block 207, block 208, block 209, block 211, block 212; and the following blocks in voting district (000250), tract 9616.00, block group 2, in Ford county: block 006, block 007, block 008, block 009, block 010, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 169, block 170, block 259; and the following blocks in voting district (000250), tract 9618.00, block group 1, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 010, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 039, block 110, block 111, block 112, block 113, block 114, block 115; and the following voting districts in Ford county: (000270), (000300); and the following blocks in voting district (000310), tract 9616.00,

block group 1, in Ford county: block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 041, block 060, block 061, block 062, block 069, block 070, block 071, block 072, block 073, block 125, block 135, block 136, block 201, block 202; and the following blocks in voting district (000310), tract 9616.00, block group 2, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 011, block 012, block 013, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 171, block 176, block 178, block 185, block 186, block 193, block 194, block 195, block 256, block 257, block 265, block 266, block 267; and the following blocks in voting district (000320), tract 9616.00, block group 1, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 018, block 019, block 020, block 021, block 023, block 024, block 031, block 032, block 037, block 039, block 040; and the following blocks in voting district (000330), tract 9617.00, block group 2, in Ford county: block 324, block 379, block 380, block 381, block 385, block 386, block 387, block 388, block 389, block 390, block 391, block 392, block 393, block 399, block 400, block 401, block 402, block 403, block 404, block 405, block 406, block 407, block 408, block 409, block 410, block 411, block 412, block 413, block 414, block 415, block 416, block 417, block 418, block 419, block 420, block 421, block 422, block 423, block 424, block 425, block 426, block 427, block 579, block 580, block 581, block 582, block 583, block 584, block 585, block 598; and the following voting districts in Ford county: (600010), (800010); and all of Gray county; and the following blocks in voting district (000010), tract 4631.00, block group 1, in Haskell county: block 351, block 352, block 353, block 354, block 355; and the following voting districts in Haskell county: (000060); and the following blocks in voting district (000070), tract 4631.00, block group 1, in Haskell county: block 446, block 447, block 549, block 550, block 551, block 552, block 553, block 554, block 559, block 560, block 561, block 562, block 563, block 724, block 725, block 726, block 727, block 728, block 729, block 730, block 731, block 732, block 733, block 794, block 795, block 796, block 797, block 798, block 799, block 800, block 801, block 802, block 803, block 808, block 809, block 810, block 820, block 821, block 822, block 823, block 824, block 825, block 855, block 856, block 861, block 865, block 866, block 867, block 902, block 903; and the following blocks in voting district (000070), tract 4631.00, block group 2, in Haskell county: block 000, block 001, block 002, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (000070), tract 4631.00, block group 3, in Haskell county: block 000, block 001, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067,

block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 116, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135; and the following voting districts in Haskell county: (000080); and all of Hodgeman county; and all of Meade county; and all of Ness county; and all of Rush county; and the following voting districts in Seward county: (000010); and the following blocks in voting district (000020), tract 9656.00, block group 2, in Seward county: block 012, block 013, block 014, block 015, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 059, block 063, block 093, block 094, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 163, block 164, block 165, block 326, block 327, block 328, block 329, block 330, block 331, block 332, block 333, block 334, block 335, block 337, block 338; and the following blocks in voting district (000020), tract 9656.00, block group 3, in Seward county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 181, block 231, block 232, block 236, block 238; and the following voting districts in Seward county: (000030); and the following blocks in voting district (000040), tract 9656.00, block group 2, in Seward county: block 035, block 038, block 056, block 057, block 058, block 061, block 062, block 064, block 065, block 066, block 069, block 089, block 090, block 091, block 092, block 095, block 096, block 097, block 098, block 099, block 100, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 131, block 132, block 133, block 134, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 166, block 167, block 168, block 169, block

170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 257, block 258, block 259, block 307, block 308, block 336; and the following blocks in voting district (000070), tract 9656.00, block group 2, in Seward county: block 016, block 017, block 018, block 019, block 060, block 067, block 068, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 123, block 124, block 339; and the following voting districts in Seward county: (00008A), (00008B); and the following blocks in voting district (000090), tract 9656.00, block group 1, in Seward county: block 480, block 481, block 491; and the following blocks in voting district (000090), tract 9656.00, block group 2, in Seward county: block 289, block 290, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 309, block 310, block 311; and the following blocks in voting district (000090), tract 9659.00, block group 4, in Seward county: block 000, block 001, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 038, block 041, block 047, block 051, block 073, block 074, block 075, block 076, block 077, block 081, block 082, block 083, block 099, block 100, block 101; and the following blocks in voting district (000090), tract 9660.00, block group 3, in Seward county: block 019, block 020, block 021; and the following blocks in voting district (000100), tract 9659.00, block group 2, in Seward county: block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049; and the following blocks in voting district (000100), tract 9659.00, block group 3, in Seward county: block 012, block 013, block 014, block 017, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 037, block 043, block 044, block 045, block 046, block 047, block 050; and the following blocks in voting district (000110), tract 9659.00, block group 3, in Seward county: block 005, block 006, block 007, block 009, block 010, block 011, block 019, block 020, block 021, block 022, block 033, block 034, block 035, block 036, block 038, block 039, block 040, block 041, block 042, block 048, block 049; and the following blocks in voting district (000110), tract 9659.00, block group 4, in Seward county: block 002, block 003, block 004, block 005, block 012, block 019, block 020, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 096, block 097; and the following blocks in voting district (000110), tract 9660.00, block group 2, in Seward county: block 001, block 002, block 003, block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022,

block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043; and the following blocks in voting district (000110), tract 9660.00, block group 3, in Seward county: block 003, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091; and the following voting districts in Seward county: (000120); and the following blocks in voting district (000140), tract 9656.00, block group 2, in Seward county: block 139, block 313, block 314, block 315, block 316, block 318, block 319, block 320, block 324, block 325; and the following blocks in voting district (000140), tract 9657.00, block group 1, in Seward county: block 000, block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 123; and the following blocks in voting district (000140), tract 9660.00, block group 1, in Seward county: block 000, block 001, block 002, block 003, block 004, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083; and the following blocks in voting district (000140), tract 9660.00, block group 2, in Seward county: block 000, block 005, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081; and the following blocks in voting district (000140), tract 9660.00, block group 3, in Seward

county: block 002, block 092; and the following blocks in voting district (000160), tract 9659.00, block group 4, in Seward county: block 053, block 054; and the following blocks in voting district (000200), tract 9656.00, block group 1, in Seward county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 051, block 052, block 053, block 054, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 189, block 190, block 191, block 192, block 193, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 234, block 235, block 236, block 240, block 241, block 242, block 244, block 245, block 246; and the following blocks in voting district (000200), tract 9656.00, block group 2, in Seward county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (000200), tract 9656.00, block group 3, in Seward county: block 003, block 004, block 005; and the following voting districts in Seward county: (000210); and all of Trego county.

Sec. 170. Senatorial district 37 shall consist of the following voting districts in Johnson county: (000010), (000020), (000030), (000040), (001300), (001310), (001340), (001360), (001370), (00140B), (001410), (00147A), (001480), (00226A), (00226B), (002360), (00244A), (00244B), (002460), (002470), (00249A), (00249C), (00249E), (00249F), (004300), (900010), (900020); and the following blocks in voting district (900290), tract 0534.10, block group 1, in Johnson county: block 006, block 007, block 015, block 017, block 018, block 019, block 020, block 023; and the following voting districts in Johnson county: (900350), (900790), (900800), (900810), (900830), (900840), (901000), (901010), (901120), (901130), (901140), (901150); and the following blocks in voting district (901160), tract 0534.10, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 008, block 009, block 010, block 014, block 021, block 022, block 024; and the following blocks in voting district (901160), tract 0534.10, block group 5, in Johnson county: block 015, block 017, block 018, block 019, block 021, block 026, block 029, block 030, block 035, block 036, block 037, block 038, block 039, block 040; and the following blocks in voting district (901160), tract 0534.10, block group 6, in Johnson county: block 007, block 008, block 009, block 010, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Johnson county: (901170), (901180), (901190), (901200), (901210), (901220), (901230), (901240), (901250), (901260), (901270), (901290), (901300), (901310), (901690).

Sec. 171. Senatorial district 38 shall consist of the following voting districts in Johnson county: (000430), (000440), (000450), (000460), (000510), (000520), (000530), (000540), (000550); and the following blocks in voting district (000580), tract 0524.19, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district

(000590), tract 0524.21, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (000590), tract 9800.02, block group 1, in Johnson county: block 003, block 004, block 005, block 006, block 007, block 009, block 010, block 011, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following voting districts in Johnson county: (000600), (000610), (000620), (000660); and the following blocks in voting district (001420), tract 0529.07, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (001420), tract 0529.07, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (001420), tract 0529.10, block group 2, in Johnson county: block 019, block 020; and the following blocks in voting district (001420), tract 9800.01, block group 1, in Johnson county: block 093, block 094; and the following voting districts in Johnson county: (001450), (00147B), (001500), (001510), (00217A), (00222A), (002930), (002940), (003030), (003090), (900360), (900370), (900380), (900400), (900410), (900430), (900440), (900450); and the following blocks in voting district (900460), tract 0524.05, block group 3, in Johnson county: block 009; and the following blocks in voting district (900460), tract 0524.17, block group 2, in Johnson county: block 015, block 018, block 019; and the following blocks in voting district (900460), tract 0529.10, block group 2, in Johnson county: block 000; and the following blocks in voting district (900460), tract 0530.05, block group 1, in Johnson county: block 000, block 017, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (900460), tract 9800.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 095, block 096, block 097, block 098, block 099; and the following voting districts in Johnson county: (900470), (900480), (900710); and the following blocks in voting district (900870), tract 0529.10, block group 1, in Johnson county: block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following voting districts in Johnson county: (900880), (900890), (901030); and the following blocks in voting district (901050), tract 0530.08, block group 1, in Johnson county: block 009, block 016, block 017, block 018; and the following voting districts in Johnson county: (901410), (901420), (901430); and the following blocks in voting district (901650), tract 0528.02,

block group 4, in Johnson county: block 003, block 004, block 005, block 006, block 030, block 031; and the following blocks in voting district (901700), tract 0529.10, block group 2, in Johnson county: block 017, block 018, block 021, block 022; and the following voting districts in Johnson county: (901710).

Sec. 172. Senatorial district 39 shall consist of the following voting districts in Finney county: (000010), (00002A), (000030), (000040), (000060), (000070), (000080), (00009A), (00009B), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (00018A), (000190), (000200), (00021A), (000230), (000250), (000260), (200010), (200020), (200030), (200040), (200050), (200060); and all of Grant county; and the following voting districts in Hamilton county: (000010); and the following blocks in voting district (000020), tract 9586.00, block group 2, in Hamilton county: block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 245, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 285, block 300, block 301, block 302, block 303, block 309, block 321, block 322, block 323, block 326, block 327, block 328, block 332, block 335, block 336, block 337, block 338, block 339, block 340, block 351, block 352, block 353, block 354, block 355, block 356; and the following blocks in voting district (000030), tract 9586.00, block group 1, in Hamilton county: block 319, block 320, block 321, block 322, block 323, block 325, block 328, block 329, block 330, block 331, block 332, block 334, block 335, block 336, block 337, block 338, block 339, block 343, block 344, block 345, block 346, block 347, block 348, block 350, block 351, block 352, block 353, block 354, block 355; and the following voting districts in Hamilton county: (000040); and the following blocks in voting district (000060), tract 9586.00, block group 2, in Hamilton county: block 132, block 136, block 145, block 149, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 333, block 334, block 341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 349, block 350, block 559, block 560, block 561, block 562, block 563, block 564, block 565, block 575; and the following blocks in voting district (000080), tract 9586.00, block group 1, in Hamilton county: block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 282, block 283, block 295, block 296, block 297; and the following blocks in voting district (000080), tract 9586.00, block group 2, in Hamilton county: block 472, block 473, block 474, block 475, block 476, block 477; and the following voting districts in Hamilton county: (000100); and the following blocks in voting district (000010), tract 4631.00, block group 1, in Haskell county: block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 086, block 087, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 126, block 127, block 128, block 129, block 130, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block

159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 327, block 328, block 329, block 330, block 331, block 332, block 335, block 336, block 337, block 338, block 339, block 340, block 341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 349, block 350, block 356, block 357, block 358, block 359, block 360, block 361, block 362, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 379, block 380, block 381, block 382, block 383, block 384, block 385, block 386, block 387, block 404, block 405, block 406, block 898, block 899, block 900, block 901, block 904, block 908, block 909, block 910, block 911, block 915, block 916, block 917, block 932; and the following voting districts in Haskell county: (000020), (000030), (000040), (000050); and the following blocks in voting district (000070), tract 4631.00, block group 1, in Haskell county: block 407, block 408, block 439, block 440, block 441, block 442, block 443, block 444, block 445, block 555, block 556, block 557, block 558, block 564, block 565, block 566, block 567, block 568, block 569, block 570, block 571, block 572, block 573, block 574, block 575, block 576, block 577, block 578, block 579, block 580, block 581, block 582, block 583, block 584, block 585, block 586, block 702, block 703, block 704, block 705, block 706, block 707, block 708, block 709, block 710, block 711, block 712, block 713, block 714, block 715, block 716, block 717, block 718, block 719, block 720, block 721, block 722, block 723, block 811, block 812, block 813, block 814, block 815, block 816, block 817, block 818, block 819, block 857, block 858, block 859, block 860, block 891; and the following blocks in voting district (000070), tract 4631.00, block group 3, in Haskell county: block 002, block 003, block 004, block 005, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 117, block 118; and the following voting districts in Kearny county: (000010), (000020); and the following blocks in voting district (000030), tract 9591.00, block group 1, in Kearny county: block 225, block 226, block 227, block 228, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 324, block 331, block 332, block 333, block 334, block 335, block 336, block 337, block 338, block 339, block 340, block 341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 349, block 350, block 351, block 352, block 353, block 354, block 355, block 356, block 357, block 358, block 359, block 360, block 361, block 362, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 379, block 380, block 381, block 382, block 383, block 388, block 389, block 390, block 391, block 392, block 393, block 394, block 395, block 396, block 397, block 398, block 399, block 400, block 401, block 695, block 696, block 697, block

698, block 699, block 700, block 701, block 702, block 703, block 704, block 705, block 706, block 707, block 708, block 709, block 710, block 711, block 712, block 713, block 931, block 975, block 979, block 980, block 982, block 998; and the following blocks in voting district (000030), tract 9591.00, block group 3, in Kearny county: block 157; and the following voting districts in Kearny county: (000040), (000050), (000060), (000070), (000080), (000090); and all of Morton county; and the following blocks in voting district (000020), tract 9656.00, block group 1, in Seward county: block 324; and the following blocks in voting district (000040), tract 9656.00, block group 1, in Seward county: block 323, block 329, block 330, block 331; and the following voting districts in Seward county: (00005A), (00005B), (000060); and the following blocks in voting district (000070), tract 9656.00, block group 1, in Seward county: block 254, block 255, block 266, block 267, block 268, block 269, block 309, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 325, block 326, block 327, block 328, block 332, block 362, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 374, block 379, block 380, block 424, block 425, block 451, block 452; and the following blocks in voting district (000070), tract 9657.00, block group 2, in Seward county: block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (000090), tract 9656.00, block group 1, in Seward county: block 473, block 475, block 476, block 477, block 478, block 479, block 483, block 484, block 486, block 487; and the following blocks in voting district (000090), tract 9659.00, block group 4, in Seward county: block 043, block 102, block 103, block 105; and the following blocks in voting district (000100), tract 9659.00, block group 1, in Seward county: block 017, block 018, block 019, block 020, block 021, block 030, block 031, block 032, block 033, block 046, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 066, block 067, block 068, block 069, block 070; and the following blocks in voting district (000100), tract 9659.00, block group 2, in Seward county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019; and the following blocks in voting district (000100), tract 9659.00, block group 3, in Seward county: block 002, block 003, block 004, block 015, block 016, block 018; and the following blocks in voting district (000110), tract 9659.00, block group 1, in Seward county: block 000, block 001, block 002, block 003, block 004, block 005, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047; and the following blocks in voting district (000110), tract 9659.00, block group 3, in Seward county: block 000, block 001, block 008; and the following voting districts in Seward county: (000130); and the following blocks in voting district (000140), tract 9657.00, block group 1, in Seward county: block 023, block 026, block 060, block 061, block 062, block 063, block 064, block 065, block 101, block 102, block 120; and the following blocks in voting district (000140), tract 9658.00, block group 3, in Seward county: block 000, block 001, block 002, block 003, block 004, block 005, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055; and the following

blocks in voting district (000140), tract 9658.00, block group 4, in Seward county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 048, block 049, block 050, block 051, block 052, block 063; and the following blocks in voting district (000140), tract 9660.00, block group 1, in Seward county: block 005, block 006, block 007, block 008, block 052, block 053, block 054, block 055; and the following blocks in voting district (000140), tract 9660.00, block group 2, in Seward county: block 044, block 045, block 046, block 047, block 082; and the following voting districts in Seward county: (000150); and the following blocks in voting district (000160), tract 9656.00, block group 1, in Seward county: block 459; and the following blocks in voting district (000160), tract 9658.00, block group 1, in Seward county: block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 050, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 105, block 106, block 114, block 117, block 119, block 120; and the following blocks in voting district (000160), tract 9658.00, block group 2, in Seward county: block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063; and the following blocks in voting district (000160), tract 9658.00, block group 3, in Seward county: block 070, block 071, block 076, block 077, block 078, block 079; and the following blocks in voting district (000160), tract 9658.00, block group 4, in Seward county: block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 055, block 056, block 057, block 058, block 064, block 065, block 066, block 067, block 068; and the following voting districts in Seward county: (000170), (000180), (000190); and the following blocks in voting district (000200), tract 9656.00, block group 1, in Seward county: block 020, block 021, block 022, block 039, block 040, block 041, block 047, block 048, block 049, block 050, block 121, block 122, block 123, block 124, block 125, block 178, block 179, block 180, block 183, block 184, block 185, block 186, block 187, block 188, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 243, block 248, block 249, block 250, block 251, block 256, block 461; and all of Stanton county; and all of Stevens county.

Sec. 173. Senatorial district 40 shall consist of all of Cheyenne county; and all of Decatur county; and all of Gove county; and all of Graham county; and all of Greeley county; and the following blocks in voting district (000020), tract 9586.00, block group 2, in Hamilton county: block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block

106, block 107, block 108, block 109, block 110, block 111, block 114, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 284, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 304, block 305, block 306, block 307, block 308, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 324, block 325, block 329, block 330, block 331, block 571, block 572, block 579, block 580, block 587; and the following blocks in voting district (000030), tract 9586.00, block group 1, in Hamilton county: block 036, block 037, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 324, block 326, block 327, block 333, block 420, block 422, block 423; and the following voting districts in Hamilton county: (000050); and the following blocks in voting district (000060), tract 9586.00, block group 2, in Hamilton county: block 056, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 080, block 081, block 082, block 083, block 084, block 085, block 112, block 113, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 133, block 134, block 135, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 146, block 147, block 148, block 150, block 151, block 152, block 153, block 576, block 585, block 586; and the following voting districts in Hamilton county: (000070); and the following blocks in voting district (000080), tract 9586.00, block group 1, in Hamilton county: block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 126, block 127, block 128, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 173, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 200, block 201, block 202, block 203, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 234, block 235, block 236, block 237, block 238, block 260, block 261, block 262, block 263, block 280, block 281, block 298, block 301, block 341, block 364, block 365, block 366, block 414, block 421; and the following blocks in voting district (000080), tract 9586.00, block group 2, in Hamilton county: block 434, block 435, block 436, block 437; and the following voting districts in Hamilton county: (000090); and all of Jewell county; and the following blocks in voting district (000030), tract 9591.00, block group 1, in Kearny county: block 999; and all of Lane county; and all of Logan county; and all of Norton county; and all of Osborne county; and all of Phillips county; and all of Rawlins county; and all of Rooks county; and all of Scott county; and all of Sheridan

county; and all of Sherman county; and all of Smith county; and all of Thomas county; and all of Wallace county; and all of Wichita county."

S Substitute for HB 2371 be further amended by motion of Senator Owens, on page 157, by striking all in lines 4 through 43;

By striking all on pages 158 through 243 and inserting the following:

"Sec. 134. Senatorial district 1 shall consist of all of Atchison county; and all of Brown county; and all of Doniphan county; and all of Jackson county; and all of Nemaha county; and the following voting districts in Pottawatomie county: (000010), (000040); and the following blocks in voting district (000050), tract 0004.00, block group 3, in Pottawatomie county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 195, block 196, block 197, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 224, block 225, block 226; and the following voting districts in Pottawatomie county: (000060), (000070), (000090), (000100); and the following blocks in voting district (000110), tract 0001.00, block group 1, in Pottawatomie county: block 043, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 093, block 097, block 098, block 100, block 104, block 105, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 130, block 131, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 221, block 225, block 228, block 230; and the following blocks in voting district (000110), tract 0001.00, block group 2, in Pottawatomie county: block 097, block 183, block 184; and the following blocks in voting district (000110), tract 0002.00, block group 1, in Pottawatomie county: block 000, block 001, block 002, block 003, block 031, block 032, block 033; and the following voting districts in Pottawatomie county: (000130); and the following blocks in voting district (000140), tract 0004.00, block group 4, in Pottawatomie county: block 069, block 070, block 072, block 077, block 084, block 147, block 148, block 149, block 150, block 153, block 154, block 155, block 156, block 160, block 161, block 162, block 163, block 166, block 167; and the following blocks in voting district (000150), tract 0004.00, block group 3, in Pottawatomie county: block 209, block 210, block 211, block 212, block 213, block 227, block 228, block 229, block 230, block 231; and the following blocks in voting district (000150), tract 0004.00, block group 4, in Pottawatomie county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block

008, block 009, block 012, block 014, block 015, block 016, block 059, block 060, block 061, block 062, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 151, block 152, block 157, block 158, block 159, block 164, block 212, block 219, block 220; and the following voting districts in Pottawatomie county: (000170), (000190); and the following blocks in voting district (000200), tract 0001.00, block group 1, in Pottawatomie county: block 171, block 172, block 173, block 226, block 227; and the following blocks in voting district (000200), tract 0001.00, block group 2, in Pottawatomie county: block 065, block 066, block 098, block 099, block 100, block 103, block 187, block 188; and the following blocks in voting district (000200), tract 0001.00, block group 3, in Pottawatomie county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 049, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 113, block 119, block 120, block 121, block 122, block 123, block 124, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 168, block 170, block 171; and the following blocks in voting district (000200), tract 0002.00, block group 1, in Pottawatomie county: block 004, block 005, block 006, block 007, block 008, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 068, block 069, block 070, block 071; and the following blocks in voting district (000200), tract 0002.00, block group 4, in Pottawatomie county: block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 096, block 097, block 098, block 099, block 100, block 104, block 105, block 106, block 110; and the following voting districts in Pottawatomie county: (000210), (000220); and the following blocks in voting district (000230), tract 0001.00, block group 1, in Pottawatomie county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 048, block 094, block 095, block 096, block 229; and the following blocks in voting district (000230), tract 0004.00, block group 1, in Pottawatomie county: block 359, block 360, block 361, block 363, block

376, block 377, block 378, block 379, block 380, block 415, block 416, block 417, block 418, block 419; and the following blocks in voting district (000230), tract 0004.00, block group 4, in Pottawatomie county: block 144, block 145, block 146, block 168, block 169, block 170, block 171, block 172, block 173, block 176, block 177, block 214; and the following voting districts in Pottawatomie county: (000240), (000250), (00026A), (000270), (900010), (900040).

Sec. 135. Senatorial district 2 shall consist of the following blocks in voting district (000010), tract 0015.00, block group 2, in Douglas county: block 008, block 009, block 010, block 011, block 012, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052; and the following blocks in voting district (000030), tract 0008.01, block group 1, in Douglas county: block 006; and the following blocks in voting district (000050), tract 0001.00, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 015, block 017, block 018, block 019, block 022, block 023, block 024, block 027, block 028, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 045, block 046, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 066, block 069, block 070, block 072, block 073, block 074, block 075, block 087, block 089, block 090, block 092; and the following blocks in voting district (000050), tract 0001.00, block group 3, in Douglas county: block 000, block 001, block 002, block 003; and the following blocks in voting district (00006A), tract 0006.03, block group 1, in Douglas county: block 002, block 003, block 004, block 005, block 013, block 014, block 016, block 017, block 018, block 035, block 036, block 040, block 058, block 060, block 065, block 066, block 098; and the following blocks in voting district (00006A), tract 0014.00, block group 2, in Douglas county: block 002, block 003; and the following blocks in voting district (00006A), tract 0015.00, block group 1, in Douglas county: block 080, block 081, block 093, block 094, block 095, block 097; and the following blocks in voting district (00006A), tract 0015.00, block group 2, in Douglas county: block 072, block 073, block 074; and the following blocks in voting district (00006A), tract 0016.00, block group 2, in Douglas county: block 012, block 013, block 044, block 046, block 047, block 048, block 049, block 056; and the following voting districts in Douglas county: (00007A), (000080), (000090), (00010A), (000110), (00012A), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000210), (000220), (000240), (000250), (000260), (000270), (000290), (000300), (000310), (000320), (000330), (000340); and the following blocks in voting district (000360), tract 0009.01, block group 2, in Douglas county: block 004, block 005, block 012, block 014, block 015, block 016, block 017; and the following voting districts in Douglas county: (000400); and the following blocks in voting district (000410), tract 0010.01, block group 1, in Douglas county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 023, block 024, block 025, block 026, block 027, block 028, block 037, block 038, block 042, block 043, block 044; and the following voting districts in Douglas county: (000420); and the following blocks in voting district (000430), tract 0002.00, block group 5, in Douglas county: block 005, block 006, block 007, block 008; and the following blocks in voting district (000430), tract 0010.01,

block group 1, in Douglas county: block 000, block 001, block 002, block 003; and the following blocks in voting district (000460), tract 0001.00, block group 3, in Douglas county: block 024, block 026; and the following blocks in voting district (000460), tract 0002.00, block group 1, in Douglas county: block 003, block 004, block 005, block 006, block 007, block 008, block 021, block 026, block 027, block 036, block 037, block 038, block 039; and the following blocks in voting district (000460), tract 0002.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 025, block 026, block 027; and the following blocks in voting district (000460), tract 0005.01, block group 1, in Douglas county: block 040, block 041; and the following voting districts in Douglas county: (000470); and the following blocks in voting district (00048A), tract 0001.00, block group 1, in Douglas county: block 012, block 013, block 014, block 016, block 020, block 021, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 064, block 065, block 067, block 068, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 088, block 091, block 093, block 094, block 095; and the following blocks in voting district (00048A), tract 0001.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040; and the following blocks in voting district (00048A), tract 0001.00, block group 3, in Douglas county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 025, block 027, block 028, block 029, block 030, block 031; and the following voting districts in Douglas county: (00048B), (00048C), (00048D), (00050A), (00050C), (00052A); and the following blocks in voting district (000560), tract 0008.01, block group 1, in Douglas county: block 004, block 005; and the following blocks in voting district (000560), tract 0016.00, block group 2, in Douglas county: block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 045, block 050, block 051, block 052, block 053, block 054, block 055, block 057, block 058, block 062, block 063, block 064; and the following blocks in voting district (000580), tract 0015.00, block group 1, in Douglas county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 098, block 099; and the following blocks in voting district (000580), tract 0015.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block

066, block 067, block 068, block 069, block 070, block 071, block 075; and the following voting districts in Douglas county: (00061A), (400010), (400020), (400030), (400040), (400060), (400080), (900040), (900050), (900060), (900070), (900080), (900090), (900150), (900170); and the following voting districts in Jefferson county: (000010), (000020), (000030), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130).

Sec. 136. Senatorial district 3 shall consist of the following voting districts in Douglas county: (000020); and the following blocks in voting district (000050), tract 0001.00, block group 1, in Douglas county: block 086; and the following blocks in voting district (000050), tract 0001.00, block group 3, in Douglas county: block 004, block 006, block 007, block 009, block 010; and the following blocks in voting district (000200), tract 0008.02, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 013, block 014, block 015, block 016, block 017, block 023, block 024, block 025, block 026; and the following blocks in voting district (000200), tract 0008.02, block group 2, in Douglas county: block 000, block 001, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 023; and the following blocks in voting district (000200), tract 0008.02, block group 3, in Douglas county: block 000, block 001, block 002, block 003, block 006, block 009, block 010, block 011, block 012, block 023; and the following blocks in voting district (000200), tract 0009.02, block group 1, in Douglas county: block 027, block 028, block 041, block 042; and the following voting districts in Douglas county: (000230), (000280), (000350); and the following blocks in voting district (000360), tract 0009.01, block group 4, in Douglas county: block 001, block 003, block 004, block 005, block 006; and the following blocks in voting district (000360), tract 0009.01, block group 5, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following voting districts in Douglas county: (000370), (000380); and the following blocks in voting district (000410), tract 0010.01, block group 2, in Douglas county: block 002, block 005, block 006, block 008, block 009, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 034, block 035; and the following blocks in voting district (000430), tract 0002.00, block group 5, in Douglas county: block 009; and the following blocks in voting district (000430), tract 0002.00, block group 6, in Douglas county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (000430), tract 0010.02, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following voting districts in Douglas county: (00044A), (000450); and the following blocks in voting district (000460), tract 0002.00, block group 1, in Douglas county: block 010, block 011; and the following blocks in voting district (00048A), tract 0001.00, block group 3, in Douglas county: block 008; and the following blocks in voting district (00053A), tract 0008.01, block group 1, in Douglas county: block 000, block 001, block 002, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 030, block 043; and the following blocks in voting district (00053A), tract 0008.01, block group 2, in Douglas county: block 004, block 005, block 006, block 007, block 008, block 009, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 034, block 036, block 042; and the following blocks in voting

district (000560), tract 0008.01, block group 1, in Douglas county: block 003; and the following voting districts in Douglas county: (000600), (000620), (000630), (000640), (000650), (000660); and the following blocks in voting district (00067A), tract 0008.01, block group 1, in Douglas county: block 017, block 028, block 029, block 038, block 039, block 048, block 049; and the following blocks in voting district (00067A), tract 0008.01, block group 2, in Douglas county: block 032, block 033, block 038, block 039, block 040, block 041, block 043, block 045; and the following blocks in voting district (00067A), tract 0008.02, block group 2, in Douglas county: block 004, block 005, block 006, block 007, block 018; and the following blocks in voting district (00067A), tract 0009.02, block group 1, in Douglas county: block 031, block 032, block 037, block 043; and the following blocks in voting district (00067A), tract 0012.01, block group 1, in Douglas county: block 070, block 071, block 072, block 077, block 081, block 082, block 083; and the following voting districts in Douglas county: (00067B); and the following blocks in voting district (000680), tract 0012.01, block group 1, in Douglas county: block 130, block 131, block 132, block 133, block 135, block 136, block 137, block 138, block 139; and the following blocks in voting district (000680), tract 0012.03, block group 1, in Douglas county: block 015, block 016, block 017, block 018, block 019, block 020, block 051, block 052, block 053, block 054, block 073, block 074, block 075, block 076, block 077, block 079, block 081; and the following voting districts in Douglas county: (200010), (200020), (400050), (400070), (400090), (400100); and the following blocks in voting district (400110), tract 0008.01, block group 1, in Douglas county: block 015; and the following voting districts in Douglas county: (900020), (900100), (900110), (900120), (900130), (900140), (900160); and the following voting districts in Leavenworth county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (000300), (000310), (000320), (000350), (000360), (000370), (000380), (000390), (900010), (900020), (900030), (900080).

Sec. 137. Senatorial district 4 shall consist of the following voting districts in Wyandotte county: (600090), (600100); and the following blocks in voting district (600110), tract 0400.01, block group 1, in Wyandotte county: block 126; and the following blocks in voting district (600110), tract 0400.02, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 041, block 042, block 043, block 044, block 050; and the following blocks in voting district (600110), tract 0418.00, block group 1, in Wyandotte county: block 017, block 031; and the following blocks in voting district (600110), tract 0419.00, block group 1, in Wyandotte county: block 000, block 006, block 007; and the following blocks in voting district (600110), tract 0419.00, block group 2, in Wyandotte county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 034; and the following blocks in voting district (600110), tract 0425.01, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following voting districts in Wyandotte county: (600120), (600130), (600140), (600150), (600160), (600170), (600180), (600190), (600200),

(600210), (600220), (600230), (600240); and the following blocks in voting district (600250), tract 0419.00, block group 2, in Wyandotte county: block 010, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (600250), tract 0420.02, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (600250), tract 0424.00, block group 2, in Wyandotte county: block 001; and the following blocks in voting district (600250), tract 0425.01, block group 1, in Wyandotte county: block 023, block 024, block 025, block 026; and the following blocks in voting district (600260), tract 0420.02, block group 1, in Wyandotte county: block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (600260), tract 0420.02, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (600270), tract 0421.00, block group 3, in Wyandotte county: block 010, block 011, block 013, block 014, block 015; and the following blocks in voting district (600290), tract 0421.00, block group 1, in Wyandotte county: block 009, block 010, block 011, block 012; and the following blocks in voting district (600290), tract 0421.00, block group 3, in Wyandotte county: block 006, block 007, block 008, block 009; and the following voting districts in Wyandotte county: (600450), (600460), (600470); and the following blocks in voting district (600480), tract 0415.00, block group 1, in Wyandotte county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 036, block 038; and the following blocks in voting district (600480), tract 0415.00, block group 2, in Wyandotte county: block 017, block 018, block 019, block 020, block 023, block 024; and the following blocks in voting district (600480), tract 0425.02, block group 1, in Wyandotte county: block 015, block 095; and the following blocks in voting district (600480), tract 0439.05, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 038, block 039, block 063, block 065; and the following voting districts in Wyandotte county: (600500); and the following blocks in voting district (600520), tract 0439.05, block group 1, in Wyandotte county: block 014, block 017, block 018, block 022; and the following blocks in voting district (600520), tract 0441.01, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following voting districts in Wyandotte county: (600590), (600600), (600610), (600620), (600630), (600640), (600650), (600660), (600670), (600680), (600690), (600700), (600710), (600720), (600870), (600880), (600890), (600900), (600910), (600920), (600940), (600950), (600970), (600980), (600990), (601000).

Sec. 138. Senatorial district 5 shall consist of the following voting districts in

Leavenworth county: (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (00017A), (00017B), (000180), (00019A), (00019B), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (00027A), (000280), (00029A), (00029C), (00029D), (000330), (000340), (300010), (800010), (900040), (900050), (900060); and the following blocks in voting district (600040), tract 0448.05, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 041, block 042, block 043; and the following blocks in voting district (600040), tract 0448.06, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028; and the following voting districts in Wyandotte county: (600530); and the following blocks in voting district (600540), tract 0441.02, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600550), tract 0441.02, block group 1, in Wyandotte county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020; and the following blocks in voting district (600550), tract 0447.04, block group 2, in Wyandotte county: block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 055; and the following voting districts in Wyandotte county: (600730), (600740), (600750); and the following blocks in voting district (600760), tract 0447.03, block group 1, in Wyandotte county: block 028, block 029, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 101, block 104, block 106; and the following blocks in voting district (600760), tract 0447.04, block group 2, in Wyandotte county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 040, block 041, block 044, block 045, block 046, block 047; and the following blocks in voting district (600760), tract 0448.03, block group 2, in Wyandotte county: block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block

065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 098, block 099; and the following voting districts in Wyandotte county: (600930), (600960), (601010), (601020), (601030), (601040), (601050), (601060), (601070), (601080), (601090), (601100).

Sec. 139. Senatorial district 6 shall consist of the following blocks in voting district (000920), tract 0522.01, block group 1, in Johnson county: block 000, block 025; and the following blocks in voting district (001540), tract 0522.01, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 023, block 024, block 030, block 031; and the following voting districts in Johnson county: (900490), (900500); and the following blocks in voting district (900510), tract 0522.01, block group 2, in Johnson county: block 013, block 019, block 020; and the following blocks in voting district (900510), tract 0522.01, block group 3, in Johnson county: block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 021; and the following blocks in voting district (900520), tract 0522.01, block group 2, in Johnson county: block 014, block 017, block 018; and the following voting districts in Wyandotte county: (600010), (600020), (600030); and the following blocks in voting district (600040), tract 0448.05, block group 1, in Wyandotte county: block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 026, block 030, block 032, block 033, block 034, block 035, block 036; and the following blocks in voting district (600040), tract 0448.06, block group 1, in Wyandotte county: block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 075, block 079, block 080, block 081, block 085, block 086, block 088, block 089, block 090, block 091, block 092; and the following voting districts in Wyandotte county: (600050), (600060), (600070), (600080); and the following blocks in voting district (600110), tract 0400.02, block group 1, in Wyandotte county: block 037, block 038, block 039, block 040, block 045, block 046, block 047, block 048, block 049, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063; and the following blocks in voting district (600250), tract 0424.00, block group 2, in Wyandotte county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (600250), tract 0424.00, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (600250), tract 0425.01, block group 1, in Wyandotte county: block 014, block 015, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 120, block 121,

block 122, block 123, block 124, block 125; and the following blocks in voting district (600260), tract 0424.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 006; and the following blocks in voting district (600270), tract 0423.00, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 012, block 013, block 014, block 015; and the following blocks in voting district (600270), tract 0423.00, block group 3, in Wyandotte county: block 000, block 001, block 002, block 005, block 009, block 024; and the following voting districts in Wyandotte county: (600280); and the following blocks in voting district (600290), tract 0423.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600290), tract 0423.00, block group 2, in Wyandotte county: block 004, block 005, block 006, block 007, block 008, block 009; and the following voting districts in Wyandotte county: (600300), (600310), (600320), (600330), (600340), (600350), (600360), (600370), (600380), (600390), (600400), (600410), (600420), (600430), (600440); and the following blocks in voting district (600480), tract 0439.05, block group 2, in Wyandotte county: block 032, block 033, block 034, block 036, block 037, block 040, block 041, block 042, block 043, block 044, block 045, block 050, block 051, block 052, block 053, block 054, block 055, block 061, block 062; and the following voting districts in Wyandotte county: (600490), (600510); and the following blocks in voting district (600520), tract 0440.01, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (600520), tract 0440.01, block group 3, in Wyandotte county: block 026, block 028; and the following blocks in voting district (600540), tract 0440.01, block group 1, in Wyandotte county: block 000, block 001, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 024, block 025, block 026; and the following blocks in voting district (600550), tract 0440.01, block group 1, in Wyandotte county: block 002, block 003; and the following voting districts in Wyandotte county: (600560), (600570), (600580); and the following blocks in voting district (600760), tract 0447.03, block group 1, in Wyandotte county: block 078, block 086, block 087, block 098, block 099, block 100, block 102, block 103, block 108; and the following blocks in voting district (600760), tract 0447.04, block group 2, in Wyandotte county: block 042, block 043, block 048, block 049, block 050, block 051, block 052, block 053; and the following voting districts in Wyandotte county: (600770), (600780), (600790), (600800), (600810), (600820), (600830), (600840), (600850), (600860).

Sec. 140. Senatorial district 7 shall consist of the following voting districts in Johnson county: (000100), (000110), (000120), (000130), (000200), (000210), (000220), (000230), (000840), (000850), (000860), (000870), (000880), (000890), (000900), (000910); and the following blocks in voting district (000920), tract 0503.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (000920), tract 0503.01, block group 2, in Johnson county: block 000, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following voting

districts in Johnson county: (000930), (000940), (000950), (000960), (000970); and the following blocks in voting district (001540), tract 0504.00, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 014, block 015; and the following blocks in voting district (001540), tract 0504.00, block group 3, in Johnson county: block 001, block 002, block 003, block 021; and the following voting districts in Johnson county: (001550), (001560), (001590), (001600), (001700), (001720), (001770), (001830), (002280), (002290), (002500), (002510), (002520), (002530), (002540), (002550), (002560), (002570), (002580), (002590), (002600), (002610), (002620), (002630), (002640), (002650), (002660), (002670), (002680), (002690), (002700), (002710), (002720), (002730), (002740), (002750), (003130), (003140), (003150); and the following blocks in voting district (900520), tract 0521.01, block group 1, in Johnson county: block 003; and the following voting districts in Johnson county: (900990), (901320).

Sec. 141. Senatorial district 8 shall consist of the following voting districts in Johnson county: (000630), (000640), (000650), (001490), (001690); and the following blocks in voting district (001710), tract 0512.00, block group 1, in Johnson county: block 028, block 029, block 030, block 031, block 032; and the following voting districts in Johnson county: (001730), (001740), (001750), (001760), (001780), (001790), (001800), (001810), (001820), (001840), (001850), (001860), (001870), (001880), (001890); and the following blocks in voting district (001900), tract 0518.05, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (001900), tract 0532.01, block group 1, in Johnson county: block 018; and the following voting districts in Johnson county: (001910), (001920), (001930), (001940), (001950), (001960), (001970), (001980), (001990), (002000), (002010), (002020), (002030), (002040), (002050), (002060), (002070), (002080), (002120), (002130), (002140), (002150), (00217B), (002300), (002310), (002320); and the following blocks in voting district (002340), tract 0518.06, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (002350), tract 0518.06, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (002380), tract 0531.02, block group 2, in Johnson county: block 009, block 010, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (900460), tract 0530.05, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (901050), tract 0530.08, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 015; and the following blocks in voting district (901050), tract 0530.08, block group 2, in Johnson county: block 000, block 015.

Sec. 142. Senatorial district 9 shall consist of the following voting districts in Johnson county: (000070), (000080), (000560); and the following blocks in voting district (001000), tract 0535.55, block group 1, in Johnson county: block 012, block 013, block 014, block 015, block 020, block 021, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (001000), tract 0535.55, block group 2, in Johnson county: block 009, block 014, block 015, block 016; and the following blocks in voting district (001000), tract 0535.55, block group 3, in Johnson county: block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (001090), tract 0535.55, block group 1, in Johnson county: block 016, block 017, block 018, block 019, block 022, block 023; and the following blocks in voting district (001090), tract 0536.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (001090), tract 0536.01, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 024, block 025, block 026, block 027, block 028, block 029; and the following voting districts in Johnson county: (001130), (001150), (001160), (00117A), (00117B), (001200), (001210), (001220), (001240), (001250), (001260), (001280), (001290); and the following blocks in voting district (001420), tract 0529.05, block group 1, in Johnson county: block 020, block 021, block 022; and the following voting districts in Johnson county: (001520), (00153J), (00153K); and the following blocks in voting district (002980), tract 0526.03, block group 2, in Johnson county: block 018; and the following voting districts in Johnson county: (003000), (003010), (003020), (004070), (004080), (004090), (004100), (004140), (004180), (900040), (900050), (900060), (900390), (900420), (900640), (900660), (900670), (900680), (900700), (900720), (900730), (900740), (900750), (900760); and the following blocks in voting district (900870), tract 0529.10, block group 1, in Johnson county: block 019, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039; and the following blocks in voting district (901360), tract 0526.03, block group 2, in Johnson county: block 008, block 009; and the following voting districts in Johnson county: (901370), (901380), (901400); and the following blocks in voting district (901550), tract 0535.55, block group 1, in Johnson county: block 029, block 030, block 031, block 032; and the following blocks in voting district (901550), tract 0535.57, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (901550), tract 0535.57, block group 2, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 014; and the following blocks in voting district (901650), tract 0528.02, block group 4, in Johnson county: block 002, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 032; and the following voting districts in Johnson county: (901660), (901670); and the following blocks in voting district (901700), tract 0529.05, block group 1, in Johnson county: block 000, block 001, block

002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 023; and the following blocks in voting district (901700), tract 0529.05, block group 2, in Johnson county: block 008, block 009, block 010, block 011, block 012, block 017, block 018, block 019; and the following blocks in voting district (901700), tract 0529.08, block group 4, in Johnson county: block 004; and the following voting districts in Johnson county: (901720); and the following blocks in voting district (901810), tract 0536.02, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 006, block 007, block 008, block 009, block 010, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 035, block 036; and the following voting districts in Johnson county: (901850), (901910), (901930), (901940).

Sec. 143. Senatorial district 10 shall consist of the following voting districts in Johnson county: (000190); and the following blocks in voting district (000580), tract 0524.18, block group 2, in Johnson county: block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (000580), tract 0524.19, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (000590), tract 9800.02, block group 1, in Johnson county: block 008, block 013, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following voting districts in Johnson county: (001570), (001580), (001610), (001620), (001630), (001640), (001650), (001660), (001670), (001680); and the following blocks in voting district (001710), tract 0512.00, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (001710), tract 0512.00, block group 2, in Johnson county: block 000; and the following blocks in voting district (001710), tract 0512.00, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 009, block 010, block 011, block 012, block 013, block 028, block 029, block 030; and the following voting districts in Johnson county: (002760), (002770), (002780), (002790), (002800), (002810), (002820), (002830), (002850), (002860), (002870), (002880), (002890), (002900), (002910), (002920), (002960); and the following blocks in voting district (002980), tract 0526.03, block group 1, in Johnson county: block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (002980), tract 0526.03, block group 2, in Johnson county: block 017, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032; and the following voting districts in Johnson county: (002990), (003040), (003050), (003060), (003070), (003080), (900030); and the following blocks in voting district (900510), tract 0521.01, block group 1, in Johnson county: block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 043, block 047; and the following blocks in voting district (900520), tract 0521.01, block group 1, in Johnson county: block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block

015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 041, block 042, block 044, block 045, block 046, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066; and the following voting districts in Johnson county: (900530), (900540), (900550), (900560), (901330), (901340), (901350); and the following blocks in voting district (901360), tract 0526.03, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Johnson county: (901390); and the following voting districts in Wyandotte county: (601110).

Sec. 144. Senatorial district 11 shall consist of the following voting districts in Johnson county: (000240), (000270), (000350), (000370); and the following blocks in voting district (001900), tract 0518.05, block group 4, in Johnson county: block 028, block 029; and the following blocks in voting district (001900), tract 0532.01, block group 1, in Johnson county: block 017; and the following voting districts in Johnson county: (002090), (002160), (002180), (002190), (002200), (002210), (00222B), (002230), (002240), (002330); and the following blocks in voting district (002340), tract 0518.06, block group 5, in Johnson county: block 003, block 004, block 005, block 006, block 015, block 016, block 017, block 018, block 019, block 023, block 024, block 025; and the following blocks in voting district (002350), tract 0518.06, block group 5, in Johnson county: block 000, block 001, block 002, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 020, block 021, block 022; and the following voting districts in Johnson county: (002370); and the following blocks in voting district (002380), tract 0531.05, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following voting districts in Johnson county: (002390), (002400), (002410), (00242A), (00242B), (900190), (900200), (900210), (900220), (900230), (900240), (900250), (900260), (900270), (900280); and the following blocks in voting district (900290), tract 0534.10, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 021, block 022; and the following voting districts in Johnson county: (900300), (900310), (900320), (900330), (900340), (901020), (901040), (901060), (901070), (901080), (901090), (901100), (901110); and the following blocks in voting district (901160), tract 0534.10, block group 4, in Johnson county: block 010, block 017, block 018, block 019, block 020, block 023, block 024.

Sec. 145. Senatorial district 12 shall consist of the following voting districts in Franklin county: (000010), (000020), (000030), (000040), (000050); and the following blocks in voting district (000060), tract 9541.00, block group 5, in Franklin county: block 133, block 134, block 135, block 137, block 138, block 139, block 140, block 145, block 174, block 175, block 176, block 177, block 193; and the following blocks in voting district (000060), tract 9541.00, block group 6, in Franklin county: block 006, block 007, block 008, block 014, block 017, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block

058, block 059, block 064, block 069, block 070, block 071, block 072, block 073, block 076, block 078, block 079, block 082, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 138, block 144, block 188, block 189, block 191, block 193, block 194; and the following voting districts in Franklin county: (000070), (000080); and the following blocks in voting district (000090), tract 9545.00, block group 4, in Franklin county: block 019, block 023, block 078; and the following voting districts in Franklin county: (000100); and the following blocks in voting district (000110), tract 9545.00, block group 2, in Franklin county: block 162, block 164, block 166, block 167, block 168, block 169, block 171, block 172, block 173; and the following blocks in voting district (000110), tract 9545.00, block group 3, in Franklin county: block 018, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 063, block 064; and the following blocks in voting district (000110), tract 9545.00, block group 4, in Franklin county: block 066, block 067, block 068, block 069, block 070, block 071, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 145, block 147, block 148, block 149, block 150, block 151; and the following blocks in voting district (000110), tract 9545.00, block group 5, in Franklin county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 019, block 027, block 028, block 029; and the following voting districts in Franklin county: (00012A), (00013A), (00013B), (00013C), (000140), (000150), (000160), (000170), (000180), (000190), (00020A), (000210), (000220), (000230); and the following blocks in voting district (000240), tract 9545.00, block group 3, in Franklin county: block 058, block 059, block 060, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 094, block 186, block 187, block 188, block 189, block 190, block 191, block 192; and the following blocks in voting district (000240), tract 9545.00, block group 5, in Franklin county: block 026, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block

104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114; and the following voting districts in Franklin county: (900010); and all of Linn county; and all of Miami county.

Sec. 146. Senatorial district 13 shall consist of the following blocks in voting district (000020), tract 9526.00, block group 1, in Allen county: block 566, block 567, block 568, block 569, block 570, block 576, block 577, block 578, block 579, block 580, block 581, block 582, block 583, block 584, block 608, block 609, block 610, block 611, block 612, block 613, block 614, block 615, block 616, block 617, block 618, block 619, block 620, block 621, block 622, block 623, block 624, block 625, block 626, block 627, block 628, block 721, block 726, block 727, block 728, block 729, block 730, block 731, block 732, block 733, block 734, block 736; and the following blocks in voting district (000020), tract 9530.00, block group 1, in Allen county: block 196, block 197, block 198, block 199, block 201, block 231, block 242, block 243, block 244, block 245, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286; and the following voting districts in Allen county: (000030), (000040); and the following blocks in voting district (00006A), tract 9530.00, block group 1, in Allen county: block 101, block 102, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 121, block 122, block 123, block 126, block 162, block 163, block 164, block 165, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 288; and the following blocks in voting district (00006A), tract 9530.00, block group 2, in Allen county: block 040; and the following voting districts in Allen county: (000140), (000150), (000170), (000180), (000190); and all of Bourbon county; and the following voting districts in Cherokee county: (000050), (00010B), (000110), (000120), (00013A), (00013B), (00013C), (00013D), (000140), (00015A), (00015B), (000160), (000170), (00018A), (00018B), (00018C), (000200), (000220), (000250), (000260), (000270), (000280), (000290), (000310), (000320), (000330), (000340), (000350), (00039A), (000400), (000410), (00042A), (00042B); and all of Crawford county.

Sec. 147. Senatorial district 14 shall consist of the following voting districts in Cherokee county: (000010), (000020), (000030), (00004A), (00004B), (000060), (000070), (000080), (000090), (00010A), (000190), (000210), (000230), (000240), (00030A), (00030B), (000360), (00037A), (00037B), (00037C), (000380); and all of Labette county; and the following voting districts in Montgomery county: (00001A), (00001B), (00001C), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000250), (000260), (000430), (00044A), (00044B), (00044C), (900010), (900020), (900030), (900040); and the following voting districts in Neosho county: (000010), (00002A), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (00012A), (00012B), (00012C), (000130), (000140), (000150), (000160), (000170), (000180); and the following blocks in voting district (000190), tract 9516.00, block group 4, in Neosho county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 012, block 013,

block 014, block 015, block 016, block 017, block 018, block 019, block 022, block 023, block 032, block 033, block 034; and the following blocks in voting district (000190), tract 9517.00, block group 1, in Neosho county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 056, block 057, block 059; and the following blocks in voting district (000190), tract 9517.00, block group 2, in Neosho county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 020, block 023, block 024, block 030, block 031, block 036, block 073, block 079; and the following voting districts in Neosho county: (000200), (000210), (00022A), (00022B), (00022C), (00022D), (000230), (000240), (900010), (900020).

Sec. 148. Senatorial district 15 shall consist of the following voting districts in Allen county: (000010); and the following blocks in voting district (000020), tract 9530.00, block group 1, in Allen county: block 200, block 202, block 203, block 204, block 205, block 206, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 232, block 233, block 234, block 236, block 240, block 241, block 274, block 275; and the following blocks in voting district (000020), tract 9530.00, block group 4, in Allen county: block 133, block 134, block 135, block 159, block 160, block 161; and the following voting districts in Allen county: (000050); and the following blocks in voting district (00006A), tract 9530.00, block group 1, in Allen county: block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 103, block 104, block 105, block 106, block 107, block 124, block 125, block 127, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 289, block 290; and the following blocks in voting district (00006A), tract 9530.00, block group 2, in Allen county: block 000, block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 015, block 016, block 018, block 033, block 034, block 035, block 036, block 039, block 049, block 095, block 105, block 106; and the following blocks in voting district (00006A), tract 9530.00, block group 4, in Allen county: block 000, block 001, block 002, block 013, block 014, block 015, block 064, block 087, block 093, block 095, block 096, block 097, block 099, block 100, block 101, block 102, block 104, block 105, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 124, block 125, block 126, block 127, block 128, block 129, block 131, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 158, block 163; and the following voting districts in Allen county: (00006B), (00006C), (000070), (000080), (000090), (00010A), (00010B), (000110), (000120), (000130), (00016A), (00016B), (00016C), (00020A), (00020B), (000210); and all of Anderson county; and all of Chautauqua county; and the following voting districts in Coffey county: (000010), (000020), (000030), (00004A), (00004B), (00005A), (00005B), (00005C), (000060); and the following blocks in voting district (000070), tract 9661.00, block group 1, in Coffey county: block 167, block 171; and the following voting districts in Coffey county:

(000080), (000090); and the following blocks in voting district (000100), tract 9662.00, block group 2, in Coffey county: block 017, block 018, block 083; and the following blocks in voting district (000100), tract 9662.00, block group 3, in Coffey county: block 213, block 253, block 254, block 255, block 256, block 258, block 259, block 260, block 261, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 303, block 305, block 306, block 320, block 327; and the following voting districts in Coffey county: (000110), (000120), (000130), (000140); and the following blocks in voting district (000150), tract 9661.00, block group 1, in Coffey county: block 158; and the following voting districts in Coffey county: (000160), (000170), (900010), (900020), (900030); and all of Elk county; and the following blocks in voting district (000060), tract 9541.00, block group 6, in Franklin county: block 101, block 102, block 103, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 123, block 153, block 154, block 155, block 156, block 157; and the following blocks in voting district (000090), tract 9541.00, block group 6, in Franklin county: block 134, block 135, block 136, block 137, block 139, block 140, block 141, block 142, block 143, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 174, block 175, block 177, block 186; and the following blocks in voting district (000090), tract 9545.00, block group 4, in Franklin county: block 018, block 020, block 021, block 022, block 048, block 072, block 073, block 074, block 075, block 076, block 077, block 094, block 095, block 096, block 097, block 141, block 142, block 143, block 144; and the following blocks in voting district (000090), tract 9545.00, block group 6, in Franklin county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 049, block 050, block 051, block 052, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 090, block 091, block 092, block 093, block 216; and the following blocks in voting district (000110), tract 9545.00, block group 4, in Franklin county: block 093; and the following blocks in voting district (000110), tract 9545.00, block group 5, in Franklin county: block 020, block 021, block 022, block 023; and the following blocks in voting district (000240), tract 9545.00, block group 5, in Franklin county: block 018, block 024, block 025, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 115; and the following blocks in voting district (000240), tract 9545.00, block group 6, in Franklin county: block 167, block 168, block 169, block 170, block 171; and the following voting districts in Franklin county: (000250); and all of Greenwood county; and the following voting districts in Montgomery county: (000240), (000270), (000280), (000290), (000300), (000310), (00032A), (00032B), (000330), (000340), (000350), (000360), (000370), (000380), (000390), (00040A), (00040B), (00040C), (000410), (000420), (000450), (000460), (000470), (900050), (900060); and the

following blocks in voting district (000190), tract 9516.00, block group 4, in Neosho county: block 010, block 011; and the following blocks in voting district (000190), tract 9517.00, block group 1, in Neosho county: block 000; and all of Wilson county; and all of Woodson county.

Sec. 149. Senatorial district 16 shall consist of all of Butler county; and the following blocks in voting district (500490), tract 0101.06, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 017, block 032, block 038, block 040, block 041; and the following blocks in voting district (500490), tract 0101.16, block group 1, in Sedgwick county: block 139, block 140, block 159, block 160, block 161, block 162, block 163, block 164, block 179, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 198, block 199, block 200, block 202, block 203; and the following blocks in voting district (500490), tract 0108.02, block group 1, in Sedgwick county: block 000, block 001, block 002, block 035, block 036, block 037, block 038, block 040, block 041, block 046, block 047, block 048, block 050, block 051, block 052, block 053; and the following voting districts in Sedgwick county: (500500), (500510), (500520); and the following blocks in voting district (500530), tract 0101.15, block group 1, in Sedgwick county: block 028, block 029; and the following blocks in voting district (500530), tract 0101.16, block group 1, in Sedgwick county: block 166, block 174, block 175, block 176, block 180, block 181; and the following blocks in voting district (500540), tract 0101.15, block group 1, in Sedgwick county: block 008, block 009, block 022, block 023, block 024, block 025, block 037, block 038, block 039, block 094, block 095, block 099, block 100, block 101, block 125, block 126, block 127; and the following blocks in voting district (500540), tract 0101.16, block group 1, in Sedgwick county: block 169, block 171, block 173; and the following blocks in voting district (500560), tract 0101.15, block group 1, in Sedgwick county: block 116; and the following voting districts in Sedgwick county: (500710); and the following blocks in voting district (502240), tract 0101.11, block group 1, in Sedgwick county: block 000, block 001, block 023, block 028; and the following blocks in voting district (502240), tract 0101.16, block group 1, in Sedgwick county: block 209, block 210, block 215, block 216; and the following voting districts in Sedgwick county: (502250); and the following blocks in voting district (503020), tract 0100.01, block group 2, in Sedgwick county: block 000; and the following blocks in voting district (503020), tract 0101.15, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 107, block 108, block 109, block 110, block 115, block 121, block 122, block 123, block 124; and the following blocks in voting district (503020), tract 0101.16, block group 1, in Sedgwick county: block 167, block 168, block 194; and the following blocks in voting district (503090), tract 0101.15, block group 1, in Sedgwick county: block 026, block 027; and the following blocks in voting district (503090), tract 0101.16, block group 1, in Sedgwick county: block 172; and the following voting districts in Sedgwick county: (503110); and the following blocks in voting district (503160), tract 0101.15, block group 1, in Sedgwick county: block 030, block 031; and the following blocks in voting district (503160), tract 0101.16, block group 1, in Sedgwick county: block 183; and the following blocks in voting district (503530), tract 0101.16, block group 1, in Sedgwick county: block 096, block 097, block 110, block 111, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 123, block 124,

block 132, block 133, block 134, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 158, block 170; and the following blocks in voting district (503550), tract 0101.16, block group 1, in Sedgwick county: block 211; and the following voting districts in Sedgwick county: (503560), (503580), (530540), (700490); and the following blocks in voting district (700530), tract 0101.15, block group 1, in Sedgwick county: block 072, block 073, block 074, block 076; and the following voting districts in Sedgwick county: (700620), (700660), (700670), (900010).

Sec. 150. Senatorial district 17 shall consist of all of Chase county; and the following blocks in voting district (000070), tract 9661.00, block group 1, in Coffey county: block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 092, block 093, block 094, block 095, block 096, block 097, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 168, block 169, block 170, block 174, block 175; and the following blocks in voting district (000070), tract 9662.00, block group 3, in Coffey county: block 000, block 001, block 002, block 003, block 004, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 314, block 315, block 316, block 317, block 326; and the following blocks in voting district (000100), tract 9662.00, block group 3, in Coffey county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 207, block 208, block 209, block 210, block

211, block 212, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 257, block 262, block 263, block 304, block 307, block 308, block 309, block 310, block 311, block 312, block 313, block 318, block 319, block 321, block 322, block 323, block 324, block 325, block 328, block 329, block 330; and the following blocks in voting district (000150), tract 9661.00, block group 1, in Coffey county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 172, block 173, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219; and the following voting districts in Dickinson county: (000060), (000080), (000120), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000230), (000240), (000250), (000270), (000280), (000300), (000310); and all of Lyon county; and all of Marion county; and all of Morris county; and the following voting districts in Osage county: (000010), (000020), (000030), (000060), (000080), (000090), (000100), (000130), (000140), (000220); and the following blocks in voting district (000230), tract 0103.00, block group 1, in Osage county: block 116, block 117, block 124, block 125, block 126, block 140, block 145, block 148, block 149; and the following voting districts in Osage county: (000240).

Sec. 151. Senatorial district 18 shall consist of the following voting districts in Shawnee county: (000090), (000150); and the following blocks in voting district (000250), tract 0008.00, block group 1, in Shawnee county: block 076, block 082, block 083; and the following blocks in voting district (000260), tract 0008.00, block group 1, in Shawnee county: block 081, block 091; and the following voting districts in Shawnee county: (000330), (000350), (000410), (000420), (000430), (000440); and the following

blocks in voting district (000480), tract 0008.00, block group 1, in Shawnee county: block 085, block 096; and the following voting districts in Shawnee county: (000590), (000600), (000610), (000630), (000640), (000650), (000660), (000740), (001040), (001050), (001060), (001070), (001080), (001090), (001100), (001120), (001130), (001140), (001150), (001160), (001170), (001180), (001190), (001210), (001220); and the following blocks in voting district (001230), tract 0019.00, block group 1, in Shawnee county: block 025, block 026; and the following blocks in voting district (001230), tract 0019.00, block group 2, in Shawnee county: block 000, block 001, block 007, block 008, block 009, block 010, block 017, block 018; and the following voting districts in Shawnee county: (001360), (001370), (001380), (001410), (001460), (001760), (001850), (001880), (001890), (100050), (200010), (200020), (200120), (200140), (400070), (400100), (400110), (500010); and the following blocks in voting district (500110), tract 0036.07, block group 3, in Shawnee county: block 004, block 024, block 025; and the following voting districts in Shawnee county: (600010), (600020); and the following blocks in voting district (600030), tract 0004.00, block group 1, in Shawnee county: block 000, block 001; and the following blocks in voting district (600030), tract 0005.00, block group 2, in Shawnee county: block 010, block 011; and the following blocks in voting district (600030), tract 0040.00, block group 3, in Shawnee county: block 011, block 012; and the following voting districts in Shawnee county: (600050), (600060), (600150), (600160), (600220), (600230), (600240), (600340), (600350), (600360), (600370), (600380), (600390), (600470), (600510), (600530), (600570), (600580), (800020), (800030), (900030), (900040), (900050); and all of Wabaunsee county.

Sec. 152. Senatorial district 19 shall consist of the following blocks in voting district (000010), tract 0014.00, block group 2, in Douglas county: block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 038, block 043; and the following blocks in voting district (000030), tract 0008.01, block group 1, in Douglas county: block 007, block 009, block 010, block 012, block 046; and the following blocks in voting district (000030), tract 0014.00, block group 1, in Douglas county: block 009, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 029, block 030, block 031, block 032, block 034, block 035, block 036, block 038, block 039, block 040, block 062, block 092, block 093, block 094; and the following blocks in voting district (000030), tract 0014.00, block group 2, in Douglas county: block 136, block 145, block 146, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 193, block 194, block 195, block 196, block 197, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 228; and the following blocks in voting district (000030), tract 0014.00, block group 3, in Douglas county: block 000, block 001, block 002, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block

049, block 050, block 051, block 055, block 070, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 220, block 221, block 224, block 225; and the following blocks in voting district (00006A), tract 0006.03, block group 1, in Douglas county: block 059, block 061, block 062, block 063, block 064; and the following blocks in voting district (00006A), tract 0014.00, block group 2, in Douglas county: block 000, block 001, block 004, block 005, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 042, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 198, block 199, block 225, block 226, block 227, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237; and the following blocks in voting district (00006A), tract 0014.00, block group 3, in Douglas county: block 003, block 004, block 005, block 006, block 007, block 008, block 222; and the following blocks in voting district (000200), tract 0009.02, block group 1, in Douglas county: block 040; and the following blocks in voting district (00053A), tract 0008.01, block group 1, in Douglas county: block 011, block 031, block 032, block 033, block 035, block 036, block 037, block 044, block 045, block 047; and the following blocks in voting district (00053A), tract 0014.00, block group 1, in Douglas county: block 006, block 007, block 008; and the following blocks in voting district (000560), tract 0008.01, block group 1, in Douglas county: block 008; and the following blocks in voting district (000580), tract 0014.00, block group 2, in Douglas county: block 006, block 007, block 037, block 039, block 040, block 041; and the following voting districts in Douglas county: (000590); and the following blocks in voting district (00067A), tract 0008.01, block group 1, in Douglas county: block 040, block 041, block 042; and the following blocks in voting district (00067A), tract 0008.02, block group 2, in Douglas county: block 016, block 017, block 019, block 020, block 021, block 022; and the following blocks in voting district (00067A), tract 0009.02, block group 1, in Douglas county: block 038, block 039; and the following blocks in voting district (00067A), tract 0012.01, block group 1, in Douglas county: block 073, block 074, block 075, block 076; and the following blocks in voting district (00067A), tract 0014.00,

block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 010, block 011, block 012, block 013, block 014, block 015, block 025, block 026, block 027, block 028, block 037, block 045, block 046, block 047; and the following blocks in voting district (000680), tract 0014.00, block group 1, in Douglas county: block 033, block 041, block 042, block 043, block 044, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 063, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 090, block 091; and the following blocks in voting district (000680), tract 0014.00, block group 3, in Douglas county: block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 188, block 189, block 190, block 191, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 219; and the following blocks in voting district (400110), tract 0008.01, block group 1, in Douglas county: block 013, block 014, block 034; and the following voting districts in Douglas county: (900010); and the following voting districts in Jefferson county: (000040); and the following voting districts in Osage county: (000007), (000040), (000050), (000110), (000120), (000150), (000160), (000170), (000180), (000190), (000200), (000210); and the following blocks in voting district (000230), tract 0103.00, block group 1, in Osage county: block 062, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 118, block 119, block 120, block 121, block 122, block 123, block 129, block 130, block 146, block 147, block 176, block 177, block 178, block 187, block 570, block 573, block 579, block 580; and the following blocks in voting district (000230), tract 0104.00, block group 1, in Osage county: block 002, block 003, block 006, block 008, block 009, block 012, block 014; and the following blocks in voting district (000230), tract 0104.00, block group 2, in Osage county: block 001, block 002, block 003, block 006, block 010, block 013, block 015, block 078, block 094, block 095; and the following voting districts in Osage county: (900010), (900020), (900030), (900040); and the following voting districts in Shawnee county: (000080), (000180), (000190); and the following blocks in voting district (000250), tract 0008.00, block group 1, in Shawnee county: block 089; and the following blocks in voting district (000250), tract 0009.00, block group 4, in Shawnee county: block 012, block 013; and the following blocks in voting district (000260), tract 0008.00, block group 1, in Shawnee county: block 090; and the following blocks in voting district (000260), tract 0009.00, block group 4, in Shawnee county: block 000, block 001, block 002, block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 015, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 026, block 030, block 041, block 045, block 046, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 063, block 064, block 076, block 078, block 079, block 080; and the following blocks in voting district (000260), tract 0031.00, block group 1, in Shawnee county: block 002, block 003, block 004; and

the following blocks in voting district (000260), tract 0039.01, block group 1, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 018, block 019, block 021, block 022; and the following blocks in voting district (000260), tract 0039.01, block group 3, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 011; and the following voting districts in Shawnee county: (000270), (000280), (000290), (000300), (000310), (000370); and the following blocks in voting district (000480), tract 0008.00, block group 1, in Shawnee county: block 086; and the following blocks in voting district (000480), tract 0009.00, block group 1, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (000480), tract 0009.00, block group 2, in Shawnee county: block 000, block 001, block 002, block 003; and the following blocks in voting district (000480), tract 0009.00, block group 3, in Shawnee county: block 000, block 001, block 002, block 003; and the following blocks in voting district (000480), tract 0009.00, block group 4, in Shawnee county: block 003, block 005, block 014, block 016, block 017, block 025, block 027, block 028, block 029, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 042, block 043, block 044, block 077; and the following voting districts in Shawnee county: (000490), (000500), (000510), (000520), (000530), (000540), (000550), (000560), (000570), (000580), (000690), (000700), (000710), (000750), (000760), (000770), (000780), (000790), (000800), (000820), (000830), (000840), (000850), (000860), (000870), (000880), (000890), (000910), (000920), (000930), (000940), (000950), (001010), (001910), (100060), (200090), (500070), (500080), (500120), (500130); and the following blocks in voting district (600030), tract 0004.00, block group 1, in Shawnee county: block 015, block 016; and the following blocks in voting district (600030), tract 0004.00, block group 3, in Shawnee county: block 000, block 001, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600030), tract 0040.00, block group 3, in Shawnee county: block 007, block 008, block 009, block 013, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040; and the following blocks in voting district (600030), tract 0040.00, block group 4, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Shawnee county: (600130), (600140); and the following blocks in voting district (600210), tract 0030.02, block group 2, in Shawnee county: block 017, block 023, block 024, block 025, block 026, block 029, block 030, block 039, block 041, block 042, block 043, block 044, block 046; and the following blocks in voting district (600210), tract 0030.02, block group 3, in Shawnee county: block 048, block 053; and the following voting districts in Shawnee county: (600420), (600430), (600440); and the following blocks in voting district (900020), tract 0030.02, block group 2, in Shawnee county: block 040; and the following blocks in voting district (900020), tract 0030.02, block group 3, in Shawnee county: block 049, block 050.

Sec. 153. Senatorial district 20 shall consist of the following voting districts in

Shawnee county: (000210), (000240), (000340), (000960), (000970), (000980), (000990), (001000), (001030), (001200); and the following blocks in voting district (001230), tract 0019.00, block group 1, in Shawnee county: block 027, block 028; and the following blocks in voting district (001230), tract 0019.00, block group 2, in Shawnee county: block 002, block 005, block 006, block 011, block 016, block 019, block 020, block 021; and the following voting districts in Shawnee county: (001240), (001250), (001260), (001270), (001280), (001290), (001300), (001310), (001320), (001330), (001340), (001350), (001400), (001420), (001430), (001440), (001450), (001470), (001480), (001490), (001500), (001510), (001520), (001530), (001540), (001550), (001560), (001570), (001590), (001600), (001610), (001620), (001630), (001640), (001650), (001670), (001680), (001710), (001720), (001780), (100030), (100040), (200050), (200070), (200080), (200130), (200150), (200160), (300090); and the following blocks in voting district (500110), tract 0036.04, block group 1, in Shawnee county: block 000, block 001; and the following blocks in voting district (500110), tract 0036.07, block group 1, in Shawnee county: block 001, block 028, block 029, block 036, block 040, block 041, block 042, block 051, block 052, block 053; and the following blocks in voting district (500110), tract 0036.07, block group 3, in Shawnee county: block 005, block 006, block 007, block 009, block 023, block 026, block 027, block 031; and the following voting districts in Shawnee county: (500140), (500160), (600040), (600080), (600090), (600110), (600170), (600180), (600190); and the following blocks in voting district (600210), tract 0037.00, block group 4, in Shawnee county: block 004; and the following voting districts in Shawnee county: (600250), (600260), (600270), (600280), (600290), (600300), (600310), (600330), (600490), (600500), (700010), (700020), (800010), (800040), (800060), (800070), (900010); and the following blocks in voting district (900020), tract 0030.02, block group 2, in Shawnee county: block 038, block 045, block 049, block 050, block 051, block 052; and the following blocks in voting district (900020), tract 0037.00, block group 1, in Shawnee county: block 007, block 013, block 076, block 093, block 094, block 105, block 110; and the following blocks in voting district (900020), tract 0037.00, block group 3, in Shawnee county: block 000, block 013, block 022, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (900020), tract 0037.00, block group 4, in Shawnee county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 024, block 025, block 026, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 076, block 082, block 083, block 084, block 148, block 149; and the following voting districts in Shawnee county: (900060), (900070), (900080), (900090).

Sec. 154. Senatorial district 21 shall consist of all of Clay county; and all of Cloud county; and the following voting districts in Geary county: (000010), (00002A); and the following blocks in voting district (00002B), tract 0006.00, block group 3, in Geary county: block 012; and the following blocks in voting district (00002C), tract 0006.00, block group 3, in Geary county: block 032, block 035, block 036, block 037, block 059; and the following blocks in voting district (00002D), tract 0006.00, block group 3, in

Geary county: block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 033, block 034, block 038; and the following blocks in voting district (00002E), tract 0006.00, block group 3, in Geary county: block 015, block 016, block 017, block 018, block 019, block 020, block 039; and the following blocks in voting district (00002F), tract 0006.00, block group 3, in Geary county: block 013, block 014, block 060; and the following voting districts in Geary county: (00002M), (00002O), (00002P), (00002Q), (00002R); and the following blocks in voting district (000040), tract 0007.00, block group 1, in Geary county: block 052, block 053, block 054, block 055, block 056, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 156, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 303, block 304, block 333, block 336, block 337, block 346, block 347, block 348, block 355, block 356, block 357, block 358, block 359, block 389, block 390, block 391, block 392, block 393, block 504, block 508; and the following blocks in voting district (000050), tract 0007.00, block group 1, in Geary county: block 000, block 001, block 002, block 305, block 306, block 307, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 324, block 325, block 326, block 327, block 328, block 329, block 330, block 331, block 332, block 334, block 335, block 338, block 339, block 340, block 341, block 342, block 343, block 344, block 345, block 349, block 350, block 351, block 352, block 353, block 354, block 360, block 361, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 377, block 378, block 495; and the following blocks in voting district (000060), tract 0007.00, block group 1, in Geary county: block 050, block 051, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 081, block 082, block 083, block 084, block 085, block 086, block 090, block 091, block 093, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 150, block 151, block 152, block 153, block 154, block 155, block 157, block 158, block 254, block 255, block 256, block 264, block 494; and the following blocks in voting district (00007A), tract 0007.00, block group 1, in Geary county: block 171, block 173, block 174, block 175, block 176, block 177, block 182, block 183, block 189; and the following blocks in voting district (00013A), tract 0007.00, block group 1, in Geary county: block 186, block 187, block 188; and the following voting districts in Geary county: (00022B); and the following blocks in voting district (000230), tract 0003.00, block group 2, in Geary county: block 012, block 013, block 014; and the following voting districts in Geary county: (000240), (000250), (000270); and the following blocks in voting district (900010), tract 0003.00, block group 2, in Geary county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 015, block 017, block 018, block 022; and the following blocks in voting district (900010), tract 0007.00, block group 1, in Geary county: block 184, block 185, block 220, block 221, block 222, block 236, block 239; and the

following blocks in voting district (900010), tract 0008.00, block group 1, in Geary county: block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 234, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 299, block 301, block 302, block 312, block 313, block 315, block 316, block 334, block 335, block 336, block 337, block 338, block 340; and the following blocks in voting district (900010), tract 0008.00, block group 2, in Geary county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 048, block 049, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 211, block 212, block 213, block 217, block 218, block 219, block 222, block 225, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 312, block 313, block 330, block 332, block 333, block 401, block 402, block 403, block 404; and the following blocks in voting district (900090), tract 0007.00, block group 1, in Geary county: block 087, block 088, block 089, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 172, block 178, block 179, block 180, block 181, block 190, block 197, block 198, block 199, block 206, block 209, block 497, block 498, block 499, block 502; and the following blocks in voting district (900120), tract 0007.00, block group 1, in Geary county: block 223, block 224, block 225, block 237, block 238; and the following blocks in voting district (900120), tract 0008.00, block group 2, in Geary county: block 208, block 209, block 210, block 214, block 215, block 216, block 220, block 221, block 223, block 224, block 226, block 227, block 299; and the following blocks in voting district (900180), tract 0008.00, block group 2, in Geary county: block 089, block 189; and all of Marshall county; and the following blocks in voting district (000010), tract 1766.00, block group 1, in Mitchell county: block 095, block 096, block 097, block 102, block 103, block 104, block 105, block 110, block 111, block 112, block 113, block 114, block 115, block 116,

block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 131, block 132, block 133, block 134, block 135, block 201, block 202, block 213, block 228; and the following voting districts in Mitchell county: (000020), (000030), (000040), (000050); and the following blocks in voting district (00006A), tract 1766.00, block group 1, in Mitchell county: block 079, block 080, block 081, block 098, block 099, block 100, block 101, block 136, block 137, block 138, block 139, block 140, block 141, block 144, block 147, block 148, block 149, block 150, block 151, block 186, block 187, block 190, block 191, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 203, block 205, block 206, block 208, block 397, block 404; and the following blocks in voting district (00006A), tract 1766.00, block group 2, in Mitchell county: block 022, block 023, block 024, block 025, block 051, block 071, block 072, block 074, block 075, block 076, block 077; and the following blocks in voting district (00006A), tract 1766.00, block group 4, in Mitchell county: block 006, block 007, block 008, block 039, block 040, block 041, block 069; and the following blocks in voting district (00006A), tract 1767.00, block group 1, in Mitchell county: block 035, block 036, block 037; and the following voting districts in Mitchell county: (00006B), (00006C), (00006D); and the following blocks in voting district (000090), tract 1767.00, block group 1, in Mitchell county: block 078, block 079, block 080, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 106, block 107, block 108, block 109, block 110, block 125, block 400, block 401; and the following blocks in voting district (000090), tract 1767.00, block group 2, in Mitchell county: block 213, block 214, block 215, block 216, block 217; and the following voting districts in Mitchell county: (000100), (000110), (000150), (000160), (000200), (000220), (000250), (000270); and the following blocks in voting district (000290), tract 1766.00, block group 2, in Mitchell county: block 078, block 079; and the following blocks in voting district (000290), tract 1767.00, block group 1, in Mitchell county: block 000, block 001, block 002, block 003, block 016, block 017, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 056, block 057, block 058, block 059, block 060, block 061; and the following blocks in voting district (000300), tract 1767.00, block group 1, in Mitchell county: block 018, block 019, block 051, block 052, block 053, block 054, block 055, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 074, block 076, block 077, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119; and the following blocks in voting district (000300), tract 1767.00, block group 2, in Mitchell county: block 307, block 308, block 309, block 310, block 311; and the following voting districts in Ottawa county: (000020), (000040), (000050), (000060), (000080), (000090), (000100), (000110), (000120), (000140), (000150), (00016A), (00016B), (000170), (000190), (000200), (000210), (000220), (000230); and the following voting districts in Pottawatomie county: (000020), (000030); and the following blocks in voting district (000050), tract 0004.00, block group 3, in Pottawatomie county: block 021, block 022, block 023, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 177, block 193,

block 194, block 198, block 232, block 423; and the following voting districts in Pottawatomie county: (000080); and the following blocks in voting district (000110), tract 0001.00, block group 1, in Pottawatomie county: block 044, block 045, block 052, block 054, block 055, block 056, block 057, block 058, block 070; and the following blocks in voting district (000110), tract 0001.00, block group 2, in Pottawatomie county: block 086, block 088, block 089, block 090; and the following voting districts in Pottawatomie county: (000120); and the following blocks in voting district (000140), tract 0001.00, block group 2, in Pottawatomie county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 091, block 092, block 093, block 094, block 095, block 096, block 101, block 102, block 185, block 186; and the following blocks in voting district (000140), tract 0004.00, block group 4, in Pottawatomie county: block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 063, block 064, block 065, block 066, block 067, block 068, block 071, block 073, block 074, block 075, block 076, block 078, block 079, block 080, block 081, block 082, block 083, block 165, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 207, block 208, block 209, block 210, block 213, block 215, block 216, block 217, block 218; and the following blocks in voting district (000150), tract 0004.00, block group 3, in Pottawatomie county: block 187, block 188, block 189, block 190, block 191, block 192, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223; and the following blocks in voting district (000150), tract 0004.00, block group 4, in Pottawatomie county: block 010, block 011, block 013, block 017, block 022, block 023, block 024, block 033, block 058; and the following voting districts in Pottawatomie county: (000160), (000180); and the following blocks in voting district (000200), tract 0001.00, block group 2, in Pottawatomie county: block 035, block 062, block 063, block 064, block 067, block 104; and the following blocks in voting district (000200), tract 0001.00, block group 3, in Pottawatomie county: block 007, block 009, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 050, block 060, block 061, block 112, block 114, block 115, block 116, block 117, block 118, block 125, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 149, block 150, block 166, block 169; and the following blocks in voting district (000200), tract 0001.00, block group 4, in Pottawatomie county: block 236, block 238, block 239, block 240, block 241; and the following blocks in voting district (000230), tract 0001.00, block group 1, in Pottawatomie county: block 046,

block 047, block 049, block 050, block 051, block 053; and the following blocks in voting district (000230), tract 0001.00, block group 2, in Pottawatomie county: block 000, block 087; and the following blocks in voting district (000230), tract 0004.00, block group 4, in Pottawatomie county: block 174, block 175, block 178, block 179, block 180, block 211; and the following voting districts in Pottawatomie county: (900030); and all of Republic county; and the following blocks in voting district (000010), tract 0009.00, block group 4, in Riley county: block 049, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058; and the following voting districts in Riley county: (000020), (000030), (000040), (00005A), (00005B); and the following blocks in voting district (000060), tract 0002.00, block group 4, in Riley county: block 025, block 026; and the following blocks in voting district (000060), tract 0013.02, block group 1, in Riley county: block 070, block 076, block 077, block 078, block 079, block 080, block 081, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 150, block 151, block 152, block 162, block 164, block 165, block 167, block 181; and the following blocks in voting district (000060), tract 0013.02, block group 2, in Riley county: block 000, block 001, block 002, block 031, block 032, block 033, block 034, block 084, block 085, block 086, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 156; and the following blocks in voting district (000060), tract 0013.02, block group 3, in Riley county: block 015; and the following blocks in voting district (000060), tract 0013.02, block group 4, in Riley county: block 325; and the following voting districts in Riley county: (000070), (000080); and the following blocks in voting district (00039A), tract 0013.02, block group 1, in Riley county: block 138, block 139, block 140, block 141, block 142, block 143, block 145, block 146, block 147, block 148, block 149, block 182; and the following blocks in voting district (000400), tract 0009.00, block group 4, in Riley county: block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 060, block 116, block 118; and the following blocks in voting district (000420), tract 0002.00, block group 3, in Riley county: block 000, block 012, block 013, block 014, block 015, block 016, block 019; and the following blocks in voting district (000420), tract 0002.00, block group 4, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following voting districts in Riley county: (000430); and the following blocks in voting district (00044A), tract 0009.00, block group 1, in Riley county: block 129, block 130, block 132, block 140; and the following voting districts in Riley county: (000450), (000460); and the following blocks in voting district (00047A), tract 0013.02, block group 1, in Riley county: block 119, block 120, block 121, block 122, block 161, block 163, block 166, block 180; and the following blocks in voting district (00047A), tract 0013.02, block group 2, in Riley county: block 138, block 139, block 148, block 149, block 150,

block 152, block 153, block 154, block 155; and the following blocks in voting district (00047A), tract 0013.02, block group 3, in Riley county: block 013, block 014, block 020, block 021, block 022, block 023; and the following voting districts in Riley county: (000480); and the following blocks in voting district (300010), tract 0009.00, block group 1, in Riley county: block 024, block 025; and the following blocks in voting district (300010), tract 9800.00, block group 1, in Riley county: block 311, block 312, block 313, block 314; and the following voting districts in Riley county: (300090); and the following blocks in voting district (400010), tract 0002.00, block group 1, in Riley county: block 039; and the following blocks in voting district (400010), tract 0008.02, block group 2, in Riley county: block 024; and the following blocks in voting district (400020), tract 0002.00, block group 1, in Riley county: block 038; and the following blocks in voting district (400030), tract 0002.00, block group 1, in Riley county: block 035, block 036, block 037; and the following blocks in voting district (400030), tract 0002.00, block group 3, in Riley county: block 020, block 027, block 034; and all of Washington county.

Sec. 155. Senatorial district 22 shall consist of the following blocks in voting district (00002B), tract 0006.00, block group 1, in Geary county: block 095, block 096, block 098, block 099; and the following blocks in voting district (00002B), tract 0006.00, block group 2, in Geary county: block 013, block 015, block 016, block 017, block 019, block 021; and the following blocks in voting district (00002B), tract 0006.00, block group 3, in Geary county: block 009, block 010, block 011, block 045, block 046, block 047, block 048, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 061, block 062, block 065, block 066; and the following blocks in voting district (00002C), tract 0006.00, block group 2, in Geary county: block 022; and the following blocks in voting district (00002C), tract 0006.00, block group 3, in Geary county: block 049, block 058; and the following blocks in voting district (00002D), tract 0006.00, block group 3, in Geary county: block 042; and the following blocks in voting district (00002E), tract 0006.00, block group 3, in Geary county: block 040, block 041; and the following blocks in voting district (00002F), tract 0006.00, block group 3, in Geary county: block 043, block 044; and the following voting districts in Geary county: (00002G), (00002H), (00002I), (00002J), (00002K), (00002L), (00002N); and the following blocks in voting district (000040), tract 0007.00, block group 1, in Geary county: block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 057, block 058, block 059; and the following blocks in voting district (000050), tract 0007.00, block group 1, in Geary county: block 003, block 004, block 005, block 006, block 007, block 040, block 308, block 309; and the following blocks in voting district (000060), tract 0007.00, block group 1, in Geary county: block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 079, block 080, block 094, block 500, block 505, block 506, block 507; and the following blocks in voting district (00007A), tract 0001.00, block group 3, in Geary county: block 081, block 082, block 083, block 085, block 086, block 087, block 088, block 089, block 091, block 092, block 093, block 094, block 096, block 098; and the following blocks in voting district (00007A), tract 0005.00, block group 1, in Geary county: block 039; and the following blocks in

voting district (00007A), tract 0005.00, block group 2, in Geary county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087; and the following blocks in voting district (00007A), tract 0005.00, block group 4, in Geary county: block 000, block 001, block 002, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 044, block 045, block 049; and the following voting districts in Geary county: (000080), (000090), (000100), (000110); and the following blocks in voting district (00013A), tract 0004.00, block group 4, in Geary county: block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 061, block 062; and the following blocks in voting district (00013A), tract 0005.00, block group 4, in Geary county: block 046, block 047, block 048; and the following voting districts in Geary county: (000140), (000150), (00016A), (000180), (000190), (00022A); and the following blocks in voting district (000230), tract 0001.00, block group 2, in Geary county: block 001, block 002, block 015, block 016, block 017, block 018, block 025, block 026, block 027, block 049; and the following blocks in voting district (000230), tract 0002.00, block group 2, in Geary county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 022, block 023, block 024, block 025, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 041; and the following voting districts in Geary county: (000260); and the following blocks in voting district (900010), tract 0002.00, block group 1, in Geary county: block 000, block 001, block 002, block 003, block 008, block 016; and the following blocks in voting district (900010), tract 0002.00, block group 2, in Geary county: block 003, block 004, block 021; and the following blocks in voting district (900010), tract 0003.00, block group 2, in Geary county: block 010, block 011, block 016, block 021; and the following blocks in voting district (900010), tract 0008.00, block group 2, in Geary county: block 042, block 043, block 044, block 045, block 047, block 071, block 072, block 073, block 074, block 075, block 090, block 091, block 099, block 102, block 185, block 187, block 188, block 199, block 200, block 285, block 286, block 287, block 304, block 325; and the following voting districts in Geary county: (900020), (900030), (900040), (900050), (900060), (900070),

(900080); and the following blocks in voting district (900090), tract 0001.00, block group 1, in Geary county: block 042, block 049, block 050, block 052, block 053, block 072, block 075, block 089, block 094; and the following blocks in voting district (900090), tract 0001.00, block group 3, in Geary county: block 000, block 003, block 013, block 016, block 017, block 018, block 080, block 084, block 095, block 097; and the following blocks in voting district (900090), tract 0005.00, block group 2, in Geary county: block 001, block 030, block 038, block 039; and the following blocks in voting district (900090), tract 0007.00, block group 2, in Geary county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081; and the following voting districts in Geary county: (900100); and the following blocks in voting district (900120), tract 0004.00, block group 4, in Geary county: block 060; and the following blocks in voting district (900120), tract 0008.00, block group 2, in Geary county: block 201, block 202, block 203, block 204, block 205, block 206, block 207; and the following voting districts in Geary county: (900130), (900140), (900150), (900160), (900170); and the following blocks in voting district (900180), tract 0008.00, block group 2, in Geary county: block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 101, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 180, block 181, block 182, block 183, block 184, block 186, block 297, block 298, block 299, block 300, block 319, block 320, block 321, block 322, block 323, block 324, block 331; and the following voting districts in Geary county: (900190), (900200), (900210), (900220); and the following blocks in voting district (000010), tract 0009.00, block group 2, in Riley county: block 001, block 004, block 012, block 014, block 018, block 019, block 021, block 022, block 023, block 025, block 026, block 027, block 055, block 058, block 061; and the following blocks in voting district (000010), tract 0009.00, block group 3, in Riley county: block 005, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 039, block 041, block 042, block 044, block 076, block 077, block 078, block 079, block 082, block 085, block 086, block 093, block 094, block 096, block 097, block 101, block 102; and the following blocks in voting district (000060), tract 0013.02, block group 3, in Riley county: block 009, block 035; and the following voting districts in Riley county: (000120), (000140), (000170), (00022A), (00022B), (000230), (00025A), (00025B), (000310), (000320), (000330), (000340), (000350), (00036A), (000370), (000380); and the following blocks in voting district (00039A), tract 0002.00,

block group 4, in Riley county: block 042, block 043, block 044, block 045, block 046, block 047, block 051, block 052, block 054, block 064, block 070; and the following blocks in voting district (00039A), tract 0011.00, block group 1, in Riley county: block 000, block 009; and the following blocks in voting district (00039A), tract 0013.01, block group 2, in Riley county: block 000, block 018, block 024, block 025, block 026; and the following blocks in voting district (00039A), tract 0013.02, block group 1, in Riley county: block 144, block 168; and the following blocks in voting district (00039A), tract 0013.02, block group 3, in Riley county: block 000, block 001, block 002, block 024, block 025, block 027, block 028, block 042, block 043; and the following voting districts in Riley county: (00039B), (00039C), (00039E), (00039G), (00039H); and the following blocks in voting district (000400), tract 0009.00, block group 3, in Riley county: block 000, block 001, block 002, block 003, block 004, block 006, block 007; and the following blocks in voting district (000400), tract 0009.00, block group 4, in Riley county: block 050; and the following voting districts in Riley county: (000410); and the following blocks in voting district (000420), tract 0002.00, block group 2, in Riley county: block 007, block 008, block 025, block 041; and the following blocks in voting district (000420), tract 0002.00, block group 3, in Riley county: block 001, block 017; and the following blocks in voting district (000420), tract 0002.00, block group 4, in Riley county: block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 050, block 053, block 056, block 057, block 058, block 060, block 061, block 062, block 063, block 068, block 069, block 071; and the following blocks in voting district (000420), tract 0002.00, block group 5, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 009, block 014, block 015, block 018; and the following blocks in voting district (000420), tract 0011.00, block group 3, in Riley county: block 000, block 001, block 003, block 004, block 005; and the following blocks in voting district (00044A), tract 0006.00, block group 1, in Riley county: block 011, block 012, block 013, block 014; and the following blocks in voting district (00044A), tract 0006.00, block group 5, in Riley county: block 074; and the following blocks in voting district (00044A), tract 0009.00, block group 1, in Riley county: block 002, block 005, block 006, block 007, block 008, block 010, block 014, block 017, block 018, block 019, block 020, block 021, block 023, block 027, block 028, block 030, block 031, block 033, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 061, block 091, block 125, block 128; and the following blocks in voting district (00044A), tract 0009.00, block group 2, in Riley county: block 009, block 010, block 011, block 013, block 015, block 016, block 017, block 020, block 028, block 029, block 030, block 031, block 032, block 034, block 035, block 036, block 052, block 053, block 054, block 056, block 057, block 059, block 060, block 064; and the following blocks in voting district (00044A), tract 0009.00, block group 3, in Riley county: block 080, block 081, block 083, block 084, block 095, block 100; and the following blocks in voting district (00044A), tract 0010.02, block group 2, in Riley county: block 235, block 236; and the following blocks in voting district (00047A), tract 0006.00, block group 1, in Riley county: block 001, block 006, block 007, block 010; and the following blocks in voting district (00047A), tract 0006.00, block group 5, in Riley county: block

072; and the following blocks in voting district (00047A), tract 0013.01, block group 2, in Riley county: block 034, block 041, block 042, block 044, block 047, block 049, block 051; and the following blocks in voting district (00047A), tract 0013.02, block group 3, in Riley county: block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 016, block 017, block 018, block 019, block 026, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 038, block 040, block 041, block 044; and the following voting districts in Riley county: (00047B), (00047C), (00047D); and the following blocks in voting district (300010), tract 0009.00, block group 1, in Riley county: block 011, block 012, block 013, block 016, block 022, block 026, block 126; and the following voting districts in Riley county: (300020), (300030), (300040), (300050), (300060), (300070), (300100); and the following blocks in voting district (400010), tract 0007.00, block group 3, in Riley county: block 016; and the following blocks in voting district (400010), tract 0008.02, block group 1, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034; and the following blocks in voting district (400010), tract 0008.02, block group 2, in Riley county: block 009, block 010, block 013, block 018, block 019, block 020, block 021, block 022, block 023, block 025, block 026, block 027, block 028, block 029, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079; and the following blocks in voting district (400010), tract 0009.00, block group 3, in Riley county: block 051, block 052, block 053, block 054, block 055, block 056, block 058, block 059, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 087, block 088, block 089, block 090, block 091, block 092; and the following blocks in voting district (400020), tract 0008.01, block group 2, in Riley county: block 000, block 001, block 007, block 008; and the following blocks in voting district (400020), tract 0008.01, block group 3, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (400020), tract 0008.01, block group 4, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (400020), tract 0008.01, block group 5, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (400020), tract 0008.02, block group 2, in Riley county: block 005, block 006, block 007, block 008, block 011, block 012, block 014, block 015, block 016, block 017, block 030; and the following blocks in voting district (400030),

tract 0002.00, block group 1, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034; and the following blocks in voting district (400030), tract 0002.00, block group 3, in Riley county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 018, block 021, block 022, block 023, block 024, block 025, block 026, block 028, block 029, block 030, block 031, block 032, block 033, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (400030), tract 0005.00, block group 4, in Riley county: block 006, block 015, block 017; and the following voting districts in Riley county: (400040), (400050), (400060), (400070), (400080), (400090), (500010), (500030), (600001), (800001), (900010), (900020), (900030), (900040), (900050), (900060).

Sec. 156. Senatorial district 23 shall consist of the following voting districts in Johnson county: (000090), (00014A), (00014C), (000160); and the following blocks in voting district (001000), tract 0535.55, block group 2, in Johnson county: block 010, block 011, block 012, block 013; and the following blocks in voting district (001000), tract 0535.55, block group 3, in Johnson county: block 000, block 001, block 002, block 008; and the following blocks in voting district (001000), tract 0535.56, block group 1, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 019, block 023, block 024, block 025, block 026; and the following blocks in voting district (001000), tract 0535.56, block group 2, in Johnson county: block 000, block 001, block 012, block 013; and the following voting districts in Johnson county: (001010), (001030), (001040), (001050), (001060), (001070); and the following blocks in voting district (001090), tract 0536.01, block group 2, in Johnson county: block 017, block 020, block 021, block 022, block 023; and the following blocks in voting district (001090), tract 0536.02, block group 1, in Johnson county: block 003; and the following voting districts in Johnson county: (001100), (001270), (001320), (001330), (001350), (001380), (001390), (00153P), (00311A), (00311B), (00311D), (003120), (004030), (004040), (004190), (100030), (900080), (900090), (900100), (900110), (900120), (900130), (900150), (900160), (900170), (900180), (900570), (900580), (900600), (900610), (900620), (900650), (900820), (900850), (900860), (900910), (900920), (900930), (900940), (900980), (901440), (901460), (901470), (901510); and the following blocks in voting district (901550), tract 0535.08, block group 1, in Johnson county: block 014, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (901550), tract 0535.55, block group 3, in Johnson county: block 009; and the following blocks in voting district (901550), tract 0535.57, block group 1, in Johnson county: block 019, block 020; and the following blocks in voting district (901550), tract 0535.57, block group 2, in Johnson county: block 000, block 001, block 013, block 015; and the following blocks in voting district (901550), tract 0536.02, block group 1, in Johnson county: block 000, block 001, block 002, block 030, block 031, block 032, block 033, block 034, block 035, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 054, block 062, block 100; and the

following voting districts in Johnson county: (901560), (901570), (901610), (901620), (901630), (901680), (901730), (901750), (901760), (901780), (901800); and the following blocks in voting district (901810), tract 0536.02, block group 1, in Johnson county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 036, block 038, block 039, block 040, block 057, block 058, block 059, block 060, block 061, block 069, block 070, block 071, block 073, block 078, block 079; and the following blocks in voting district (901810), tract 0537.11, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Johnson county: (901820), (901830), (901840), (901860), (901870), (901880), (901890), (901900), (901950), (901970).

Sec. 157. Senatorial district 24 shall consist of the following voting districts in Dickinson county: (000010), (00002A), (00002B), (000030), (000040), (000050), (000070), (000090), (000100), (000110), (000130), (000140), (000220), (000260), (000290), (000320), (900010), (900020), (900030); and the following voting districts in Ottawa county: (000010), (000030), (000070), (000130), (000180); and all of Saline county.

Sec. 158. Senatorial district 25 shall consist of the following voting districts in Sedgwick county: (500010), (500020), (500030), (500040); and the following blocks in voting district (500050), tract 0024.00, block group 1, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 027, block 028, block 029; and the following voting districts in Sedgwick county: (500740), (500750), (500760), (500770); and the following blocks in voting district (500780), tract 0062.00, block group 2, in Sedgwick county: block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (500780), tract 0062.00, block group 3, in Sedgwick county: block 000, block 001, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Sedgwick county: (500950), (500960), (500970), (500980), (500990), (501000), (501010), (501020), (501030), (501040); and the following blocks in voting district (501160), tract 0051.00, block group 1, in Sedgwick county: block 007, block 008, block 009, block 011; and the following blocks in voting district (501160), tract 0051.00, block group 3, in Sedgwick county: block 001, block 010; and the following blocks in voting district (501160), tract 0053.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (501160), tract 0053.00, block group 2, in Sedgwick county: block 000, block 001, block 002; and the following voting districts in Sedgwick county: (501830), (501840), (501850), (501860), (501870), (501880), (501900), (501910), (501920); and the following blocks in voting district (501930), tract 0086.00, block group 1, in Sedgwick county: block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019,

block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (501930), tract 0086.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (501930), tract 0088.00, block group 4, in Sedgwick county: block 005, block 006; and the following blocks in voting district (501940), tract 0084.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (501940), tract 0084.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (501940), tract 0084.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (501940), tract 0085.00, block group 1, in Sedgwick county: block 000; and the following blocks in voting district (501940), tract 0085.00, block group 2, in Sedgwick county: block 000; and the following blocks in voting district (501940), tract 0086.00, block group 1, in Sedgwick county: block 000, block 003, block 004.

Sec. 159. Senatorial district 26 shall consist of the following voting districts in Sedgwick county: (500940), (501050), (501060), (501070), (501080), (501090), (501100), (501110), (501120), (501130), (501140), (501150); and the following blocks in voting district (501160), tract 0052.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (501160), tract 0091.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following voting districts in Sedgwick county: (501220), (501230), (501240), (501260), (501290), (501300), (501310); and the following blocks in voting district (501410), tract 0092.00, block group 2, in Sedgwick county: block 008, block 015, block 020, block 030, block 031, block 032, block 033, block 034, block 037, block 038, block 039, block 040, block 046, block 047, block 048, block 049, block 050, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 077, block 129, block 130, block 131; and the following voting districts in Sedgwick county: (501680); and the following blocks in voting district (501690), tract 0095.07, block group 1, in Sedgwick county: block 004, block 007, block 008, block 016; and the following blocks in voting district (501720), tract 0095.07, block group 2, in Sedgwick county: block 030, block 031, block 032, block 037, block 039; and the following voting districts in Sedgwick county: (501760), (501770), (501780), (501790),

(502120), (502130); and the following blocks in voting district (502140), tract 0095.09, block group 1, in Sedgwick county: block 047, block 049, block 050, block 051, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 063, block 064, block 065, block 066, block 070, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 081; and the following blocks in voting district (502140), tract 0095.10, block group 1, in Sedgwick county: block 019, block 022, block 028, block 029, block 030; and the following voting districts in Sedgwick county: (502150); and the following blocks in voting district (502180), tract 0095.07, block group 1, in Sedgwick county: block 001, block 002, block 003, block 009, block 010, block 011, block 012; and the following blocks in voting district (502180), tract 0095.07, block group 2, in Sedgwick county: block 000, block 001, block 002, block 008, block 019, block 020, block 021, block 024, block 025, block 026, block 027, block 035, block 036; and the following blocks in voting district (502200), tract 0095.09, block group 2, in Sedgwick county: block 000, block 002, block 009, block 010, block 011, block 015, block 018; and the following voting districts in Sedgwick county: (502210); and the following blocks in voting district (502270), tract 0098.02, block group 1, in Sedgwick county: block 009, block 010, block 011, block 012; and the following blocks in voting district (502270), tract 0098.02, block group 3, in Sedgwick county: block 000; and the following voting districts in Sedgwick county: (502320), (502340), (502350), (502360), (502370), (502380), (502400), (502450); and the following blocks in voting district (502480), tract 0104.00, block group 2, in Sedgwick county: block 049, block 088, block 089, block 090, block 093, block 095, block 113, block 114, block 120; and the following voting districts in Sedgwick county: (502500), (502510); and the following blocks in voting district (502560), tract 0104.00, block group 2, in Sedgwick county: block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 040, block 043, block 044, block 045, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 091, block 092, block 115, block 116, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140; and the following blocks in voting district (502630), tract 0054.00, block group 1, in Sedgwick county: block 115, block 123, block 125; and the following blocks in voting district (502630), tract 0055.01, block group 1, in Sedgwick county: block 006; and the following blocks in voting district (502630), tract 0055.01, block group 2, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (502630), tract 0055.01, block group 3, in Sedgwick county: block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (502630), tract 0055.01, block group 4, in Sedgwick county: block 020; and the following blocks in voting

district (502630), tract 0096.05, block group 2, in Sedgwick county: block 126; and the following voting districts in Sedgwick county: (502640), (502660), (502690), (502700), (502710), (502720), (502730), (502740), (502750), (502760), (502770), (502780), (502790), (502800), (502810), (502820), (503170), (503260), (503270), (503280); and the following blocks in voting district (503590), tract 0054.00, block group 1, in Sedgwick county: block 113, block 116, block 117; and the following blocks in voting district (503590), tract 0055.01, block group 3, in Sedgwick county: block 006; and the following voting districts in Sedgwick county: (503670), (503710), (503760), (503770), (503780), (503930), (503940), (503950), (503960), (503970), (503990), (504000), (504010), (504020), (600190), (600440), (600460); and the following blocks in voting district (700260), tract 0105.00, block group 1, in Sedgwick county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 125, block 126, block 131, block 133, block 134, block 135, block 139, block 140, block 141, block 142, block 143, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159; and the following blocks in voting district (700290), tract 0105.00, block group 1, in Sedgwick county: block 132, block 137, block 145, block 146, block 147; and the following voting districts in Sedgwick county: (700300), (700510), (700650), (700690), (700840), (700890), (700950), (700960), (900020), (900030), (900040), (900080), (900090), (900100), (900110), (900120).

Sec. 160. Senatorial district 27 shall consist of the following voting districts in Sedgwick county: (501340), (501380), (501390), (501400); and the following blocks in voting district (501410), tract 0092.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052; and the following blocks in voting district (501410), tract 0092.00, block group 2, in Sedgwick county: block 000, block 001, block 003, block 004, block 005, block 006, block 007, block 011, block 012, block 021, block 022, block 035, block 036; and the following

voting districts in Sedgwick county: (501420), (501430), (501440), (501450), (501460), (501470), (501480), (501490), (501500), (501520), (501530), (501540), (501550), (501560), (501570), (501580), (501590), (501600), (501610), (501620), (501630), (501640), (501650), (501660), (501670); and the following blocks in voting district (501690), tract 0095.07, block group 1, in Sedgwick county: block 014, block 015, block 027; and the following voting districts in Sedgwick county: (501700), (501710); and the following blocks in voting district (501720), tract 0095.07, block group 1, in Sedgwick county: block 039, block 040, block 046, block 047; and the following blocks in voting district (501720), tract 0095.07, block group 2, in Sedgwick county: block 011, block 012, block 015, block 016, block 017, block 018, block 028, block 029, block 033; and the following voting districts in Sedgwick county: (501730), (501740), (501750), (501810); and the following blocks in voting district (501930), tract 0093.01, block group 3, in Sedgwick county: block 014, block 018, block 019, block 020, block 021, block 024; and the following blocks in voting district (501930), tract 0095.03, block group 1, in Sedgwick county: block 021; and the following blocks in voting district (501940), tract 0095.03, block group 1, in Sedgwick county: block 002; and the following blocks in voting district (502010), tract 0095.03, block group 1, in Sedgwick county: block 000, block 001; and the following blocks in voting district (502010), tract 0103.00, block group 4, in Sedgwick county: block 118, block 119; and the following blocks in voting district (502020), tract 0103.00, block group 4, in Sedgwick county: block 096, block 097, block 105, block 106, block 114, block 117; and the following blocks in voting district (502140), tract 0095.09, block group 1, in Sedgwick county: block 042, block 043, block 044, block 045, block 046, block 080; and the following blocks in voting district (502140), tract 0095.10, block group 1, in Sedgwick county: block 009, block 010, block 016, block 017, block 018; and the following voting districts in Sedgwick county: (502160), (502170); and the following blocks in voting district (502180), tract 0095.07, block group 1, in Sedgwick county: block 013, block 031, block 034; and the following blocks in voting district (502180), tract 0095.07, block group 2, in Sedgwick county: block 009, block 010, block 014, block 034; and the following blocks in voting district (502200), tract 0095.09, block group 1, in Sedgwick county: block 000, block 001; and the following voting districts in Sedgwick county: (502410), (502420), (502430), (502440), (502460), (502470); and the following blocks in voting district (503290), tract 0103.00, block group 1, in Sedgwick county: block 089, block 090, block 091; and the following blocks in voting district (503290), tract 0103.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (503290), tract 0103.00, block group 3, in Sedgwick county: block 023, block 024, block 025, block 026, block 027, block 028, block 039, block 040, block 041, block 042, block 043, block 071, block 092, block 093, block 097, block 098, block 099, block 100; and the following blocks in voting district (503290), tract 0103.00, block group 5, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 020, block 021, block 022, block 023, block 024,

block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055; and the following voting districts in Sedgwick county: (503300), (503310), (503320), (600250), (600390); and the following blocks in voting district (700210), tract 0103.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 009, block 010, block 011, block 019, block 071, block 073, block 078, block 079, block 080, block 081; and the following blocks in voting district (700210), tract 0103.00, block group 4, in Sedgwick county: block 093, block 095, block 103, block 104, block 108, block 109, block 110, block 111, block 115, block 116, block 120, block 121, block 123; and the following voting districts in Sedgwick county: (700220), (700230), (700250); and the following blocks in voting district (700290), tract 0105.00, block group 1, in Sedgwick county: block 148; and the following voting districts in Sedgwick county: (700630).

Sec. 161. Senatorial district 28 shall consist of the following voting districts in Sedgwick county: (500390); and the following blocks in voting district (500780), tract 0063.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (500780), tract 0063.00, block group 2, in Sedgwick county: block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026; and the following blocks in voting district (500780), tract 0064.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500780), tract 0064.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012, block 013, block 014; and the following blocks in voting district (500820), tract 0066.00, block group 1, in Sedgwick county: block 006; and the following blocks in voting district (500820), tract 0067.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 015, block 016; and the following blocks in voting district (500820), tract 0067.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500820), tract 0068.00, block group 4, in Sedgwick county: block 013, block 014, block 015, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (500820), tract 0068.00, block group 5, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following voting districts in Sedgwick county: (500830), (500840), (500850), (500870), (500880), (500890), (500900), (500910), (501170), (501180), (501190), (501200), (501210), (501320), (501330), (502260); and the following blocks in voting district (502270), tract 0100.04, block group 2, in Sedgwick county: block 067, block 070, block 071, block 072; and the following blocks in voting district (502270), tract 0100.04, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004,

block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (502270), tract 0100.05, block group 1, in Sedgwick county: block 000, block 004, block 005, block 006, block 007, block 008, block 012, block 017; and the following blocks in voting district (502270), tract 0100.05, block group 2, in Sedgwick county: block 000, block 001, block 002; and the following voting districts in Sedgwick county: (502280), (502290), (502300), (502570), (502580), (502590), (502600), (502610); and the following blocks in voting district (502630), tract 0055.01, block group 3, in Sedgwick county: block 001; and the following voting districts in Sedgwick county: (502650), (502670), (502680); and the following blocks in voting district (503130), tract 0066.00, block group 1, in Sedgwick county: block 001, block 002, block 005; and the following blocks in voting district (503130), tract 0067.00, block group 1, in Sedgwick county: block 017, block 018; and the following blocks in voting district (503590), tract 0054.00, block group 1, in Sedgwick county: block 102, block 107, block 108, block 109, block 110, block 111, block 112, block 114; and the following blocks in voting district (503590), tract 0055.01, block group 3, in Sedgwick county: block 000; and the following blocks in voting district (503590), tract 0056.00, block group 3, in Sedgwick county: block 043, block 044; and the following voting districts in Sedgwick county: (503600), (503610), (503630), (503640), (503650), (503660), (600010), (600020), (600130), (600140), (600330), (600350), (600380), (600780), (700500), (700580), (700700), (700810), (700820), (700850), (700880).

Sec. 162. Senatorial district 29 shall consist of the following blocks in voting district (500050), tract 0023.00, block group 1, in Sedgwick county: block 002, block 003, block 006, block 007; and the following blocks in voting district (500050), tract 0023.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (500050), tract 0023.00, block group 3, in Sedgwick county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 022, block 023, block 026; and the following blocks in voting district (500050), tract 0024.00, block group 1, in Sedgwick county: block 000, block 016, block 017, block 026; and the following blocks in voting district (500050), tract 0035.00, block group 1, in Sedgwick county: block 002, block 003, block 004, block 005, block 006, block 007, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (500050), tract 0035.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044; and the following voting districts in Sedgwick county: (500060), (500070), (500080); and the following blocks in voting district (500090), tract 0010.00, block group 1, in Sedgwick county: block 012; and the following blocks in voting district (500090), tract 0010.00, block group 2,

in Sedgwick county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 013, block 014, block 015, block 016, block 017, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (500090), tract 0010.00, block group 3, in Sedgwick county: block 003, block 004, block 005, block 010, block 011, block 012; and the following blocks in voting district (500090), tract 0010.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (500090), tract 0075.00, block group 2, in Sedgwick county: block 017, block 018, block 019, block 020, block 029; and the following blocks in voting district (500090), tract 0076.00, block group 2, in Sedgwick county: block 024; and the following voting districts in Sedgwick county: (500120), (500130), (500140), (500150), (500160); and the following blocks in voting district (500170), tract 0007.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (500170), tract 0078.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030; and the following blocks in voting district (500170), tract 0078.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500170), tract 0078.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500170), tract 0101.13, block group 2, in Sedgwick county: block 153, block 156, block 159, block 160, block 161, block 162, block 163, block 164; and the following blocks in voting district (500180), tract 0009.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 024; and the following blocks in voting district (500180), tract 0077.00, block group 1, in Sedgwick county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067; and the following blocks in voting district (500180), tract 0101.13, block group 2, in Sedgwick county: block 151, block 152; and the following voting districts in Sedgwick county: (500190), (500200); and the following blocks in voting district (500230), tract 0108.01, block group 1, in Sedgwick county: block 006, block 007,

block 008, block 009, block 010, block 011; and the following blocks in voting district (500330), tract 0022.00, block group 2, in Sedgwick county: block 014; and the following blocks in voting district (500340), tract 0036.00, block group 1, in Sedgwick county: block 005, block 006, block 007; and the following blocks in voting district (500790), tract 0022.00, block group 1, in Sedgwick county: block 014, block 015; and the following blocks in voting district (500790), tract 0022.00, block group 2, in Sedgwick county: block 011, block 012, block 013, block 015, block 016, block 017; and the following blocks in voting district (500790), tract 0035.00, block group 1, in Sedgwick county: block 000, block 001, block 008, block 009, block 010, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (500790), tract 0036.00, block group 1, in Sedgwick county: block 003, block 004, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (500790), tract 0036.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (500790), tract 0036.00, block group 3, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500790), tract 0036.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500790), tract 0063.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Sedgwick county: (500800), (501820), (501890), (501950), (501960); and the following blocks in voting district (501970), tract 0081.00, block group 2, in Sedgwick county: block 135, block 137, block 138, block 139, block 160, block 161, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 184, block 185, block 186, block 187, block 188, block 190, block 199, block 200, block 201, block 239, block 240, block 251; and the following blocks in voting district (501980), tract 0081.00, block group 2, in Sedgwick county: block 107, block 108, block 112, block 113; and the following blocks in voting district (501990), tract 0001.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (501990), tract 0001.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 012, block 013; and the following blocks in voting district (501990), tract 0081.00, block group 2, in Sedgwick county: block 140, block 141, block 142, block 143, block 144, block 146, block 147, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 162, block 163, block 172, block 193, block 194, block 195, block 197, block 198, block 207, block 212, block 213, block 234, block 235, block 236; and the following blocks in

voting district (501990), tract 0082.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (501990), tract 0082.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 021, block 022, block 025; and the following blocks in voting district (502000), tract 0081.00, block group 2, in Sedgwick county: block 148, block 149; and the following blocks in voting district (502000), tract 0082.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (502010), tract 0083.00, block group 1, in Sedgwick county: block 027, block 028, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (502010), tract 0083.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (502010), tract 0083.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (502010), tract 0083.00, block group 4, in Sedgwick county: block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 023; and the following blocks in voting district (502020), tract 0083.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 029, block 030, block 031, block 032; and the following blocks in voting district (502020), tract 0083.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 021, block 022; and the following blocks in voting district (502950), tract 0081.00, block group 2, in Sedgwick county: block 109, block 114, block 115, block 116, block 136, block 237.

Sec. 163. Senatorial district 30 shall consist of the following blocks in voting district (500090), tract 0010.00, block group 2, in Sedgwick county: block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (500090), tract 0010.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 006, block 007, block 008, block 009; and the following blocks in voting district (500090), tract 0076.00, block group 2, in Sedgwick county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 016, block 017, block 023, block 025, block 026, block 027, block 028; and the following voting districts in Sedgwick county: (500100), (500110), (500210); and the following blocks in voting district (500220), tract 0108.01, block group 1, in Sedgwick county: block 003,

block 004, block 005, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 033, block 034, block 035; and the following voting districts in Sedgwick county: (500320); and the following blocks in voting district (500330), tract 0022.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (500330), tract 0022.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (500330), tract 0022.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (500330), tract 0023.00, block group 1, in Sedgwick county: block 000, block 001, block 004, block 005, block 008, block 009, block 010, block 011; and the following blocks in voting district (500330), tract 0023.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 018, block 019, block 020, block 021, block 024, block 025; and the following blocks in voting district (500340), tract 0021.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032; and the following blocks in voting district (500340), tract 0021.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (500340), tract 0036.00, block group 1, in Sedgwick county: block 000, block 001; and the following voting districts in Sedgwick county: (500350), (500360), (500370), (500380), (500400), (500410), (500420), (500430), (500440), (500450), (500460), (500470), (500480); and the following blocks in voting district (500490), tract 0108.01, block group 1, in Sedgwick county: block 000, block 001, block 002, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 036; and the following blocks in voting district (500530), tract 0101.15, block group 1, in Sedgwick county: block 035, block 036, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052; and the following blocks in voting district (500530), tract 0101.16, block group 1, in Sedgwick county: block 177, block 178, block 185, block 186; and the following blocks in voting district (500540), tract 0072.01, block group 2, in Sedgwick county: block 010, block 034, block 080; and the following blocks in voting district (500540), tract 0101.15, block group 1, in Sedgwick county: block 040, block 044, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 064, block 065, block 067, block 069, block 080, block 081, block 082, block 083, block 084, block 085, block 128, block 129, block 130, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 142; and the following blocks in voting district (500560), tract 0072.01, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003; and the following blocks in voting district (500560), tract 0072.01, block group 2, in Sedgwick county: block 000, block 001,

block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 016, block 017, block 018, block 020, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 066, block 087, block 090, block 091; and the following blocks in voting district (500560), tract 0100.02, block group 2, in Sedgwick county: block 019, block 020, block 021, block 022, block 023; and the following voting districts in Sedgwick county: (500570), (500580), (500590), (500650), (500660), (500670), (500690); and the following blocks in voting district (500790), tract 0022.00, block group 1, in Sedgwick county: block 013; and the following blocks in voting district (500790), tract 0022.00, block group 2, in Sedgwick county: block 010; and the following blocks in voting district (500790), tract 0036.00, block group 1, in Sedgwick county: block 002; and the following blocks in voting district (500790), tract 0036.00, block group 3, in Sedgwick county: block 000; and the following voting districts in Sedgwick county: (500810); and the following blocks in voting district (500820), tract 0070.00, block group 3, in Sedgwick county: block 017, block 021, block 022, block 025, block 028, block 029, block 030; and the following blocks in voting district (503020), tract 0100.01, block group 2, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 016, block 017, block 018, block 021, block 022, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 039, block 040, block 041, block 056, block 057, block 058, block 066; and the following blocks in voting district (503020), tract 0100.02, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 024, block 025, block 028, block 029, block 030, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 052, block 053, block 061, block 064, block 065, block 066, block 067, block 070, block 072, block 073, block 076, block 077, block 079, block 080, block 083, block 084, block 085; and the following voting districts in Sedgwick county: (503030), (503040), (503050), (503060), (503070), (503080); and the following blocks in voting district (503090), tract 0101.15, block group 1, in Sedgwick county: block 041, block 042, block 043; and the following voting districts in Sedgwick county: (503100), (503120); and the following blocks in voting district (503130), tract 0066.00, block group 1, in Sedgwick county: block 000; and the following blocks in voting district (503130), tract 0070.00, block group 3, in Sedgwick county: block 016, block 018, block 019, block 020; and the following blocks in voting district (503130), tract 0072.03, block group 1, in Sedgwick county: block 011; and the following voting districts in Sedgwick county: (503140), (503150); and the following blocks in voting district (503160), tract 0101.15, block group 1, in Sedgwick county: block 032, block 033, block 034; and the following blocks in voting district (503160), tract 0101.16, block group 1, in Sedgwick county: block 182, block 184; and the following voting districts in Sedgwick county: (600420), (600430); and the following blocks in voting district (700530), tract 0072.01, block group 2, in Sedgwick county: block 011, block 012, block 019, block 021, block 081, block 082, block 083, block 084, block 085,

block 086; and the following blocks in voting district (700530), tract 0101.15, block group 1, in Sedgwick county: block 068, block 070, block 071, block 075, block 077, block 078, block 079; and the following voting districts in Sedgwick county: (700800), (900060).

Sec. 164. Senatorial district 31 shall consist of all of Harvey county; and the following blocks in voting district (500170), tract 0101.13, block group 2, in Sedgwick county: block 098, block 099, block 129, block 130, block 131, block 133, block 140, block 141, block 142, block 143, block 144, block 148, block 149, block 150, block 154, block 155; and the following blocks in voting district (500180), tract 0077.00, block group 1, in Sedgwick county: block 003, block 004; and the following blocks in voting district (500180), tract 0101.13, block group 2, in Sedgwick county: block 127; and the following blocks in voting district (500220), tract 0108.02, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 032, block 033, block 034, block 039, block 042; and the following blocks in voting district (500230), tract 0101.13, block group 2, in Sedgwick county: block 121; and the following blocks in voting district (500230), tract 0108.02, block group 1, in Sedgwick county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 027, block 028, block 029, block 030, block 031, block 043, block 044, block 045, block 049, block 054; and the following voting districts in Sedgwick county: (500240), (500250), (500260), (500270), (500280), (500310); and the following blocks in voting district (500490), tract 0101.06, block group 1, in Sedgwick county: block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 033, block 034, block 035, block 036, block 039; and the following blocks in voting district (500490), tract 0101.11, block group 1, in Sedgwick county: block 042, block 043, block 044, block 045, block 046, block 047, block 048; and the following voting districts in Sedgwick county: (500720), (500730); and the following blocks in voting district (501970), tract 0081.00, block group 2, in Sedgwick county: block 133, block 134, block 181, block 182, block 183; and the following blocks in voting district (501980), tract 0081.00, block group 2, in Sedgwick county: block 078, block 085, block 089, block 090, block 099, block 100, block 241; and the following blocks in voting district (501990), tract 0081.00, block group 2, in Sedgwick county: block 074, block 081, block 082, block 083, block 084, block 088, block 145, block 242, block 243, block 244, block 245, block 247; and the following blocks in voting district (502000), tract 0081.00, block group 1, in Sedgwick county: block 029, block 030, block 031, block 032, block 035, block 036, block 037, block 038, block 039, block 040, block 043, block 044; and the following blocks in voting district (502000), tract 0081.00, block group 2, in Sedgwick county: block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 075, block 076, block 077, block 248, block 249; and the following blocks in voting district (502020), tract 0081.00, block group 2, in Sedgwick county: block 079, block 080; and the following blocks in voting district (502020), tract 0081.00, block group 3, in Sedgwick county: block 033, block 034, block 035, block 036, block 037, block 040, block 041, block 042, block 043, block 046, block 049; and the following blocks in

voting district (502020), tract 0103.00, block group 4, in Sedgwick county: block 065, block 067, block 068, block 069, block 070, block 071, block 072, block 077, block 086, block 087, block 088, block 098, block 099, block 100, block 101, block 102, block 107; and the following voting districts in Sedgwick county: (502030), (502040), (502050), (502070), (502080), (502220), (502230); and the following blocks in voting district (502240), tract 0101.11, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025, block 026, block 027, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 049, block 050; and the following blocks in voting district (502240), tract 0101.11, block group 4, in Sedgwick county: block 000, block 003; and the following blocks in voting district (502240), tract 0101.16, block group 1, in Sedgwick county: block 218, block 219; and the following blocks in voting district (502480), tract 0104.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 013, block 014, block 015, block 016, block 017, block 018, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 078, block 079, block 080, block 081; and the following blocks in voting district (502480), tract 0104.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 046, block 047, block 048, block 094, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 117, block 118, block 119, block 141; and the following blocks in voting district (502560), tract 0104.00, block group 1, in Sedgwick county: block 010, block 011, block 012, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 073, block 074, block 075, block 076, block 077; and the following blocks in voting district (502560), tract 0104.00, block group 2, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 028, block 029, block 030, block 039, block 041, block 042, block 050, block 051, block 142, block 143; and the following voting districts in Sedgwick county: (502830), (502840), (502850), (502860), (502870), (502880), (502890), (502900), (502910), (502930), (502940); and the following blocks in voting district (502950), tract 0081.00, block group 2, in Sedgwick county: block 043, block 044, block 086, block 087, block 091, block 094, block 101, block 102, block 110, block 111, block 117, block 118, block 119, block 120, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 238, block 246; and the following voting districts in Sedgwick county: (502960), (502970), (502980), (502990), (503000), (503010); and the following blocks in voting district (503290), tract 0103.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005,

block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 065, block 066, block 067, block 068, block 069, block 070; and the following blocks in voting district (503290), tract 0103.00, block group 4, in Sedgwick county: block 002, block 003, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 028, block 037, block 038, block 039, block 041, block 074, block 075, block 078, block 122; and the following voting districts in Sedgwick county: (503370), (503380), (503390), (503400), (503410), (503450), (503460), (503470), (503480), (503490), (503500), (503510), (503520); and the following blocks in voting district (503530), tract 0101.16, block group 1, in Sedgwick county: block 066, block 069, block 074, block 075, block 079, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 099, block 112, block 221; and the following blocks in voting district (503550), tract 0101.16, block group 1, in Sedgwick county: block 080, block 100, block 101, block 102, block 103, block 104, block 204, block 205, block 206, block 212, block 213, block 214; and the following voting districts in Sedgwick county: (503800), (600030), (600090), (600150), (600360), (600400), (600470), (700010), (700020), (700030), (700040), (700050), (700060), (700070), (700080), (700090), (700110), (700120), (700130), (700140), (700150), (700160), (700170), (700180), (700200); and the following blocks in voting district (700210), tract 0103.00, block group 3, in Sedgwick county: block 059, block 060, block 061, block 062, block 063, block 064, block 072, block 075, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 094; and the following blocks in voting district (700210), tract 0103.00, block group 4, in Sedgwick county: block 082, block 083, block 084, block 085, block 089, block 090, block 092, block 094; and the following blocks in voting district (700260), tract 0105.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 104, block 105, block 160, block 161; and the following voting districts in Sedgwick county: (700310), (700320), (700330), (700350), (700380), (700390), (700400), (700410), (700430), (700460), (700470), (700540), (700550), (700560), (700570), (700600), (700640), (700710), (700780), (700790), (700830), (700860), (700900), (700910), (700920), (700930), (700940), (900050).

Sec. 165. Senatorial district 32 shall consist of all of Cowley county; and the following voting districts in Sedgwick county: (502490), (503180), (503190), (503210), (503220), (503230), (503250), (503700), (503740), (503750), (503920), (600340), (600370), (700590); and all of Sumner county.

Sec. 166. Senatorial district 33 shall consist of all of Barber county; and the following voting districts in Barton county: (000070); and the following blocks in voting district (000200), tract 9718.00, block group 4, in Barton county: block 005, block 011; and the following voting districts in Barton county: (00022C), (00022D), (00022E), (00022F), (00023C), (000300), (000330), (000340); and all of Comanche county; and all of Edwards county; and the following voting districts in Ford county:

(000010), (000020), (000030); and the following blocks in voting district (000040), tract 9617.00, block group 2, in Ford county: block 174, block 175, block 188, block 189, block 190, block 191, block 258, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 303, block 304, block 305, block 306, block 307, block 308, block 309, block 310, block 311, block 313, block 314, block 315, block 316, block 317, block 318, block 327; and the following voting districts in Ford county: (00005A), (00005B), (00005C), (000060), (000070); and the following blocks in voting district (00008A), tract 9618.00, block group 3, in Ford county: block 009, block 010, block 011, block 012, block 036, block 037, block 038, block 039, block 040, block 043, block 044; and the following blocks in voting district (00008A), tract 9618.00, block group 4, in Ford county: block 005, block 006, block 007, block 008, block 019, block 020, block 021, block 022, block 038, block 039, block 040, block 057, block 058; and the following blocks in voting district (00008A), tract 9619.00, block group 1, in Ford county: block 000, block 001, block 002, block 003, block 005, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050; and the following blocks in voting district (00008A), tract 9619.00, block group 4, in Ford county: block 028, block 029, block 030, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057; and the following blocks in voting district (00008A), tract 9619.00, block group 5, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080; and the following blocks in voting district (00008A), tract 9619.00, block group 6, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042; and the following voting districts in Ford county: (00008B), (00008C), (00008D); and the following blocks in voting district (000090), tract 9619.00, block group 6, in Ford county: block 007; and the following blocks in voting district (000090), tract 9620.00, block group 3, in Ford county: block 001, block 002, block 003, block 004, block 020, block 061, block 069, block 070, block 071, block 072, block 075; and the following blocks in voting district (000100), tract 9618.00, block group 2, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022,

block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044; and the following blocks in voting district (000100), tract 9618.00, block group 3, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 041, block 042; and the following blocks in voting district (000100), tract 9619.00, block group 4, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 058; and the following blocks in voting district (000190), tract 9620.00, block group 3, in Ford county: block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 062, block 064; and the following voting districts in Ford county: (000200), (000210), (000230), (000240); and the following blocks in voting district (000250), tract 9616.00, block group 1, in Ford county: block 206, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 261, block 262, block 294, block 295, block 296, block 301, block 302, block 303, block 304, block 305, block 306, block 307, block 308; and the following blocks in voting district (000250), tract 9618.00, block group 5, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 016, block 017, block 018, block 020, block 022, block 028, block 040, block 041, block 042, block 043, block 120, block 134; and the following voting districts in Ford county: (000260), (000280), (000290); and the following blocks in voting district (000310), tract 9616.00, block group 1, in Ford county: block 059, block 063, block 064, block 065, block 066, block 067, block 068, block 074, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 210, block 220, block 221, block 231, block 260, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block

277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 297, block 298, block 299, block 300, block 309, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 355, block 358, block 359, block 360, block 361, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 379, block 380, block 381, block 382, block 383, block 384, block 385, block 386, block 387, block 388, block 389, block 390, block 391, block 392, block 393, block 394, block 395, block 396, block 397, block 398, block 399, block 400, block 401, block 402, block 407, block 408, block 409, block 410, block 411, block 412, block 413, block 414, block 415, block 416, block 417; and the following blocks in voting district (000320), tract 9616.00, block group 1, in Ford county: block 022, block 025, block 026, block 027, block 028, block 029, block 030, block 033, block 034, block 035, block 036, block 038, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 144, block 145, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 324, block 325, block 326, block 327, block 328, block 329, block 330, block 331, block 332, block 333, block 334, block 335, block 336, block 337, block 338, block 339, block 340; and the following blocks in voting district (000320), tract 9617.00, block group 2, in Ford county: block 000; and the following blocks in voting district (000330), tract 9617.00, block group 2, in Ford county: block 319, block 320, block 321, block 322, block 323, block 328, block 329, block 330, block 331, block 332, block 333, block 334, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 383, block 384, block 428, block 429, block 430, block 431, block 432, block 433, block 577, block 578; and all of Harper county; and all of Kingman county; and all of Kiowa county; and all of Pawnee county; and all of Pratt county; and all of Stafford county.

Sec. 167. Senatorial district 34 shall consist of all of Reno county; and the following voting districts in Rice county: (000010), (000020), (000030), (000040), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000160), (000170), (000180), (00019A), (00019B), (00019C), (000200), (000210), (000220), (000230), (000250), (000260).

Sec. 168. Senatorial district 35 shall consist of the following voting districts in Barton county: (000010), (000020), (000030), (000040), (000050), (000060), (000080), (000090), (000100), (00011A), (00011B), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (00019A), (00019B); and the following blocks in voting district (000200), tract 9716.00, block group 4, in Barton county: block 024, block 025, block 026, block 027, block 028, block 029, block 035, block 036, block 037; and the following blocks in voting district (000200), tract 9716.00, block group 5, in Barton

county: block 000, block 001, block 002, block 027, block 028, block 029, block 030, block 031, block 032, block 050, block 051; and the following blocks in voting district (000200), tract 9717.00, block group 1, in Barton county: block 025, block 026, block 027, block 050, block 051, block 052, block 053, block 061, block 062, block 063; and the following blocks in voting district (000200), tract 9717.00, block group 2, in Barton county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034; and the following blocks in voting district (000200), tract 9717.00, block group 3, in Barton county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (000200), tract 9718.00, block group 4, in Barton county: block 000, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Barton county: (000210), (00022A), (00022B), (00023A), (00023B), (000240), (000250), (000260), (00027A), (00027B), (000280), (000290), (000310), (000320), (000350), (000360), (000370), (000380), (000390), (900010); and all of Ellsworth county; and all of Lincoln county; and all of McPherson county; and the following blocks in voting district (000010), tract 1766.00, block group 1, in Mitchell county: block 127, block 128, block 129, block 130, block 204, block 209, block 210, block 211, block 212, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 229, block 230, block 231, block 232, block 233, block 234, block 238, block 266, block 267, block 268, block 269, block 273, block 274, block 275, block 276, block 277, block 392, block 393, block 394, block 400; and the following blocks in voting district (00006A), tract 1766.00, block group 1, in Mitchell county: block 207, block 286, block 287, block 288, block 289, block 292, block 399; and the following blocks in voting district (00006A), tract 1767.00, block group 1, in Mitchell county: block 038, block 039, block 198, block 199, block 200; and the following voting districts in Mitchell county: (000070), (000080); and the following blocks in voting district (000090), tract 1767.00, block group 1, in Mitchell county: block 105, block 124, block 126, block 127, block 129, block 130, block 131, block 132, block 165, block 166, block 167; and the following voting districts in Mitchell county: (000120), (000130), (000140), (000170), (000180), (000190), (000210), (000230), (000240), (000260), (000280); and the following blocks in voting district (000290), tract 1767.00, block group 1, in Mitchell county: block 040, block 142, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 205, block 206; and the following blocks in voting district (000300), tract 1767.00, block group 1, in Mitchell county: block 120, block 121, block 122, block 123, block 128, block 133, block 136, block 137, block 138, block 139, block 140, block 141, block 145, block 146, block 147; and the following voting districts in Rice county: (000050), (000060), (000070), (000150), (000240); and all of Russell county.

Sec. 169. Senatorial district 36 shall consist of all of Clark county; and all of Ellis county; and the following voting districts in Finney county: (000220), (000280); and the following blocks in voting district (000040), tract 9617.00, block group 2, in Ford county: block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block

273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 312, block 325, block 326, block 382, block 394, block 395, block 396, block 397, block 398; and the following blocks in voting district (00008A), tract 9619.00, block group 3, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (000090), tract 9618.00, block group 1, in Ford county: block 038, block 058, block 059, block 060, block 062, block 070, block 073, block 076, block 077, block 079, block 080, block 081, block 082, block 083, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095; and the following blocks in voting district (000090), tract 9619.00, block group 1, in Ford county: block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 018, block 020, block 022, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 055, block 056, block 057, block 058, block 059, block 060; and the following blocks in voting district (000090), tract 9619.00, block group 2, in Ford county: block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 145; and the following blocks in voting district (000090), tract 9619.00, block group 3, in Ford county: block 006, block 007, block 008, block 026, block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (000090), tract 9620.00, block group 2, in Ford county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 027, block 028, block 029, block 030, block 031, block 032; and the following blocks in voting district (000090), tract 9620.00, block group 3, in Ford county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 060; and the following blocks in voting district (000100), tract 9618.00, block group 1, in Ford county: block 026, block 028, block 036, block 041, block 042, block 043, block 044, block 045, block 046, block 049, block 050, block 051, block 052, block 053, block 056, block 066, block 067, block 068, block 069, block 074, block 075, block 078, block 084, block 085, block 086, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 108; and the

following blocks in voting district (000190), tract 9618.00, block group 1, in Ford county: block 008, block 009, block 011, block 012, block 013, block 025, block 027, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 037, block 040, block 047, block 048, block 054, block 055, block 064, block 065, block 106, block 107, block 109; and the following blocks in voting district (000190), tract 9619.00, block group 1, in Ford county: block 015, block 016, block 017, block 019, block 021, block 023, block 024, block 025, block 026, block 027, block 041, block 052, block 053, block 054, block 061; and the following blocks in voting district (000190), tract 9619.00, block group 2, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 114, block 115, block 134, block 135, block 137, block 139, block 140, block 141, block 142, block 143, block 146, block 147, block 148, block 149, block 150; and the following blocks in voting district (000190), tract 9620.00, block group 3, in Ford county: block 063, block 065, block 066, block 076; and the following voting districts in Ford county: (000220); and the following blocks in voting district (000250), tract 9616.00, block group 1, in Ford county: block 203, block 204, block 205, block 207, block 208, block 209, block 211, block 212; and the following blocks in voting district (000250), tract 9616.00, block group 2, in Ford county: block 006, block 007, block 008, block 009, block 010, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 020, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 169, block 170, block 259; and the following blocks in voting district (000250), tract 9618.00, block group 1, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 010, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 039, block 110, block 111, block 112, block 113, block 114, block 115; and the following voting districts in Ford county: (000270), (000300); and the following blocks in voting district (000310), tract 9616.00, block group 1, in Ford county: block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 041, block 060, block 061, block 062, block 069, block 070, block 071, block 072, block 073, block 125, block 135, block 136, block 201, block 202; and the following blocks in voting district (000310), tract 9616.00, block group 2, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 011, block 012, block 013, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 171, block 176, block 178, block 185, block 186, block 193, block 194, block 195, block 256, block 257, block 265, block 266, block 267; and the following blocks in voting district (000320), tract 9616.00, block group 1, in Ford county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 018, block 019, block 020, block 021, block 023, block 024, block 031, block 032, block 037, block 039, block 040; and the following blocks in voting district

(000330), tract 9617.00, block group 2, in Ford county: block 324, block 379, block 380, block 381, block 385, block 386, block 387, block 388, block 389, block 390, block 391, block 392, block 393, block 399, block 400, block 401, block 402, block 403, block 404, block 405, block 406, block 407, block 408, block 409, block 410, block 411, block 412, block 413, block 414, block 415, block 416, block 417, block 418, block 419, block 420, block 421, block 422, block 423, block 424, block 425, block 426, block 427, block 579, block 580, block 581, block 582, block 583, block 584, block 585, block 598; and the following voting districts in Ford county: (600010), (800010); and all of Gray county; and the following blocks in voting district (000010), tract 4631.00, block group 1, in Haskell county: block 351, block 352, block 353, block 354, block 355; and the following voting districts in Haskell county: (000060); and the following blocks in voting district (000070), tract 4631.00, block group 1, in Haskell county: block 446, block 447, block 549, block 550, block 551, block 552, block 553, block 554, block 559, block 560, block 561, block 562, block 563, block 724, block 725, block 726, block 727, block 728, block 729, block 730, block 731, block 732, block 733, block 794, block 795, block 796, block 797, block 798, block 799, block 800, block 801, block 802, block 803, block 808, block 809, block 810, block 820, block 821, block 822, block 823, block 824, block 825, block 855, block 856, block 861, block 865, block 866, block 867, block 902, block 903; and the following blocks in voting district (000070), tract 4631.00, block group 2, in Haskell county: block 000, block 001, block 002, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (000070), tract 4631.00, block group 3, in Haskell county: block 000, block 001, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 116, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135; and the following voting districts in Haskell county: (000080); and all of Hodgeman county; and all of Meade county; and all of Ness county; and all of Rush county; and the following voting districts in Seward county: (000010); and the following blocks in voting district (000020), tract 9656.00, block group 2, in Seward county: block 012, block 013, block 014, block 015, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block

052, block 053, block 054, block 055, block 059, block 063, block 093, block 094, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 163, block 164, block 165, block 326, block 327, block 328, block 329, block 330, block 331, block 332, block 333, block 334, block 335, block 337, block 338; and the following blocks in voting district (000020), tract 9656.00, block group 3, in Seward county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 181, block 231, block 232, block 236, block 238; and the following voting districts in Seward county: (000030); and the following blocks in voting district (000040), tract 9656.00, block group 2, in Seward county: block 035, block 038, block 056, block 057, block 058, block 061, block 062, block 064, block 065, block 066, block 069, block 089, block 090, block 091, block 092, block 095, block 096, block 097, block 098, block 099, block 100, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 131, block 132, block 133, block 134, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 257, block 258, block 259, block 307, block 308, block 336; and the following blocks in voting district (000070), tract 9656.00, block group 2, in Seward county: block 016, block 017, block 018, block 019, block 060, block 067, block 068, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 123, block 124, block 339; and the following voting districts in Seward county: (00008A), (00008B); and the following blocks in voting district (000090), tract 9656.00, block

group 1, in Seward county: block 480, block 481, block 491; and the following blocks in voting district (000090), tract 9656.00, block group 2, in Seward county: block 289, block 290, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 309, block 310, block 311; and the following blocks in voting district (000090), tract 9659.00, block group 4, in Seward county: block 000, block 001, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 038, block 041, block 047, block 051, block 073, block 074, block 075, block 076, block 077, block 081, block 082, block 083, block 099, block 100, block 101; and the following blocks in voting district (000090), tract 9660.00, block group 3, in Seward county: block 019, block 020, block 021; and the following blocks in voting district (000100), tract 9659.00, block group 2, in Seward county: block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049; and the following blocks in voting district (000100), tract 9659.00, block group 3, in Seward county: block 012, block 013, block 014, block 017, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 037, block 043, block 044, block 045, block 046, block 047, block 050; and the following blocks in voting district (000110), tract 9659.00, block group 3, in Seward county: block 005, block 006, block 007, block 009, block 010, block 011, block 019, block 020, block 021, block 022, block 033, block 034, block 035, block 036, block 038, block 039, block 040, block 041, block 042, block 048, block 049; and the following blocks in voting district (000110), tract 9659.00, block group 4, in Seward county: block 002, block 003, block 004, block 005, block 012, block 019, block 020, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 096, block 097; and the following blocks in voting district (000110), tract 9660.00, block group 2, in Seward county: block 001, block 002, block 003, block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043; and the following blocks in voting district (000110), tract 9660.00, block group 3, in Seward county: block 003, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091; and the following voting districts in Seward county:

(000120); and the following blocks in voting district (000140), tract 9656.00, block group 2, in Seward county: block 139, block 313, block 314, block 315, block 316, block 318, block 319, block 320, block 324, block 325; and the following blocks in voting district (000140), tract 9657.00, block group 1, in Seward county: block 000, block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 123; and the following blocks in voting district (000140), tract 9660.00, block group 1, in Seward county: block 000, block 001, block 002, block 003, block 004, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083; and the following blocks in voting district (000140), tract 9660.00, block group 2, in Seward county: block 000, block 005, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081; and the following blocks in voting district (000140), tract 9660.00, block group 3, in Seward county: block 002, block 092; and the following blocks in voting district (000160), tract 9659.00, block group 4, in Seward county: block 053, block 054; and the following blocks in voting district (000200), tract 9656.00, block group 1, in Seward county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 051, block 052, block 053, block 054, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 189, block 190, block 191, block 192, block 193, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 234, block 235, block 236, block 240, block 241, block 242, block 244, block 245, block 246; and the following blocks in voting district (000200), tract 9656.00, block group 2, in Seward

county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (000200), tract 9656.00, block group 3, in Seward county: block 003, block 004, block 005; and the following voting districts in Seward county: (000210); and all of Trego county.

Sec. 170. Senatorial district 37 shall consist of the following voting districts in Johnson county: (000010), (000020), (000030), (000040), (001300), (001310), (001340), (001360), (001370), (00140B), (001410), (00147A), (001480), (00226A), (00226B), (002360), (00244A), (00244B), (002460), (002470), (00249A), (00249C), (00249E), (00249F), (004300), (900010), (900020); and the following blocks in voting district (900290), tract 0534.10, block group 1, in Johnson county: block 006, block 007, block 015, block 017, block 018, block 019, block 020, block 023; and the following voting districts in Johnson county: (900350), (900790), (900800), (900810), (900830), (900840), (901000), (901010), (901120), (901130), (901140), (901150); and the following blocks in voting district (901160), tract 0534.10, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 008, block 009, block 010, block 014, block 021, block 022, block 024; and the following blocks in voting district (901160), tract 0534.10, block group 5, in Johnson county: block 015, block 017, block 018, block 019, block 021, block 026, block 029, block 030, block 035, block 036, block 037, block 038, block 039, block 040; and the following blocks in voting district (901160), tract 0534.10, block group 6, in Johnson county: block 007, block 008, block 009, block 010, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Johnson county: (901170), (901180), (901190), (901200), (901210), (901220), (901230), (901240), (901250), (901260), (901270), (901290), (901300), (901310), (901690).

Sec. 171. Senatorial district 38 shall consist of the following voting districts in Johnson county: (000430), (000440), (000450), (000460), (000510), (000520), (000530), (000540), (000550); and the following blocks in voting district (000580), tract 0524.19, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (000590), tract 0524.21, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (000590), tract 9800.02, block group 1, in Johnson county: block 003, block 004, block 005, block 006, block 007, block 009, block 010, block 011, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following voting districts in Johnson county: (000600), (000610), (000620), (000660); and the following blocks in voting district (001420), tract 0529.07, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (001420), tract 0529.07, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (001420), tract 0529.10, block group 2, in Johnson county: block 019, block 020; and the following blocks in voting district (001420), tract 9800.01, block group 1, in Johnson county:

block 093, block 094; and the following voting districts in Johnson county: (001450), (00147B), (001500), (001510), (00217A), (00222A), (002930), (002940), (003030), (003090), (900360), (900370), (900380), (900400), (900410), (900430), (900440), (900450); and the following blocks in voting district (900460), tract 0524.05, block group 3, in Johnson county: block 009; and the following blocks in voting district (900460), tract 0524.17, block group 2, in Johnson county: block 015, block 018, block 019; and the following blocks in voting district (900460), tract 0529.10, block group 2, in Johnson county: block 000; and the following blocks in voting district (900460), tract 0530.05, block group 1, in Johnson county: block 000, block 017, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (900460), tract 9800.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 095, block 096, block 097, block 098, block 099; and the following voting districts in Johnson county: (900470), (900480), (900710); and the following blocks in voting district (900870), tract 0529.10, block group 1, in Johnson county: block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following voting districts in Johnson county: (900880), (900890), (901030); and the following blocks in voting district (901050), tract 0530.08, block group 1, in Johnson county: block 009, block 016, block 017, block 018; and the following voting districts in Johnson county: (901410), (901420), (901430); and the following blocks in voting district (901650), tract 0528.02, block group 4, in Johnson county: block 003, block 004, block 005, block 006, block 030, block 031; and the following blocks in voting district (901700), tract 0529.10, block group 2, in Johnson county: block 017, block 018, block 021, block 022; and the following voting districts in Johnson county: (901710).

Sec. 172. Senatorial district 39 shall consist of the following voting districts in Finney county: (000010), (00002A), (000030), (000040), (000060), (000070), (000080), (00009A), (00009B), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (00018A), (000190), (000200), (00021A), (000230), (000250), (000260), (200010), (200020), (200030), (200040), (200050), (200060); and all of Grant county; and the following voting districts in Hamilton county: (000010); and the following blocks in voting district (000020), tract 9586.00, block group 2, in Hamilton county: block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 245, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 285, block 300, block 301, block 302, block 303, block 309, block 321, block 322, block 323, block 326, block 327, block 328, block 332, block 335, block 336,

block 337, block 338, block 339, block 340, block 351, block 352, block 353, block 354, block 355, block 356; and the following blocks in voting district (000030), tract 9586.00, block group 1, in Hamilton county: block 319, block 320, block 321, block 322, block 323, block 325, block 328, block 329, block 330, block 331, block 332, block 334, block 335, block 336, block 337, block 338, block 339, block 343, block 344, block 345, block 346, block 347, block 348, block 350, block 351, block 352, block 353, block 354, block 355; and the following voting districts in Hamilton county: (000040); and the following blocks in voting district (000060), tract 9586.00, block group 2, in Hamilton county: block 132, block 136, block 145, block 149, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 333, block 334, block 341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 349, block 350, block 559, block 560, block 561, block 562, block 563, block 564, block 565, block 575; and the following blocks in voting district (000080), tract 9586.00, block group 1, in Hamilton county: block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 282, block 283, block 295, block 296, block 297; and the following blocks in voting district (000080), tract 9586.00, block group 2, in Hamilton county: block 472, block 473, block 474, block 475, block 476, block 477; and the following voting districts in Hamilton county: (000100); and the following blocks in voting district (000010), tract 4631.00, block group 1, in Haskell county: block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 086, block 087, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 126, block 127, block 128, block 129, block 130, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 327, block 328, block 329, block 330, block 331, block 332, block 335, block 336, block 337, block 338, block 339, block 340, block 341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 349, block 350, block 356, block 357, block 358, block 359, block 360, block 361, block 362, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 379, block 380, block 381, block 382, block 383, block 384, block 385, block 386, block

387, block 404, block 405, block 406, block 898, block 899, block 900, block 901, block 904, block 908, block 909, block 910, block 911, block 915, block 916, block 917, block 932; and the following voting districts in Haskell county: (000020), (000030), (000040), (000050); and the following blocks in voting district (000070), tract 4631.00, block group 1, in Haskell county: block 407, block 408, block 439, block 440, block 441, block 442, block 443, block 444, block 445, block 555, block 556, block 557, block 558, block 564, block 565, block 566, block 567, block 568, block 569, block 570, block 571, block 572, block 573, block 574, block 575, block 576, block 577, block 578, block 579, block 580, block 581, block 582, block 583, block 584, block 585, block 586, block 702, block 703, block 704, block 705, block 706, block 707, block 708, block 709, block 710, block 711, block 712, block 713, block 714, block 715, block 716, block 717, block 718, block 719, block 720, block 721, block 722, block 723, block 811, block 812, block 813, block 814, block 815, block 816, block 817, block 818, block 819, block 857, block 858, block 859, block 860, block 891; and the following blocks in voting district (000070), tract 4631.00, block group 3, in Haskell county: block 002, block 003, block 004, block 005, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 117, block 118; and the following voting districts in Kearny county: (000010), (000020); and the following blocks in voting district (000030), tract 9591.00, block group 1, in Kearny county: block 225, block 226, block 227, block 228, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 324, block 331, block 332, block 333, block 334, block 335, block 336, block 337, block 338, block 339, block 340, block 341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 349, block 350, block 351, block 352, block 353, block 354, block 355, block 356, block 357, block 358, block 359, block 360, block 361, block 362, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 379, block 380, block 381, block 382, block 383, block 388, block 389, block 390, block 391, block 392, block 393, block 394, block 395, block 396, block 397, block 398, block 399, block 400, block 401, block 695, block 696, block 697, block 698, block 699, block 700, block 701, block 702, block 703, block 704, block 705, block 706, block 707, block 708, block 709, block 710, block 711, block 712, block 713, block 931, block 975, block 979, block 980, block 982, block 998; and the following blocks in voting district (000030), tract 9591.00, block group 3, in Kearny county: block 157; and the following voting districts in Kearny county: (000040), (000050), (000060), (000070), (000080), (000090); and all of Morton county; and the following blocks in voting district (000020), tract 9656.00, block group 1, in Seward county: block 324; and the following blocks in voting district (000040), tract 9656.00, block group 1, in Seward county: block 323, block 329, block 330, block 331; and the following voting districts in Seward county: (00005A), (00005B), (000060); and the following blocks in voting district (000070), tract 9656.00, block group 1, in Seward county: block 254, block 255, block 266, block 267, block 268, block 269, block 309, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 325, block 326, block 327, block 328, block 332, block 362, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 374, block 379, block 380, block 424,

block 425, block 451, block 452; and the following blocks in voting district (000070), tract 9657.00, block group 2, in Seward county: block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (000090), tract 9656.00, block group 1, in Seward county: block 473, block 475, block 476, block 477, block 478, block 479, block 483, block 484, block 486, block 487; and the following blocks in voting district (000090), tract 9659.00, block group 4, in Seward county: block 043, block 102, block 103, block 105; and the following blocks in voting district (000100), tract 9659.00, block group 1, in Seward county: block 017, block 018, block 019, block 020, block 021, block 030, block 031, block 032, block 033, block 046, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 066, block 067, block 068, block 069, block 070; and the following blocks in voting district (000100), tract 9659.00, block group 2, in Seward county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019; and the following blocks in voting district (000100), tract 9659.00, block group 3, in Seward county: block 002, block 003, block 004, block 015, block 016, block 018; and the following blocks in voting district (000110), tract 9659.00, block group 1, in Seward county: block 000, block 001, block 002, block 003, block 004, block 005, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047; and the following blocks in voting district (000110), tract 9659.00, block group 3, in Seward county: block 000, block 001, block 008; and the following voting districts in Seward county: (000130); and the following blocks in voting district (000140), tract 9657.00, block group 1, in Seward county: block 023, block 026, block 060, block 061, block 062, block 063, block 064, block 065, block 101, block 102, block 120; and the following blocks in voting district (000140), tract 9658.00, block group 3, in Seward county: block 000, block 001, block 002, block 003, block 004, block 005, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055; and the following blocks in voting district (000140), tract 9658.00, block group 4, in Seward county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 048, block 049, block 050, block 051, block 052, block 063; and the following blocks in voting district (000140), tract 9660.00, block group 1, in Seward county: block 005, block 006, block 007, block 008, block 052, block 053, block 054, block 055; and the following blocks in voting district (000140), tract 9660.00, block group 2, in Seward county: block 044, block 045, block 046, block 047, block 082; and the following voting districts in Seward county: (000150); and the following blocks in voting district (000160), tract 9656.00, block group 1, in Seward county: block 459; and the following blocks in voting district (000160), tract 9658.00, block group 1, in Seward county: block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 050, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block

069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 105, block 106, block 114, block 117, block 119, block 120; and the following blocks in voting district (000160), tract 9658.00, block group 2, in Seward county: block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063; and the following blocks in voting district (000160), tract 9658.00, block group 3, in Seward county: block 070, block 071, block 076, block 077, block 078, block 079; and the following blocks in voting district (000160), tract 9658.00, block group 4, in Seward county: block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 055, block 056, block 057, block 058, block 064, block 065, block 066, block 067, block 068; and the following voting districts in Seward county: (000170), (000180), (000190); and the following blocks in voting district (000200), tract 9656.00, block group 1, in Seward county: block 020, block 021, block 022, block 039, block 040, block 041, block 047, block 048, block 049, block 050, block 121, block 122, block 123, block 124, block 125, block 178, block 179, block 180, block 183, block 184, block 185, block 186, block 187, block 188, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 243, block 248, block 249, block 250, block 251, block 256, block 461; and all of Stanton county; and all of Stevens county.

Sec. 173. Senatorial district 40 shall consist of all of Cheyenne county; and all of Decatur county; and all of Gove county; and all of Graham county; and all of Greeley county; and the following blocks in voting district (000020), tract 9586.00, block group 2, in Hamilton county: block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 114, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 284, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 304, block 305, block 306, block 307, block 308, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 324, block 325, block 329, block 330, block 331, block 571, block 572, block 579, block 580, block 587; and the following blocks in voting district (000030), tract 9586.00, block group 1, in Hamilton county: block 036, block 037, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block

324, block 326, block 327, block 333, block 420, block 422, block 423; and the following voting districts in Hamilton county: (000050); and the following blocks in voting district (000060), tract 9586.00, block group 2, in Hamilton county: block 056, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 080, block 081, block 082, block 083, block 084, block 085, block 112, block 113, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 133, block 134, block 135, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 146, block 147, block 148, block 150, block 151, block 152, block 153, block 576, block 585, block 586; and the following voting districts in Hamilton county: (000070); and the following blocks in voting district (000080), tract 9586.00, block group 1, in Hamilton county: block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 126, block 127, block 128, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 173, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 200, block 201, block 202, block 203, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 234, block 235, block 236, block 237, block 238, block 260, block 261, block 262, block 263, block 280, block 281, block 298, block 301, block 341, block 364, block 365, block 366, block 414, block 421; and the following blocks in voting district (000080), tract 9586.00, block group 2, in Hamilton county: block 434, block 435, block 436, block 437; and the following voting districts in Hamilton county: (000090); and all of Jewell county; and the following blocks in voting district (000030), tract 9591.00, block group 1, in Kearny county: block 999; and all of Lane county; and all of Logan county; and all of Norton county; and all of Osborne county; and all of Phillips county; and all of Rawlins county; and all of Rooks county; and all of Scott county; and all of Sherman county; and all of Sherman county; and all of Smith county; and all of Thomas county; and all of Wallace county; and all of Wichita county."

S Substitute for HB 2371 be further amended by motion of Senator Emler, as amended on motion of Senator Owens on May 1, 2012, by striking all language inserted on motion of Senator Schodorf on May 1, 2012, in the amendment designated as [fa_2012_hb2371_s_5448](#);

Also, in the amendment by Senator Owens, which is designated as [fa_2012_hb2371_s_5447](#), by striking all of section 158 and inserting the following:

"Sec. 158. Senatorial district 25 shall consist of the following blocks in voting district (500010), tract 0034.00, block group 1, in Sedgwick county: block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (500010), tract 0034.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (500010), tract 0034.00, block group 3, in Sedgwick county: block 017, block 018, block 019,

block 020, block 034, block 035, block 036, block 037; and the following blocks in voting district (500010), tract 0038.00, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 014, block 017, block 018, block 019, block 020, block 021, block 026; and the following blocks in voting district (500010), tract 0038.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (500010), tract 0038.00, block group 3, in Sedgwick county: block 013, block 014, block 015, block 016; and the following blocks in voting district (500010), tract 0039.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 019, block 020; and the following voting districts in Sedgwick county: (500020), (500030), (500040); and the following blocks in voting district (500050), tract 0024.00, block group 1, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 027, block 028, block 029; and the following voting districts in Sedgwick county: (500740), (500750), (500760), (500770); and the following blocks in voting district (500780), tract 0062.00, block group 2, in Sedgwick county: block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (500780), tract 0062.00, block group 3, in Sedgwick county: block 000, block 001, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Sedgwick county: (500950), (500960), (500970), (500980), (500990), (501000), (501010), (501020), (501030), (501040); and the following blocks in voting district (501160), tract 0051.00, block group 1, in Sedgwick county: block 007, block 008, block 009, block 011; and the following blocks in voting district (501160), tract 0051.00, block group 3, in Sedgwick county: block 001, block 010; and the following blocks in voting district (501160), tract 0053.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (501160), tract 0053.00, block group 2, in Sedgwick county: block 000, block 001, block 002; and the following voting districts in Sedgwick county: (501830), (501840), (501850), (501860), (501870), (501880), (501900), (501910), (501920); and the following blocks in voting district (501930), tract 0086.00, block group 1, in Sedgwick county: block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (501930), tract 0086.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (501930), tract 0088.00, block group 4, in Sedgwick county: block 005, block 006; and the following blocks in voting district (501940), tract 0084.00, block group 1, in Sedgwick county:

block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (501940), tract 0084.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (501940), tract 0084.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (501940), tract 0085.00, block group 1, in Sedgwick county: block 000; and the following blocks in voting district (501940), tract 0085.00, block group 2, in Sedgwick county: block 000; and the following blocks in voting district (501940), tract 0086.00, block group 1, in Sedgwick county: block 000, block 003, block 004; and the following blocks in voting district (502010), tract 0083.00, block group 3, in Sedgwick county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018.";

Also, in the amendment by Senator Owens, which is designated as fa_2012_hb2371_s_5447, by striking all of section 162 and inserting the following:

"Sec. 162. Senatorial district 29 shall consist of the following blocks in voting district (500010), tract 0038.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 010, block 011, block 012, block 013, block 015, block 016, block 022, block 023, block 024, block 025; and the following blocks in voting district (500050), tract 0023.00, block group 1, in Sedgwick county: block 002, block 003, block 006, block 007; and the following blocks in voting district (500050), tract 0023.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (500050), tract 0023.00, block group 3, in Sedgwick county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 022, block 023, block 026; and the following blocks in voting district (500050), tract 0024.00, block group 1, in Sedgwick county: block 000, block 016, block 017, block 026; and the following blocks in voting district (500050), tract 0035.00, block group 1, in Sedgwick county: block 002, block 003, block 004, block 005, block 006, block 007, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (500050), tract 0035.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044; and the following voting districts in Sedgwick county: (500060), (500070), (500080); and the following blocks in voting district (500090), tract 0010.00, block group 1, in Sedgwick county: block

012; and the following blocks in voting district (500090), tract 0010.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 013, block 014, block 015, block 016, block 017, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (500090), tract 0010.00, block group 3, in Sedgwick county: block 003, block 004, block 005, block 010, block 011, block 012; and the following blocks in voting district (500090), tract 0010.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (500090), tract 0075.00, block group 2, in Sedgwick county: block 017, block 018, block 019, block 020, block 029; and the following blocks in voting district (500090), tract 0076.00, block group 2, in Sedgwick county: block 024; and the following voting districts in Sedgwick county: (500120), (500130), (500140), (500150), (500160); and the following blocks in voting district (500170), tract 0007.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (500170), tract 0078.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030; and the following blocks in voting district (500170), tract 0078.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500170), tract 0078.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500170), tract 0101.13, block group 2, in Sedgwick county: block 153, block 156, block 159, block 160, block 161, block 162, block 163, block 164; and the following blocks in voting district (500180), tract 0009.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 024; and the following blocks in voting district (500180), tract 0077.00, block group 1, in Sedgwick county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067; and the following blocks in voting district (500180), tract 0101.13, block group 2, in Sedgwick county: block 151, block 152; and the following voting districts in Sedgwick county: (500190), (500200); and the following blocks in voting district

(500230), tract 0108.01, block group 1, in Sedgwick county: block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (500330), tract 0022.00, block group 2, in Sedgwick county: block 014; and the following blocks in voting district (500340), tract 0036.00, block group 1, in Sedgwick county: block 005, block 006, block 007; and the following blocks in voting district (500790), tract 0022.00, block group 1, in Sedgwick county: block 014, block 015; and the following blocks in voting district (500790), tract 0022.00, block group 2, in Sedgwick county: block 011, block 012, block 013, block 015, block 016, block 017; and the following blocks in voting district (500790), tract 0035.00, block group 1, in Sedgwick county: block 000, block 001, block 008, block 009, block 010, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (500790), tract 0036.00, block group 1, in Sedgwick county: block 003, block 004, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (500790), tract 0036.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (500790), tract 0036.00, block group 3, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500790), tract 0036.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (500790), tract 0063.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Sedgwick county: (500800), (501820), (501890), (501950), (501960); and the following blocks in voting district (501970), tract 0081.00, block group 2, in Sedgwick county: block 135, block 137, block 138, block 139, block 160, block 161, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 184, block 185, block 186, block 187, block 188, block 190, block 199, block 200, block 201, block 239, block 240, block 251; and the following blocks in voting district (501980), tract 0081.00, block group 2, in Sedgwick county: block 107, block 108, block 112, block 113; and the following blocks in voting district (501990), tract 0001.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (501990), tract 0001.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 012, block 013; and the following blocks in voting district (501990), tract 0081.00, block group 2, in Sedgwick county: block 140, block 141, block 142, block 143, block 144, block 146, block 147, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 162, block 163, block 172, block 193, block 194, block 195, block 197, block 198, block

207, block 212, block 213, block 234, block 235, block 236; and the following blocks in voting district (501990), tract 0082.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (501990), tract 0082.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 021, block 022, block 025; and the following blocks in voting district (502000), tract 0081.00, block group 2, in Sedgwick county: block 148, block 149; and the following blocks in voting district (502000), tract 0082.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (502010), tract 0083.00, block group 1, in Sedgwick county: block 027, block 028, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (502010), tract 0083.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (502010), tract 0083.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (502010), tract 0083.00, block group 4, in Sedgwick county: block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 023; and the following blocks in voting district (502020), tract 0083.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 029, block 030, block 031, block 032; and the following blocks in voting district (502020), tract 0083.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 021, block 022; and the following blocks in voting district (502950), tract 0081.00, block group 2, in Sedgwick county: block 109, block 114, block 115, block 116, block 136, block 237."

The motion carried and the amendment was adopted and **S Substitute for HB 2371** be passed as further amended.

A motion by Senator Ostmeyer to amend **S Substitute for HB 2371** failed and the following amendment was rejected: on page 227, in line 33, by striking "36" and inserting "38";

On page 236, in line 9, by striking "38" and inserting "36";

On page 244, in line 12, after the second comma by inserting "36 and"; also in line 12, by striking "and 38"; in line 16, by striking "36" and inserting "38".

A motion by Senator Olson to amend **S Substitute for HB 2371** failed and the following amendment was rejected: on page 157, by striking all in lines 4 through 43;

By striking all on pages 158 through 243;

On page 244, by striking all in lines 1 through 26 and inserting the following:

"Sec. 134. Senatorial district 1 shall consist of all of Atchison county; and all of Brown county; and all of Doniphan county; and all of Jackson county; and the following voting districts in Leavenworth county: (000010), (000040); and the following blocks in voting district (000060), tract 0709.00, block group 1, in Leavenworth county: block 127, block 128, block 129; and the following blocks in voting district (000060), tract 0710.00, block group 1, in Leavenworth county: block 000, block 033; and the following blocks in voting district (000060), tract 0710.00, block group 2, in Leavenworth county: block 000, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Leavenworth county: (000070); and all of Pottawatomie county.

Sec. 135. Senatorial district 2 shall consist of the following blocks in voting district (00006A), tract 0006.03, block group 1, in Douglas county: block 002, block 003, block 004, block 005, block 013, block 014, block 016, block 017, block 018, block 035, block 036, block 040, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 098; and the following blocks in voting district (00006A), tract 0014.00, block group 2, in Douglas county: block 000, block 058, block 059, block 060, block 061, block 062, block 064, block 065; and the following blocks in voting district (00006A), tract 0015.00, block group 1, in Douglas county: block 080, block 081, block 093, block 097; and the following voting districts in Douglas county: (00007A), (000080), (000090), (00010A), (000110), (00012A), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000330), (000340), (000350), (000360), (000370), (000380), (000400), (000410), (000420), (000430), (00044A), (000450), (000460), (000470), (00050A), (00050C), (00052A), (00053A), (00061A), (00067A), (00067B), (200010), (200020), (400010), (400020), (400030), (400040), (400060), (400070), (400080), (900020), (900040), (900050), (900060), (900070), (900080), (900090), (900100), (900110), (900120), (900130), (900140), (900150), (900160), (900170).

Sec. 136. Senatorial district 3 shall consist of the following blocks in voting district (000430), tract 0524.10, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following voting districts in Johnson county: (000450), (000510), (000530), (000540), (000550); and the following blocks in voting district (000630), tract 0524.05, block group 3, in Johnson county: block 002, block 004, block 005, block 006, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026; and the following blocks in voting district (001010), tract 0535.56, block group 1, in Johnson county: block 000, block 001; and the following voting districts in Johnson county: (001300), (001310), (001360), (001370), (00140B), (001410), (001420), (001450), (00147A), (00147B), (001480), (001490), (001500), (001510), (001520), (002040), (002050), (002120), (002130), (002140), (00249A), (900450); and the following blocks in voting district (900460), tract 0529.10, block group 2, in Johnson county: block 000; and the following blocks in voting district (900460), tract 0530.05, block group 1, in Johnson county: block 000,

block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (900460), tract 9800.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 095, block 096, block 097, block 098, block 099; and the following voting districts in Johnson county: (900470), (900480), (900790), (900800), (900830), (900840), (900880), (900890), (901690), (901700), (901710).

Sec. 137. Senatorial district 4 shall consist of the following voting districts in Wyandotte county: (600090), (600100), (600120), (600130), (600140), (600150), (600160), (600170), (600180), (600190), (600200), (600210), (600220), (600230); and the following blocks in voting district (600240), tract 0417.00, block group 2, in Wyandotte county: block 019, block 020, block 021, block 022; and the following blocks in voting district (600240), tract 0417.00, block group 3, in Wyandotte county: block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (600240), tract 0421.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (600240), tract 0421.00, block group 2, in Wyandotte county: block 002, block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (600250), tract 0419.00, block group 2, in Wyandotte county: block 010, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (600250), tract 0420.02, block group 1, in Wyandotte county: block 000; and the following blocks in voting district (600250), tract 0424.00, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 020; and the following blocks in voting district (600250), tract 0424.00, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 007, block 008; and the following voting districts in Wyandotte county: (600450); and the following blocks in voting district (600460), tract 0416.00, block group 3, in Wyandotte county: block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Wyandotte county: (600470); and the following blocks in voting district (600480), tract 0415.00, block group 1, in Wyandotte county: block 015, block 016, block 017, block 018, block

019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 036, block 038; and the following blocks in voting district (600480), tract 0415.00, block group 2, in Wyandotte county: block 017, block 018, block 019, block 020, block 023, block 024; and the following blocks in voting district (600480), tract 0439.05, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 050, block 051, block 052, block 053, block 054, block 055, block 061, block 062, block 063, block 065; and the following blocks in voting district (600490), tract 0439.05, block group 2, in Wyandotte county: block 064; and the following blocks in voting district (600500), tract 0439.05, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 015, block 016, block 020, block 021, block 031, block 032, block 033, block 043; and the following blocks in voting district (600500), tract 0439.05, block group 2, in Wyandotte county: block 013, block 014, block 015, block 016, block 017, block 066, block 067; and the following blocks in voting district (600510), tract 0441.01, block group 1, in Wyandotte county: block 006; and the following blocks in voting district (600520), tract 0439.05, block group 1, in Wyandotte county: block 014, block 017, block 018, block 022; and the following blocks in voting district (600520), tract 0440.01, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (600520), tract 0441.01, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following voting districts in Wyandotte county: (600590), (600600), (600610), (600620), (600630), (600640), (600650), (600660), (600670), (600680), (600690), (600700), (600710), (600720), (600730), (600740), (600870), (600880), (600890), (600900), (600910), (600920), (600930), (600940), (600950), (600960), (600970), (600980), (600990), (601000), (601010), (601020), (601030); and the following blocks in voting district (601050), tract 0448.04, block group 2, in Wyandotte county: block 007, block 008, block 009, block 011, block 012, block 019, block 038, block 039; and the following blocks in voting district (601060), tract 0448.04, block group 2, in Wyandotte county: block 013, block 014, block 015, block 016, block 017, block 018, block 022, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049.

Sec. 138. Senatorial district 5 shall consist of the following voting districts in Leavenworth county: (000020), (000030), (000050); and the following blocks in voting district (000060), tract 0710.00, block group 1, in Leavenworth county: block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block

065, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 100, block 101, block 102, block 103, block 108, block 109; and the following blocks in voting district (000060), tract 0710.00, block group 2, in Leavenworth county: block 001, block 002, block 011, block 012, block 014, block 015, block 016, block 019, block 028, block 029, block 030, block 031, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 080; and the following voting districts in Leavenworth county: (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (00017A), (00017B), (000180), (00019A), (00019B), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (00027A), (000280), (00029A), (00029C), (00029D), (000300), (000320), (000330), (000340); and the following blocks in voting district (000350), tract 0712.03, block group 2, in Leavenworth county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 041, block 042, block 043, block 044, block 045, block 046, block 048, block 049, block 050, block 051, block 052, block 053, block 058, block 059, block 060, block 064, block 065, block 084, block 087; and the following blocks in voting district (000350), tract 0716.00, block group 2, in Leavenworth county: block 000, block 001, block 002, block 007, block 008, block 009, block 010, block 029, block 039, block 040, block 041, block 042, block 043, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 059, block 060, block 061, block 062, block 063, block 064; and the following blocks in voting district (000350), tract 0718.00, block group 1, in Leavenworth county: block 000, block 001, block 002, block 010, block 011, block 013; and the following voting districts in Leavenworth county: (000390), (300010), (800010), (900010), (900020), (900030), (900040), (900050), (900060); and the following voting districts in Wyandotte county: (600750), (600760), (601040); and the following blocks in voting district (601050), tract 0448.04, block group 1, in Wyandotte county: block 020, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056; and the following blocks in voting district (601050), tract 0448.04, block group 2, in Wyandotte county: block 005, block 010, block 020, block 021, block 024; and the following blocks in voting district (601060), tract 0447.04, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 030, block 031; and the

following voting districts in Wyandotte county: (601070), (601080), (601090), (601100).

Sec. 139. Senatorial district 6 shall consist of the following blocks in voting district (000920), tract 0522.01, block group 1, in Johnson county: block 000; and the following blocks in voting district (001540), tract 0522.01, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 023, block 024, block 030; and the following voting districts in Johnson county: (900490); and the following blocks in voting district (900500), tract 0522.01, block group 1, in Johnson county: block 019, block 020, block 021, block 022, block 026, block 027; and the following blocks in voting district (900500), tract 0522.01, block group 2, in Johnson county: block 005, block 006, block 007, block 009, block 022; and the following blocks in voting district (900500), tract 0522.01, block group 3, in Johnson county: block 005, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Wyandotte county: (600010), (600020), (600030), (600040), (600050), (600060), (600070), (600080), (600110); and the following blocks in voting district (600240), tract 0421.00, block group 2, in Wyandotte county: block 008, block 011, block 012; and the following blocks in voting district (600240), tract 0421.00, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 012; and the following blocks in voting district (600250), tract 0420.02, block group 1, in Wyandotte county: block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (600250), tract 0424.00, block group 2, in Wyandotte county: block 004, block 017, block 018, block 019, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (600250), tract 0424.00, block group 3, in Wyandotte county: block 005, block 006; and the following blocks in voting district (600250), tract 0425.01, block group 1, in Wyandotte county: block 014, block 015, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 120, block 121, block 122, block 123, block 124, block 125; and the following voting districts in Wyandotte county: (600260), (600270), (600280), (600290), (600300), (600310), (600320), (600330), (600340), (600350), (600360), (600370), (600380), (600390), (600400), (600410), (600420), (600430), (600440); and the following blocks in voting district (600460), tract 0416.00, block group 4, in Wyandotte county: block 020; and the following blocks in voting district (600460), tract 0422.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600460), tract 0422.00, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 028, block 029; and the following blocks in voting district (600460), tract 0425.02, block group 1, in Wyandotte county: block 102; and the following blocks in voting district (600480), tract 0425.02, block group 1, in Wyandotte county: block 015, block 095; and

the following blocks in voting district (600490), tract 0438.04, block group 1, in Wyandotte county: block 007, block 008; and the following blocks in voting district (600490), tract 0439.05, block group 1, in Wyandotte county: block 028, block 029, block 034, block 035, block 037, block 044, block 045, block 046, block 047; and the following blocks in voting district (600490), tract 0439.05, block group 2, in Wyandotte county: block 035, block 046, block 047, block 048, block 049, block 056, block 057, block 058, block 059, block 060; and the following blocks in voting district (600500), tract 0439.05, block group 1, in Wyandotte county: block 023, block 030; and the following blocks in voting district (600510), tract 0439.05, block group 1, in Wyandotte county: block 019, block 024, block 025, block 026, block 027, block 036, block 038, block 039, block 040, block 041, block 042, block 048, block 049; and the following blocks in voting district (600510), tract 0440.01, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 027; and the following blocks in voting district (600510), tract 0440.03, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 034; and the following blocks in voting district (600510), tract 0440.04, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 039; and the following blocks in voting district (600520), tract 0440.01, block group 3, in Wyandotte county: block 026, block 028; and the following voting districts in Wyandotte county: (600530), (600540), (600550), (600560), (600570), (600580), (600770), (600780), (600790), (600800), (600810), (600820), (600830), (600840), (600850), (600860).

Sec. 140. Senatorial district 7 shall consist of the following voting districts in Johnson county: (000100), (000110), (000120), (000130), (000200), (000210), (000220), (000230), (000840), (000850), (000860), (000870), (000880), (000890), (000900), (000910); and the following blocks in voting district (000920), tract 0503.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (000920), tract 0503.01, block group 2, in Johnson county: block 000, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (000920), tract 0522.01, block group 1, in Johnson county: block 025; and the following voting districts in Johnson county: (000930), (000940), (000950), (000960), (000970); and the following blocks in voting district (001540), tract 0504.00, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 014, block 015; and the following blocks in voting district (001540), tract 0504.00, block group 3, in Johnson county: block 001, block 002, block 003, block 021; and the following blocks in voting district (001540), tract 0522.01, block group 1, in Johnson county: block 031; and the following voting districts in Johnson county: (001550),

(002500), (002510), (002520), (002530), (002540), (002550), (002560), (002570), (002580), (002590), (002600), (002610), (002620), (002630), (002640), (002650), (002660), (002670), (002680), (002690), (002700), (002710), (002720), (002730), (002740), (002750), (002870), (002920), (003080), (003130), (003140), (003150); and the following blocks in voting district (900500), tract 0521.01, block group 1, in Johnson county: block 000; and the following blocks in voting district (900500), tract 0522.01, block group 1, in Johnson county: block 028, block 029; and the following blocks in voting district (900500), tract 0522.01, block group 2, in Johnson county: block 008, block 010, block 011, block 012, block 015, block 016, block 021; and the following blocks in voting district (900500), tract 0522.01, block group 3, in Johnson county: block 011, block 012, block 017; and the following voting districts in Johnson county: (900510), (900520), (900530), (900540), (900550), (900560), (901320).

Sec. 141. Senatorial district 8 shall consist of the following voting districts in Johnson county: (000590), (000620); and the following blocks in voting district (000630), tract 0524.05, block group 2, in Johnson county: block 013; and the following blocks in voting district (000630), tract 0524.17, block group 2, in Johnson county: block 020, block 021; and the following voting districts in Johnson county: (000640), (000650), (000660), (001560), (001570), (001580), (001590), (001600), (001610), (001620), (001630), (001640), (001650), (001660), (001670), (001680), (001690), (001700), (001710), (001720), (001730), (001740), (001750), (001760), (001770), (001780), (001790), (001800), (001810), (001820), (001830), (001840), (001850), (001860), (001870), (001890); and the following blocks in voting district (001910), tract 0519.04, block group 2, in Johnson county: block 000, block 025, block 026, block 029; and the following blocks in voting district (001910), tract 0519.09, block group 3, in Johnson county: block 025; and the following voting districts in Johnson county: (001920), (001930), (001940), (001960), (001970); and the following blocks in voting district (001980), tract 0518.04, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following voting districts in Johnson county: (001990), (002000), (002010), (002280), (002290), (002300), (002310), (002320); and the following blocks in voting district (003060), tract 9800.02, block group 1, in Johnson county: block 001; and the following blocks in voting district (900460), tract 0524.05, block group 3, in Johnson county: block 009; and the following blocks in voting district (900460), tract 0524.17, block group 2, in Johnson county: block 015, block 018, block 019; and the following blocks in voting district (900460), tract 9800.01, block group 1, in Johnson county: block 024, block 025; and the following voting districts in Johnson county: (900990).

Sec. 142. Senatorial district 9 shall consist of the following voting districts in Douglas county: (000020), (000600), (000650), (400050), (400090), (400100); and the following voting districts in Johnson county: (000070), (000080), (000520), (000560), (001000); and the following blocks in voting district (001090), tract 0535.55, block group 1, in Johnson county: block 016, block 017, block 018, block 019, block 022, block 023; and the following blocks in voting district (001090), tract 0536.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (001090), tract 0536.01, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block

007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029; and the following voting districts in Johnson county: (001130), (001150), (001160), (00117A), (00117B), (001200), (001210), (001220), (001240), (001250), (001260), (001280), (001290), (00153J), (00153K), (004070), (004080), (004090), (004100), (004140), (004180), (900040), (900050), (900060), (900370), (900380), (900390), (900400), (900410), (900420), (900640), (900660), (900670), (900680), (900700), (900710), (900720), (900730), (900740), (900750), (900760), (900870); and the following blocks in voting district (901420), tract 9800.03, block group 1, in Johnson county: block 032; and the following voting districts in Johnson county: (901430), (901650), (901660), (901670), (901720); and the following blocks in voting district (901810), tract 0536.02, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 006, block 007, block 008, block 009, block 010, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 035, block 036; and the following voting districts in Johnson county: (901850), (901910), (901930), (901940).

Sec. 143. Senatorial district 10 shall consist of the following voting districts in Johnson county: (000190); and the following blocks in voting district (000430), tract 0524.14, block group 2, in Johnson county: block 017, block 018, block 019, block 020, block 021, block 027, block 028, block 029; and the following voting districts in Johnson county: (000440), (000460), (000580), (000600), (000610), (002760), (002770), (002780), (002790), (002800), (002810), (002820), (002830), (002850), (002860), (002880), (002890), (002900), (002910), (002930), (002940), (002960), (002980), (002990), (003000), (003010), (003020), (003030), (003040), (003050); and the following blocks in voting district (003060), tract 0524.18, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (003060), tract 0524.18, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (003060), tract 0524.18, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (003060), tract 9800.02, block group 1, in Johnson county: block 000, block 002; and the following voting districts in Johnson county: (003070), (003090), (900030), (900360), (900430), (900440), (901330), (901340), (901350), (901360), (901370), (901380), (901390), (901400), (901410); and the following blocks in voting district (901420), tract 0525.02, block group 1, in Johnson county: block 043, block 044, block 045, block 046, block 047, block 050, block 051, block 052, block 068, block 069, block 070, block 071, block 072, block 073, block 074; and the following blocks in voting district (901420), tract 0526.03, block group 6, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035; and the following blocks in voting district (901420), tract 0526.04, block group 1, in Johnson county: block 013, block 025, block 026; and the following blocks in voting district (901420), tract 9800.03, block group 1, in Johnson

county: block 003, block 004, block 005, block 006, block 010, block 011, block 012, block 013, block 014, block 030, block 031; and the following voting districts in Wyandotte county: (601110).

Sec. 144. Senatorial district 11 shall consist of the following voting districts in Johnson county: (000240), (000270), (000350), (000370), (001880), (001900); and the following blocks in voting district (001910), tract 0519.08, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (001910), tract 0530.02, block group 1, in Johnson county: block 000, block 011; and the following blocks in voting district (001910), tract 0531.01, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following voting districts in Johnson county: (001950); and the following blocks in voting district (001980), tract 0518.04, block group 4, in Johnson county: block 004; and the following voting districts in Johnson county: (002020), (002030), (002060), (002070), (002080), (002090), (002150), (002160), (002200), (002210), (002240), (002330), (002340), (002350), (002370), (002380), (002390), (002400), (002410), (00242A), (00242B), (900190), (900200), (900210), (900220), (900230), (900240), (900250), (900260), (900270), (900280); and the following blocks in voting district (900290), tract 0534.10, block group 1, in Johnson county: block 006, block 007, block 015, block 017, block 019; and the following blocks in voting district (900290), tract 0534.10, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 021, block 022; and the following voting districts in Johnson county: (900300), (900310), (900320), (900330), (900340), (900350); and the following blocks in voting district (901060), tract 0534.14, block group 1, in Johnson county: block 017, block 024; and the following voting districts in Johnson county: (901070), (901080).

Sec. 145. Senatorial district 12 shall consist of the following voting districts in Franklin county: (000010), (000020), (000030), (000040), (000050); and the following blocks in voting district (000060), tract 9541.00, block group 5, in Franklin county: block 133, block 134, block 135, block 137, block 138, block 139, block 140, block 145, block 174, block 175, block 176, block 177, block 193; and the following blocks in voting district (000060), tract 9541.00, block group 6, in Franklin county: block 006, block 007, block 008, block 014, block 017, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 064, block 069, block 070, block 071, block 072, block 073, block 076, block 078, block 079, block 082, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 138, block 144, block 188, block 189, block 191, block 193, block 194; and the following voting districts in Franklin county: (000070), (000080), (000100); and the following

blocks in voting district (000110), tract 9545.00, block group 2, in Franklin county: block 162, block 164, block 166, block 167, block 168, block 169, block 171, block 172, block 173; and the following blocks in voting district (000110), tract 9545.00, block group 3, in Franklin county: block 018, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 063, block 064; and the following blocks in voting district (000110), tract 9545.00, block group 4, in Franklin county: block 066, block 067, block 068, block 069, block 070, block 071, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 145, block 147, block 148, block 149, block 150, block 151; and the following blocks in voting district (000110), tract 9545.00, block group 5, in Franklin county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 019, block 027, block 028, block 029; and the following voting districts in Franklin county: (00012A), (00013A), (00013B), (00013C), (000140), (000150), (000160), (000170), (000180), (000190), (00020A), (000210), (000220), (000230); and the following blocks in voting district (000240), tract 9545.00, block group 3, in Franklin county: block 058, block 059, block 060, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115; and the following voting districts in Franklin county: (900010); and all of Linn county; and all of Miami county.

Sec. 146. Senatorial district 13 shall consist of the following voting districts in Allen county: (000020), (000030), (000040), (000140), (000150), (000170), (000180), (000190); and all of Bourbon county; and the following voting districts in Cherokee county: (000050), (00010B), (000110), (000120), (00013A), (00013B), (00013C),

(00013D), (000140), (00015A), (00015B), (000160), (000170), (00018A), (00018B), (00018C), (000200), (000220), (000250), (000260), (000270), (000280), (000290), (000310), (000320), (000330), (000340), (000350), (00039A), (000400), (000410), (00042A), (00042B); and all of Crawford county.

Sec. 147. Senatorial district 14 shall consist of the following voting districts in Cherokee county: (000010), (000020), (000030), (00004A), (00004B), (000060), (000070), (000080), (000090), (00010A), (000190), (000210), (000230), (000240), (00030A), (00030B), (000360), (00037A), (00037B), (00037C), (000380); and all of Labette county; and the following voting districts in Montgomery county: (00001A), (00001B), (00001C), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000250), (000260), (000430), (00044A), (00044B), (00044C), (900010), (900020), (900030), (900040); and all of Neosho county.

Sec. 148. Senatorial district 15 shall consist of the following voting districts in Allen county: (000010), (000050), (00006A), (00006B), (00006C), (000070), (000080), (000090), (00010A), (00010B), (000110), (000120), (000130), (00016A), (00016B), (00016C), (00020A), (00020B), (000210); and all of Anderson county; and all of Chautauqua county; and all of Coffey county; and all of Elk county; and the following blocks in voting district (000060), tract 9541.00, block group 6, in Franklin county: block 101, block 102, block 103, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 123, block 153, block 154, block 155, block 156, block 157; and the following voting districts in Franklin county: (000090); and the following blocks in voting district (000110), tract 9545.00, block group 5, in Franklin county: block 020, block 021, block 022, block 023; and the following blocks in voting district (000240), tract 9545.00, block group 6, in Franklin county: block 167, block 168, block 169, block 170, block 171; and the following voting districts in Franklin county: (000250); and all of Greenwood county; and the following voting districts in Montgomery county: (000240), (000270), (000280), (000290), (000300), (000310), (00032A), (00032B), (000330), (000340), (000350), (000360), (000370), (000380), (000390), (00040A), (00040B), (00040C), (000410), (000420), (000450), (000460), (000470), (900050), (900060); and all of Wilson county; and all of Woodson county.

Sec. 149. Senatorial district 16 shall consist of all of Butler county; and the following blocks in voting district (500570), tract 0072.04, block group 1, in Sedgwick county: block 011; and the following blocks in voting district (500590), tract 0072.04, block group 1, in Sedgwick county: block 024, block 025; and the following blocks in voting district (500590), tract 0100.01, block group 1, in Sedgwick county: block 009, block 010, block 011, block 012, block 013, block 014, block 018, block 019, block 020, block 024, block 025, block 026, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 056, block 057, block 058, block 060, block 061, block 062, block 063, block 064, block 065, block 068, block 071, block 072, block 073, block 074, block 075, block 076, block 077; and the following blocks in voting district (500590), tract 0100.02, block group 1, in Sedgwick county: block 025, block 026, block 027, block 028, block 029, block 033, block 036; and the following blocks in voting district (503010), tract 0101.16, block group 1, in Sedgwick county: block 036; and the following blocks in voting district (503040), tract 0100.01, block group 1, in Sedgwick county: block 027, block 028,

block 029, block 030, block 031, block 032, block 066, block 067, block 069, block 078, block 079, block 080; and the following blocks in voting district (503040), tract 0100.02, block group 1, in Sedgwick county: block 030, block 031, block 032, block 035; and the following blocks in voting district (600430), tract 0100.01, block group 1, in Sedgwick county: block 021, block 022, block 023; and the following voting districts in Sedgwick county: (700800).

Sec. 150. Senatorial district 17 shall consist of all of Chase county; and all of Lyon county; and the following voting districts in Marion county: (000030), (000040); and the following blocks in voting district (000050), tract 4895.00, block group 2, in Marion county: block 186, block 187, block 188, block 189, block 190, block 194, block 195, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 299, block 300, block 337, block 341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 349, block 350, block 351, block 352, block 353, block 354, block 355, block 356, block 357, block 358, block 359, block 360, block 361, block 362, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 379, block 380, block 381, block 382, block 383, block 384, block 385, block 386, block 387, block 391, block 392, block 393, block 398, block 399, block 400, block 401, block 402, block 403, block 404, block 405, block 406, block 407, block 408, block 409, block 410, block 411, block 412, block 413, block 414, block 415, block 422, block 423, block 424, block 425, block 426, block 427, block 428, block 429, block 430, block 431, block 432, block 433, block 434, block 435, block 438, block 439, block 440, block 441, block 442, block 443, block 456, block 457, block 458, block 469; and the following blocks in voting district (000050), tract 4897.00, block group 1, in Marion county: block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 057, block 058, block 059; and the following blocks in voting district (000050), tract 4897.00, block group 3, in Marion county: block 108, block 109; and the following voting districts in Marion county: (000070), (000100), (00011A), (00011B), (000120), (000130), (000140), (000150), (00016C), (000180), (000200), (000210), (00022A), (00022B), (000240), (000280), (000290), (000310), (900010), (900020); and all of Morris county; and all of Osage county; and all of Wabaunsee county.

Sec. 151. Senatorial district 18 shall consist of the following voting districts in Shawnee county: (000090), (000150), (000250); and the following blocks in voting district (000260), tract 0008.00, block group 1, in Shawnee county: block 081, block 090, block 091; and the following blocks in voting district (000260), tract 0009.00, block group 4, in Shawnee county: block 000, block 002, block 004, block 007, block 009, block 010, block 011, block 015, block 030; and the following voting districts in Shawnee county: (000330), (000350), (000410), (000420), (000430), (000440),

(000480), (000490), (000500), (000510), (000520), (000530), (000540), (000550), (000560), (000570), (000580), (000590), (000600), (000610), (000630), (000640), (000650), (000660), (000690), (000700), (000710), (000740), (000790), (000800), (001040), (001050), (001060), (001070), (001080), (001090), (001100), (001120), (001130), (001140), (001150), (001160), (001170), (001180), (001190), (001210), (001220), (001230), (001360); and the following blocks in voting district (001370), tract 0024.00, block group 1, in Shawnee county: block 002, block 003, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 036, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 047, block 048, block 049, block 050, block 138; and the following blocks in voting district (001370), tract 0035.00, block group 1, in Shawnee county: block 171, block 172; and the following voting districts in Shawnee county: (001380); and the following blocks in voting district (001410), tract 0024.00, block group 3, in Shawnee county: block 009, block 011, block 012, block 013, block 014, block 015; and the following voting districts in Shawnee county: (001850), (001880), (100050), (200010), (200020), (400100), (600010), (600020), (600030), (600050), (600060), (600130), (600140), (600150), (600160), (600220), (600230), (600240), (600340), (600350), (600360), (600370), (600380), (600390); and the following blocks in voting district (600570), tract 0024.00, block group 1, in Shawnee county: block 052, block 053, block 065, block 066, block 067, block 068, block 069, block 070, block 071; and the following voting districts in Shawnee county: (900030), (900040), (900050).

Sec. 152. Senatorial district 19 shall consist of the following voting districts in Douglas county: (000010), (000030), (000050); and the following blocks in voting district (00006A), tract 0014.00, block group 2, in Douglas county: block 001, block 002, block 003, block 004, block 005, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 042, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 063, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 198, block 199, block 225, block 226, block 227, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237; and the following blocks in voting district (00006A), tract 0014.00, block group 3, in Douglas county: block 003,

block 004, block 005, block 006, block 007, block 008, block 222; and the following blocks in voting district (00006A), tract 0015.00, block group 1, in Douglas county: block 094, block 095; and the following blocks in voting district (00006A), tract 0015.00, block group 2, in Douglas county: block 072, block 073, block 074; and the following blocks in voting district (00006A), tract 0016.00, block group 2, in Douglas county: block 012, block 013, block 044, block 046, block 047, block 048, block 049, block 056; and the following voting districts in Douglas county: (00048A), (00048B), (00048C), (00048D), (000560), (000580), (000590), (000620), (000630), (000640), (000660), (000680), (400110), (900010); and all of Jefferson county; and the following voting districts in Leavenworth county: (000310); and the following blocks in voting district (000350), tract 0716.00, block group 2, in Leavenworth county: block 073; and the following blocks in voting district (000350), tract 0718.00, block group 1, in Leavenworth county: block 049; and the following voting districts in Leavenworth county: (000360), (000370), (000380), (900080); and the following voting districts in Shawnee county: (000080), (000180), (000190); and the following blocks in voting district (000260), tract 0009.00, block group 4, in Shawnee county: block 001, block 006, block 008, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 026, block 041, block 045, block 046, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 063, block 064, block 076, block 078, block 079, block 080; and the following blocks in voting district (000260), tract 0031.00, block group 1, in Shawnee county: block 002, block 003, block 004; and the following blocks in voting district (000260), tract 0039.01, block group 1, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 018, block 019, block 021, block 022; and the following blocks in voting district (000260), tract 0039.01, block group 3, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 011; and the following voting districts in Shawnee county: (000270); and the following blocks in voting district (000280), tract 0039.02, block group 1, in Shawnee county: block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 019, block 020, block 061; and the following voting districts in Shawnee county: (000290), (000300), (000310), (000750), (000760), (000770), (000780), (000820), (000830), (000840), (000850), (000860), (000870), (000880), (000890), (000910), (000920), (000930), (000940), (000950); and the following blocks in voting district (001010), tract 0029.00, block group 3, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following voting districts in Shawnee county: (001910), (100060), (200090), (500070), (500080), (500120), (500130), (600210), (600420), (600430); and the following blocks in voting district (900020), tract 0030.02, block group 2, in Shawnee county: block 038, block 040, block 045, block 049, block 050, block 051, block 052; and the following blocks in voting district (900020), tract 0037.00, block group 4, in Shawnee county: block 001.

Sec. 153. Senatorial district 20 shall consist of the following voting districts in Shawnee county: (000210), (000240); and the following blocks in voting district (000280), tract 0039.02, block group 1, in Shawnee county: block 017, block 018, block 036, block 043; and the following voting districts in Shawnee county: (000340),

(000370), (000960), (000970), (000980), (000990), (001000); and the following blocks in voting district (001010), tract 0037.00, block group 1, in Shawnee county: block 000; and the following voting districts in Shawnee county: (001030), (001200), (001240), (001250), (001260), (001270), (001280), (001290), (001300), (001310), (001320), (001330), (001340), (001350); and the following blocks in voting district (001370), tract 0024.00, block group 1, in Shawnee county: block 033, block 034, block 035, block 074; and the following blocks in voting district (001370), tract 0024.00, block group 2, in Shawnee county: block 000, block 001, block 004; and the following voting districts in Shawnee county: (001400); and the following blocks in voting district (001410), tract 0024.00, block group 2, in Shawnee county: block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 050; and the following voting districts in Shawnee county: (001420), (001430), (001440), (001450), (001460), (001470), (001480), (001490), (001500), (001510), (001520), (001530), (001540), (001550), (001560), (001570), (001590), (001600), (001610), (001620), (001630), (001640), (001650), (001670), (001680), (001710), (001720), (001760), (001780), (001890), (100030), (100040), (200050), (200070), (200080), (200120), (200130), (200140), (200150), (200160), (300090), (400070), (400110), (500010), (500110), (500140), (500160), (600040), (600080), (600090), (600110), (600170), (600180), (600190), (600250), (600260), (600270), (600280), (600290), (600300), (600310), (600330), (600440), (600470), (600490), (600500), (600510), (600530); and the following blocks in voting district (600570), tract 0024.00, block group 2, in Shawnee county: block 029, block 033, block 034, block 035; and the following voting districts in Shawnee county: (600580), (700010), (700020), (800010), (800020), (800030), (800040), (800060), (800070), (900010); and the following blocks in voting district (900020), tract 0030.02, block group 3, in Shawnee county: block 049, block 050; and the following blocks in voting district (900020), tract 0037.00, block group 1, in Shawnee county: block 007, block 013, block 076, block 093, block 094, block 105, block 110; and the following blocks in voting district (900020), tract 0037.00, block group 3, in Shawnee county: block 000, block 013, block 022, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (900020), tract 0037.00, block group 4, in Shawnee county: block 000, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 024, block 025, block 026, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 076, block 082, block 083, block 084, block 148, block 149; and the following voting districts in Shawnee county: (900060), (900070), (900080), (900090).

Sec. 154. Senatorial district 21 shall consist of all of Clay county; and all of Cloud county; and the following voting districts in Dickinson county: (000060), (000080), (000090), (000100), (000110), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000230), (000240), (000260), (000270), (000280), (000290), (000300), (000310); and the following voting districts in Geary county: (000020), (00002P), (00002Q), (00002R), (00022B), (000270); and all of Marshall county; and all of Nemaha county; and the following voting districts in Riley county: (000020), (000030), (000040), (00005A), (00005B), (000060), (000070), (000080); and

the following blocks in voting district (000140), tract 0002.00, block group 2, in Riley county: block 009, block 010, block 018, block 019, block 020, block 021, block 023, block 024, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057; and the following blocks in voting district (000370), tract 0002.00, block group 4, in Riley county: block 048; and the following blocks in voting district (000370), tract 0011.00, block group 1, in Riley county: block 010, block 019, block 024, block 025; and the following blocks in voting district (00039A), tract 0002.00, block group 4, in Riley county: block 042, block 043, block 044, block 045, block 046, block 047, block 051, block 052, block 054, block 064, block 070; and the following blocks in voting district (00039A), tract 0011.00, block group 1, in Riley county: block 000, block 009; and the following blocks in voting district (00039A), tract 0013.01, block group 2, in Riley county: block 025, block 026; and the following blocks in voting district (00039A), tract 0013.02, block group 1, in Riley county: block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 168, block 182; and the following blocks in voting district (00039A), tract 0013.02, block group 3, in Riley county: block 000, block 001, block 002, block 027, block 028, block 042, block 043; and the following blocks in voting district (000420), tract 0002.00, block group 2, in Riley county: block 007, block 008, block 025, block 041; and the following blocks in voting district (000420), tract 0002.00, block group 3, in Riley county: block 000, block 001, block 012, block 013, block 014, block 015, block 019; and the following blocks in voting district (000420), tract 0002.00, block group 4, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 050, block 053, block 056, block 057, block 058, block 060, block 061, block 062, block 063, block 068, block 069, block 071; and the following blocks in voting district (000420), tract 0002.00, block group 5, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 009, block 014, block 015, block 018; and the following blocks in voting district (000420), tract 0011.00, block group 3, in Riley county: block 000, block 001, block 003, block 004, block 005; and the following voting districts in Riley county: (000430), (000450), (000460); and the following blocks in voting district (00047A), tract 0013.02, block group 1, in Riley county: block 163; and the following voting districts in Riley county: (300020), (300030), (300040); and the following blocks in voting district (300050), tract 0002.00, block group 4, in Riley county: block 049, block 055, block 065, block 066, block 067; and the following blocks in voting district (300050), tract 0011.00, block group 1, in Riley county: block 002, block 003, block 011, block 012; and the following blocks in voting district (400040), tract 0011.00, block group 3, in Riley county: block 002, block 017; and the following voting districts in Riley county: (500030); and the following blocks in voting district (800001), tract 0013.01, block group 2, in Riley county: block 027, block 028; and all of Washington county.

Sec. 155. Senatorial district 22 shall consist of the following voting districts in Geary county: (000010), (00002A), (00002B), (00002C), (00002D), (00002E), (00002F), (00002G), (00002H), (00002I), (00002J), (00002K), (00002L), (00002M), (00002N), (000040), (000050), (000060), (00007A), (000080), (000090), (000100), (000110), (00013A), (000140), (000150), (00016A), (000180), (000190), (00022A), (000230), (000240), (000250), (000260), (900010), (900020), (900030), (900040), (900050), (900060), (900070), (900080), (900090), (900100), (900120), (900130), (900140), (900150), (900160), (900170), (900180), (900190), (900200), (900210), (900220); and the following voting districts in Riley county: (000010), (000120); and the following blocks in voting district (000140), tract 0005.00, block group 4, in Riley county: block 000; and the following blocks in voting district (000140), tract 0011.00, block group 3, in Riley county: block 006, block 007, block 008; and the following voting districts in Riley county: (000170), (00022A), (00022B), (000230), (00025A), (00025B), (000310), (000320), (000330), (000340), (000350), (00036A); and the following blocks in voting district (000370), tract 0011.00, block group 1, in Riley county: block 004, block 005, block 006, block 007, block 008, block 013, block 014, block 015, block 016, block 017, block 018, block 022, block 023, block 027; and the following blocks in voting district (000370), tract 0011.00, block group 2, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029; and the following voting districts in Riley county: (000380); and the following blocks in voting district (00039A), tract 0013.01, block group 2, in Riley county: block 000, block 018, block 024; and the following blocks in voting district (00039A), tract 0013.02, block group 3, in Riley county: block 024, block 025; and the following voting districts in Riley county: (00039B), (00039C), (00039E), (00039G), (00039H), (000400), (000410); and the following blocks in voting district (000420), tract 0002.00, block group 3, in Riley county: block 016, block 017; and the following voting districts in Riley county: (00044A); and the following blocks in voting district (00047A), tract 0006.00, block group 1, in Riley county: block 001, block 006, block 007, block 010; and the following blocks in voting district (00047A), tract 0006.00, block group 5, in Riley county: block 072; and the following blocks in voting district (00047A), tract 0013.01, block group 2, in Riley county: block 034, block 041, block 042, block 044, block 047, block 049, block 051; and the following blocks in voting district (00047A), tract 0013.02, block group 1, in Riley county: block 119, block 120, block 121, block 122, block 161, block 166, block 180; and the following blocks in voting district (00047A), tract 0013.02, block group 2, in Riley county: block 138, block 139, block 148, block 149, block 150, block 152, block 153, block 154, block 155; and the following blocks in voting district (00047A), tract 0013.02, block group 3, in Riley county: block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 014, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 026, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 038, block 040, block 041, block 044; and the following voting districts in Riley county: (00047B), (00047C), (00047D), (000480), (300010); and the following blocks in voting district (300050), tract 0011.00, block group 1, in Riley county: block 001; and the following

voting districts in Riley county: (300060), (300070), (300090), (300100), (400010), (400020), (400030); and the following blocks in voting district (400040), tract 0003.03, block group 2, in Riley county: block 010; and the following blocks in voting district (400040), tract 0005.00, block group 2, in Riley county: block 009; and the following blocks in voting district (400040), tract 0005.00, block group 4, in Riley county: block 001, block 002, block 003, block 004, block 008, block 012, block 013, block 016, block 022, block 023; and the following blocks in voting district (400040), tract 0011.00, block group 3, in Riley county: block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 045, block 046, block 047, block 048; and the following voting districts in Riley county: (400050), (400060), (400070), (400080), (400090), (500010), (600001); and the following blocks in voting district (800001), tract 0013.01, block group 2, in Riley county: block 003, block 029; and the following voting districts in Riley county: (900010), (900020), (900030), (900040), (900050), (900060).

Sec. 156. Senatorial district 23 shall consist of the following voting districts in Johnson county: (000090), (00014A), (00014C), (000160); and the following blocks in voting district (001010), tract 0535.08, block group 1, in Johnson county: block 015, block 016; and the following blocks in voting district (001010), tract 0535.56, block group 1, in Johnson county: block 018, block 020, block 021, block 022, block 027, block 028, block 029, block 030, block 031, block 033, block 034, block 035, block 036; and the following blocks in voting district (001010), tract 0535.56, block group 2, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following voting districts in Johnson county: (001030), (001040), (001050), (001060), (001070); and the following blocks in voting district (001090), tract 0536.02, block group 1, in Johnson county: block 003; and the following voting districts in Johnson county: (001100), (001270), (001320), (001330), (001350), (001380), (001390), (00153P), (00311A), (00311B), (00311D), (003120), (004030), (004040), (004190), (100030), (900080), (900090), (900100), (900110), (900120), (900130), (900150), (900160), (900170), (900180), (900570), (900580), (900600), (900610), (900620), (900650), (900820), (900850), (900860), (900910), (900920), (900930), (900940), (900980), (901440), (901460), (901470), (901510), (901550), (901560), (901570), (901610), (901620), (901630), (901680), (901730), (901750), (901760), (901780), (901800); and the following blocks in voting district (901810), tract 0536.02, block group 1, in Johnson county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 036, block 038, block 039, block 040, block 057, block 058, block 059, block 060, block 061, block 069, block 070, block 071, block 073, block 078, block 079; and the following blocks in voting district (901810), tract 0537.11, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Johnson county: (901820), (901830), (901840), (901860), (901870), (901880),

(901890), (901900), (901950), (901970).

Sec. 157. Senatorial district 24 shall consist of the following voting districts in Dickinson county: (000010), (00002A), (00002B), (000030), (000040), (000050), (000070), (000120), (000130), (000220), (000250), (000320), (900010), (900020), (900030); and the following voting districts in Ottawa county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (00016A), (00016B), (000170), (000180), (000190), (000200), (000210), (000220); and the following blocks in voting district (000230), tract 0857.00, block group 2, in Ottawa county: block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 103, block 104, block 105, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 132, block 134, block 135, block 263; and all of Saline county.

Sec. 158. Senatorial district 25 shall consist of the following voting districts in Sedgwick county: (500020), (500740), (500750), (500760); and the following blocks in voting district (500950), tract 0015.00, block group 1, in Sedgwick county: block 001, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030; and the following blocks in voting district (500950), tract 0015.00, block group 3, in Sedgwick county: block 000, block 001, block 015; and the following blocks in voting district (500950), tract 0028.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (500950), tract 0028.00, block group 4, in Sedgwick county: block 000, block 001, block 008, block 009; and the following blocks in voting district (500950), tract 0043.00, block group 3, in Sedgwick county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 028, block 029, block 030, block 031, block 032, block 033, block 037, block 038; and the following voting districts in Sedgwick county: (500960), (500990), (501000), (501010), (501020), (501340), (501380); and the following blocks in voting district (501470), tract 0095.03, block group 1, in Sedgwick county: block 047, block 057, block 058, block 059, block 100; and the following blocks in voting district (501470), tract 0103.00, block group 1, in Sedgwick county: block 044, block 045, block 046, block 047; and the following voting districts in Sedgwick county: (501480), (501490); and the following blocks in voting district (501500), tract 0103.00, block group 1, in Sedgwick county: block 024, block 025, block 026, block 027, block 054, block 055, block 057, block 058, block 083, block 084, block 085, block 086, block 088; and the following blocks in voting district (501500), tract 0103.00, block group 5, in Sedgwick county: block 019, block 044, block 045, block 046, block 047, block 057, block 058, block 059, block 060; and the following voting districts in Sedgwick county: (501520), (501530), (501830), (501840), (501850), (501860), (501870); and the following blocks in voting district (501880), tract 0002.00, block group 1, in Sedgwick county: block 036; and the following blocks in voting district (501880), tract 0014.00, block group 1, in Sedgwick county: block 011, block 012, block 015, block 016, block 017, block 018, block 019; and the

following blocks in voting district (501880), tract 0014.00, block group 2, in Sedgwick county: block 008, block 009, block 010; and the following blocks in voting district (501880), tract 0014.00, block group 3, in Sedgwick county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 029, block 030, block 031; and the following blocks in voting district (501880), tract 0014.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (501880), tract 0015.00, block group 1, in Sedgwick county: block 000, block 002; and the following blocks in voting district (501880), tract 0087.00, block group 1, in Sedgwick county: block 000, block 001; and the following voting districts in Sedgwick county: (501900), (501910), (501920); and the following blocks in voting district (501930), tract 0086.00, block group 1, in Sedgwick county: block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (501930), tract 0086.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (501930), tract 0088.00, block group 4, in Sedgwick county: block 005, block 006; and the following blocks in voting district (501930), tract 0093.01, block group 3, in Sedgwick county: block 014, block 018, block 019, block 020, block 021; and the following blocks in voting district (501930), tract 0095.03, block group 1, in Sedgwick county: block 021; and the following voting districts in Sedgwick county: (501940), (502010); and the following blocks in voting district (502020), tract 0081.00, block group 3, in Sedgwick county: block 041, block 043, block 046; and the following blocks in voting district (502020), tract 0083.00, block group 4, in Sedgwick county: block 000, block 003, block 005, block 021, block 022; and the following blocks in voting district (502020), tract 0103.00, block group 4, in Sedgwick county: block 065, block 067, block 068, block 069, block 070, block 071, block 072, block 077, block 086, block 087, block 088, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 105, block 106, block 107, block 114, block 117; and the following voting districts in Sedgwick county: (502030); and the following blocks in voting district (502040), tract 0081.00, block group 3, in Sedgwick county: block 047, block 048; and the following blocks in voting district (502040), tract 0103.00, block group 4, in Sedgwick county: block 048, block 049, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 066, block 073, block 076, block 113, block 124, block 125; and the following blocks in voting district (502050), tract 0103.00, block group 4, in Sedgwick county: block 013, block 029, block 034, block 035; and the following blocks in voting

district (502070), tract 0103.00, block group 4, in Sedgwick county: block 027, block 043, block 046; and the following blocks in voting district (502410), tract 0093.01, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 013, block 015, block 016, block 017; and the following blocks in voting district (502410), tract 0095.03, block group 1, in Sedgwick county: block 022, block 023, block 024, block 025, block 027, block 077, block 080, block 081, block 082, block 083, block 084, block 089, block 090, block 091, block 092, block 103; and the following voting districts in Sedgwick county: (502420); and the following blocks in voting district (502460), tract 0095.03, block group 1, in Sedgwick county: block 060; and the following blocks in voting district (503290), tract 0103.00, block group 1, in Sedgwick county: block 089, block 090, block 091; and the following blocks in voting district (503290), tract 0103.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (503290), tract 0103.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 092, block 093, block 097, block 098, block 099, block 100; and the following blocks in voting district (503290), tract 0103.00, block group 4, in Sedgwick county: block 003, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 028, block 037, block 038, block 039, block 041, block 074, block 075, block 078, block 122; and the following blocks in voting district (503290), tract 0103.00, block group 5, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055; and the following voting districts in Sedgwick county: (503300), (503310), (503320); and the following blocks in voting district (600030), tract 0103.00, block group 4, in Sedgwick county: block 040; and the following voting districts in Sedgwick county: (600470), (700210), (700220), (700230), (700250); and the following blocks in voting district (700410), tract 0103.00, block group 4, in Sedgwick county: block 010, block 011; and the following voting districts in Sedgwick county: (700430), (700640); and the following blocks in voting district (700780), tract 0103.00, block group 4, in Sedgwick county: block 009; and the following voting districts in Sedgwick county: (700930), (700940).

Sec. 159. Senatorial district 26 shall consist of the following voting districts in Sedgwick county: (500940), (501030), (501040), (501050), (501060), (501070), (501080), (501090), (501100), (501110), (501120), (501130), (501140), (501150), (501160); and the following blocks in voting district (501210), tract 0054.00, block group 1, in Sedgwick county: block 051, block 052, block 060, block 078, block 131; and the following blocks in voting district (501220), tract 0054.00, block group 1, in Sedgwick county: block 083, block 084, block 085, block 086, block 096, block 097, block 119, block 121, block 122; and the following voting districts in Sedgwick county: (501230), (501240), (501260), (501290), (501300), (501310); and the following blocks in voting district (501600), tract 0092.00, block group 2, in Sedgwick county: block 079, block 080, block 081, block 083, block 111, block 128; and the following blocks in voting district (501610), tract 0095.11, block group 2, in Sedgwick county: block 000, block 001; and the following blocks in voting district (501610), tract 0095.11, block group 4, in Sedgwick county: block 001; and the following blocks in voting district (501660), tract 0095.06, block group 2, in Sedgwick county: block 003, block 004; and the following blocks in voting district (501660), tract 0095.07, block group 1, in Sedgwick county: block 020, block 021, block 022, block 026, block 028; and the following blocks in voting district (501670), tract 0095.07, block group 1, in Sedgwick county: block 005, block 006, block 017; and the following voting districts in Sedgwick county: (501680), (501690), (501700), (501710); and the following blocks in voting district (501730), tract 0095.07, block group 1, in Sedgwick county: block 019; and the following blocks in voting district (501740), tract 0095.09, block group 1, in Sedgwick county: block 002; and the following blocks in voting district (501750), tract 0095.09, block group 1, in Sedgwick county: block 020, block 031, block 038; and the following voting districts in Sedgwick county: (501760), (501770), (501780), (501790); and the following blocks in voting district (501810), tract 0095.09, block group 1, in Sedgwick county: block 009, block 010, block 012, block 013, block 014, block 015, block 016, block 033, block 034, block 035; and the following voting districts in Sedgwick county: (502120), (502130), (502140), (502150), (502180); and the following blocks in voting district (502200), tract 0095.09, block group 1, in Sedgwick county: block 000; and the following blocks in voting district (502200), tract 0095.09, block group 2, in Sedgwick county: block 000, block 002, block 009, block 010, block 011, block 015, block 018; and the following voting districts in Sedgwick county: (502210), (502320), (502350), (502360), (502370), (502380), (502400), (502450), (502500), (502510); and the following blocks in voting district (502630), tract 0055.01, block group 1, in Sedgwick county: block 006; and the following blocks in voting district (502630), tract 0055.01, block group 2, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (502630), tract 0055.01, block group 3, in Sedgwick county: block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (502630), tract 0055.01, block group 4, in Sedgwick county: block 020; and the following blocks in voting district (502630), tract 0096.05, block group 2, in Sedgwick county: block 126; and the following voting districts in Sedgwick county: (502640); and the following blocks in voting district (502660), tract 0055.01, block group 1, in Sedgwick county: block 001, block 002, block 003, block

012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029; and the following voting districts in Sedgwick county: (502700), (502710), (502720), (502730), (502740), (502750), (502760), (502770), (502780), (502790), (502800), (502810), (502820), (503170), (503260), (503270), (503280); and the following blocks in voting district (503590), tract 0055.01, block group 3, in Sedgwick county: block 006; and the following blocks in voting district (503670), tract 0055.01, block group 1, in Sedgwick county: block 004, block 005; and the following blocks in voting district (503670), tract 0055.01, block group 2, in Sedgwick county: block 000; and the following blocks in voting district (503710), tract 0098.01, block group 3, in Sedgwick county: block 009, block 011; and the following blocks in voting district (503710), tract 0098.01, block group 4, in Sedgwick county: block 016, block 018, block 019, block 021, block 025, block 026, block 028, block 031, block 048; and the following blocks in voting district (503710), tract 0099.00, block group 2, in Sedgwick county: block 000, block 001; and the following blocks in voting district (503710), tract 0099.00, block group 3, in Sedgwick county: block 012; and the following blocks in voting district (503710), tract 0099.00, block group 5, in Sedgwick county: block 024, block 025, block 046, block 067, block 068, block 070, block 073, block 076, block 087, block 088; and the following blocks in voting district (503740), tract 0098.01, block group 4, in Sedgwick county: block 045; and the following blocks in voting district (503740), tract 0099.00, block group 2, in Sedgwick county: block 002, block 003; and the following voting districts in Sedgwick county: (503760), (503770), (503930), (503940), (503950), (503960), (503970), (503990), (504000), (504010), (504020), (600190), (600440), (600460), (600780), (700260), (700290), (700300), (700510), (700630), (700650), (700690), (700840), (700890), (700950), (700960), (900020), (900030), (900040), (900080), (900090), (900100), (900110), (900120).

Sec. 160. Senatorial district 27 shall consist of the following voting districts in Sedgwick county: (500970), (500980), (501390), (501400), (501410), (501420), (501430), (501440), (501450), (501460); and the following blocks in voting district (501470), tract 0095.03, block group 1, in Sedgwick county: block 045, block 056; and the following blocks in voting district (501500), tract 0095.03, block group 2, in Sedgwick county: block 000; and the following blocks in voting district (501500), tract 0095.03, block group 4, in Sedgwick county: block 000; and the following voting districts in Sedgwick county: (501540), (501550), (501560), (501570), (501580), (501590); and the following blocks in voting district (501600), tract 0092.00, block group 2, in Sedgwick county: block 082, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127; and the following blocks in voting district (501610), tract 0095.10, block group 1, in Sedgwick county: block 004, block 006, block 007, block 008, block 012, block 013, block 014, block 015; and the following blocks in voting district (501610), tract 0095.11, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 015,

block 016, block 017, block 018, block 019, block 020, block 021, block 024; and the following voting districts in Sedgwick county: (501620), (501630), (501640), (501650); and the following blocks in voting district (501660), tract 0095.06, block group 2, in Sedgwick county: block 001, block 002, block 005, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (501660), tract 0095.07, block group 1, in Sedgwick county: block 023, block 024, block 025, block 052, block 060; and the following blocks in voting district (501670), tract 0095.03, block group 2, in Sedgwick county: block 019, block 020, block 022; and the following blocks in voting district (501670), tract 0095.03, block group 4, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 018, block 019; and the following voting districts in Sedgwick county: (501720); and the following blocks in voting district (501730), tract 0095.07, block group 1, in Sedgwick county: block 029, block 030, block 035, block 036, block 037, block 038, block 041, block 042, block 043, block 044, block 045, block 048, block 050, block 051, block 053, block 055, block 056, block 057, block 061, block 062, block 064; and the following blocks in voting district (501740), tract 0095.07, block group 1, in Sedgwick county: block 058, block 059, block 063; and the following blocks in voting district (501740), tract 0095.09, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 011; and the following blocks in voting district (501740), tract 0095.10, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (501750), tract 0095.09, block group 1, in Sedgwick county: block 018, block 019, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 032, block 039, block 040, block 041; and the following blocks in voting district (501750), tract 0095.10, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 005, block 011; and the following blocks in voting district (501810), tract 0095.09, block group 1, in Sedgwick county: block 007, block 008, block 017, block 036, block 037; and the following blocks in voting district (501930), tract 0093.01, block group 3, in Sedgwick county: block 024; and the following voting districts in Sedgwick county: (502160), (502170); and the following blocks in voting district (502200), tract 0095.09, block group 1, in Sedgwick county: block 001; and the following blocks in voting district (502410), tract 0093.01, block group 3, in Sedgwick county: block 006, block 007, block 025; and the following voting districts in Sedgwick county: (502430), (502440); and the following blocks in voting district (502460), tract 0095.03, block group 1, in Sedgwick county: block 046; and the following voting districts in Sedgwick county: (502470), (600250), (600390).

Sec. 161. Senatorial district 28 shall consist of the following blocks in voting district (500390), tract 0066.00, block group 2, in Sedgwick county: block 000; and the following blocks in voting district (500390), tract 0100.03, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006,

block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 016, block 017, block 018, block 019, block 020, block 021, block 023, block 026, block 027, block 028; and the following voting districts in Sedgwick county: (500830), (500840), (500850), (500870), (500880), (500890), (500900), (500910), (501170), (501180), (501190), (501200); and the following blocks in voting district (501210), tract 0054.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 037, block 043; and the following blocks in voting district (501210), tract 0054.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (501220), tract 0054.00, block group 3, in Sedgwick county: block 040; and the following voting districts in Sedgwick county: (501320), (501330), (502260), (502270), (502280), (502290), (502300), (502340), (502570), (502580), (502590), (502600), (502610); and the following blocks in voting district (502630), tract 0054.00, block group 1, in Sedgwick county: block 115, block 123, block 125; and the following blocks in voting district (502630), tract 0055.01, block group 3, in Sedgwick county: block 001; and the following voting districts in Sedgwick county: (502650); and the following blocks in voting district (502660), tract 0055.01, block group 1, in Sedgwick county: block 008, block 011, block 030; and the following blocks in voting district (502660), tract 0055.01, block group 4, in Sedgwick county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 017, block 018; and the following voting districts in Sedgwick county: (502670), (502680), (502690); and the following blocks in voting district (503590), tract 0054.00, block group 1, in Sedgwick county: block 102, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 116, block 117; and the following blocks in voting district (503590), tract 0055.01, block group 3, in Sedgwick county: block 000; and the following blocks in voting district (503590), tract 0056.00, block group 3, in Sedgwick county: block 043, block 044; and the following voting districts in Sedgwick county: (503600), (503610), (503630), (503640), (503650), (503660); and the following blocks in voting district (503670), tract 0054.00, block group 1, in Sedgwick county: block 124; and the following blocks in voting district (503670), tract 0055.01, block group 4, in Sedgwick county: block 019; and the following voting districts in Sedgwick county: (503700), (600010), (600020), (600130), (600140), (600330), (600350), (600380), (700500), (700580), (700590), (700700), (700810), (700820), (700850), (700880).

Sec. 162. Senatorial district 29 shall consist of the following voting districts in Sedgwick county: (500010), (500030), (500040), (500050), (500060), (500070), (500080), (500090), (500100), (500110), (500130), (500140), (500150), (500160); and the following blocks in voting district (500180), tract 0009.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 024; and the following voting districts in Sedgwick county: (500320), (500330), (500340); and the following blocks in voting district (500350), tract 0076.00, block group 3, in Sedgwick county: block

014, block 015, block 016, block 017, block 018, block 019; and the following voting districts in Sedgwick county: (500770), (500780), (500790), (500800); and the following blocks in voting district (500950), tract 0043.00, block group 3, in Sedgwick county: block 013, block 014, block 027; and the following voting districts in Sedgwick county: (501820); and the following blocks in voting district (501880), tract 0014.00, block group 4, in Sedgwick county: block 014; and the following voting districts in Sedgwick county: (501890); and the following blocks in voting district (501960), tract 0003.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (501960), tract 0003.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (501960), tract 0004.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (501960), tract 0004.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 029, block 030; and the following blocks in voting district (501960), tract 0004.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 029, block 030; and the following blocks in voting district (501960), tract 0006.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 059; and the following blocks in voting district (501960), tract 0007.00, block group 2, in Sedgwick county: block 022, block 023; and the following blocks in voting district (501960), tract 0081.00, block group 2, in Sedgwick county: block 219, block 220.

Sec. 163. Senatorial district 30 shall consist of the following voting districts in Sedgwick county: (500210); and the following blocks in voting district (500350), tract 0021.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046; and the following blocks in voting district (500350), tract 0069.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003; and the following voting districts in Sedgwick county: (500360), (500370), (500380); and the following blocks in voting district (500390), tract 0100.03, block group 1, in Sedgwick county: block 015; and the following voting districts in Sedgwick county: (500400), (500410), (500420), (500430), (500440), (500450), (500460), (500470), (500480); and the following blocks in voting district (500490), tract 0101.16, block group 1, in Sedgwick county: block 162, block 179; and the following voting districts in Sedgwick county: (500530), (500540), (500560); and the following blocks in voting district (500570), tract 0072.01, block

group 1, in Sedgwick county: block 004, block 005, block 006, block 007, block 008, block 010, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 030, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (500570), tract 0072.01, block group 2, in Sedgwick county: block 064; and the following blocks in voting district (500570), tract 0072.04, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012, block 013, block 040, block 041; and the following blocks in voting district (500570), tract 0072.04, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 032, block 034, block 035, block 036, block 037; and the following voting districts in Sedgwick county: (500580); and the following blocks in voting district (500590), tract 0100.01, block group 1, in Sedgwick county: block 007, block 008, block 045, block 046, block 053, block 054; and the following blocks in voting district (500590), tract 0100.02, block group 1, in Sedgwick county: block 001, block 002, block 003, block 006, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (500590), tract 0100.02, block group 2, in Sedgwick county: block 081; and the following voting districts in Sedgwick county: (500650), (500660), (500670), (500690), (500710), (500810), (500820), (503020), (503030); and the following blocks in voting district (503040), tract 0072.04, block group 1, in Sedgwick county: block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039; and the following blocks in voting district (503040), tract 0072.04, block group 3, in Sedgwick county: block 018; and the following blocks in voting district (503040), tract 0100.02, block group 1, in Sedgwick county: block 016, block 034; and the following voting districts in Sedgwick county: (503050), (503060), (503070), (503080), (503090), (503100), (503110), (503120), (503130), (503140), (503150), (503160); and the following blocks in voting district (503530), tract 0101.16, block group 1, in Sedgwick county: block 170; and the following voting districts in Sedgwick county: (600420); and the following blocks in voting district (600430), tract 0100.01, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 015, block 016, block 017, block 043, block 044, block 047, block 048, block 049, block 050, block 051, block 052, block 055, block 059; and the following blocks in voting district (600430), tract 0100.02, block group 1, in Sedgwick county: block 000, block 004, block 005, block 037; and the following blocks in voting district (600430), tract 0100.02, block group 2, in Sedgwick county: block 062, block 063, block 078; and the following voting districts in Sedgwick county: (700490), (700530), (900060).

Sec. 164. Senatorial district 31 shall consist of the following voting districts in Sedgwick county: (500120), (500170); and the following blocks in voting district (500180), tract 0077.00, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019,

block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067; and the following blocks in voting district (500180), tract 0101.13, block group 2, in Sedgwick county: block 127, block 151, block 152; and the following voting districts in Sedgwick county: (500190), (500200), (500220), (500230), (500240), (500250), (500260), (500270), (500280), (500310); and the following blocks in voting district (500490), tract 0101.06, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 038, block 039, block 040, block 041; and the following blocks in voting district (500490), tract 0101.11, block group 1, in Sedgwick county: block 042, block 043, block 044, block 045, block 046, block 047, block 048; and the following blocks in voting district (500490), tract 0101.16, block group 1, in Sedgwick county: block 139, block 140, block 159, block 160, block 161, block 163, block 164, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 198, block 199, block 200, block 202, block 203; and the following blocks in voting district (500490), tract 0108.01, block group 1, in Sedgwick county: block 000, block 001, block 002, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 036; and the following blocks in voting district (500490), tract 0108.02, block group 1, in Sedgwick county: block 000, block 001, block 002, block 035, block 036, block 037, block 038, block 040, block 041, block 046, block 047, block 048, block 050, block 051, block 052, block 053; and the following voting districts in Sedgwick county: (500500), (500510), (500520), (500720), (500730), (501950); and the following blocks in voting district (501960), tract 0001.00, block group 2, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (501960), tract 0001.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 013, block 014, block 015; and the following blocks in voting district (501960), tract 0007.00, block group 3, in Sedgwick county: block 009; and the following blocks in voting district (501960), tract 0081.00, block group 2, in Sedgwick county: block 189, block 191, block 192, block 196, block 202, block 203, block 204, block 205, block 206, block 208, block 209, block 210, block 211, block 214, block 215, block 216, block 217, block 218, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233; and the following voting districts in Sedgwick county: (501970), (501980), (501990), (502000); and the following blocks in voting district (502020), tract 0081.00, block group 2, in Sedgwick county: block 079, block 080; and the following blocks in voting district (502020), tract 0081.00, block group 3, in Sedgwick county: block 033, block 034, block 035, block 036, block 037,

block 040, block 042, block 049; and the following blocks in voting district (502020), tract 0083.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 029, block 030, block 031, block 032; and the following blocks in voting district (502020), tract 0083.00, block group 4, in Sedgwick county: block 001, block 002, block 004, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (502040), tract 0103.00, block group 4, in Sedgwick county: block 050; and the following blocks in voting district (502050), tract 0103.00, block group 4, in Sedgwick county: block 024, block 033, block 036; and the following blocks in voting district (502070), tract 0081.00, block group 1, in Sedgwick county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 023, block 024, block 025, block 026, block 027, block 028, block 033; and the following blocks in voting district (502070), tract 0081.00, block group 3, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 039, block 044, block 045; and the following blocks in voting district (502070), tract 0103.00, block group 4, in Sedgwick county: block 022, block 023, block 025, block 026, block 030, block 031, block 032, block 044, block 047; and the following voting districts in Sedgwick county: (502080), (502220), (502230), (502240), (502250), (502830), (502840), (502850), (502860), (502870), (502880), (502890), (502900), (502910), (502930), (502940), (502950), (502960), (502970), (502980), (502990), (503000); and the following blocks in voting district (503010), tract 0101.16, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 061, block 062, block 063, block 065, block 067, block 068, block 070, block 071, block 073, block 076, block 077, block 078, block 081, block 082, block 083, block 220, block 222, block 223; and the following blocks in voting district (503290), tract 0103.00, block group 4, in Sedgwick county: block 002; and the following voting districts in Sedgwick county: (503370), (503380), (503390), (503400), (503410), (503450), (503460), (503470), (503480), (503490), (503500), (503510), (503520); and the following blocks in voting district (503530), tract 0101.16, block group 1, in Sedgwick county: block 066, block 069, block 074, block 075, block 079, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 099, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 123, block 124, block 132, block 133, block 134, block 141, block 142, block 143, block 144,

block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 158, block 221; and the following voting districts in Sedgwick county: (503550), (503560), (503580), (503800), (530540); and the following blocks in voting district (600030), tract 0103.00, block group 4, in Sedgwick county: block 042, block 045; and the following voting districts in Sedgwick county: (600090), (600150), (600360), (600400), (700010), (700020), (700030), (700040), (700050), (700060), (700070), (700080), (700090), (700110), (700120), (700130), (700140), (700150), (700160), (700170), (700180), (700200), (700310), (700320), (700330), (700350), (700380), (700390), (700400); and the following blocks in voting district (700410), tract 0103.00, block group 4, in Sedgwick county: block 006; and the following voting districts in Sedgwick county: (700460), (700470), (700540), (700550), (700560), (700570), (700600), (700620), (700660), (700670), (700710); and the following blocks in voting district (700780), tract 0103.00, block group 4, in Sedgwick county: block 008; and the following voting districts in Sedgwick county: (700790), (700830), (700860), (700900), (700910), (700920), (900010), (900050).

Sec. 165. Senatorial district 32 shall consist of all of Cowley county; and the following voting districts in Sedgwick county: (502490), (503180), (503190), (503210), (503220), (503230), (503250); and the following blocks in voting district (503710), tract 0099.00, block group 2, in Sedgwick county: block 006, block 007; and the following blocks in voting district (503740), tract 0099.00, block group 2, in Sedgwick county: block 004, block 005, block 008, block 009, block 010, block 011, block 012, block 017, block 018, block 023, block 027; and the following blocks in voting district (503740), tract 0099.00, block group 4, in Sedgwick county: block 006, block 027, block 028; and the following blocks in voting district (503740), tract 0099.00, block group 5, in Sedgwick county: block 057, block 058, block 059, block 061, block 062, block 063, block 064, block 065, block 075, block 089, block 090, block 092; and the following blocks in voting district (503740), tract 0099.00, block group 6, in Sedgwick county: block 001, block 005, block 008, block 009; and the following blocks in voting district (503740), tract 0099.00, block group 7, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 008, block 009, block 010, block 020, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 030, block 031; and the following voting districts in Sedgwick county: (503750), (503920), (600340), (600370); and all of Sumner county.

Sec. 166. Senatorial district 33 shall consist of all of Barber county; and the following voting districts in Barton county: (000030); and the following blocks in voting district (000040), tract 9711.00, block group 1, in Barton county: block 176, block 177, block 178, block 179, block 180, block 181, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 227, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 244, block 245, block 246, block 273, block 274; and the following voting districts in Barton county: (000050), (000070), (000080), (00011A), (00011B), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (00019A), (00019B), (000200), (000210), (00022A), (00022B), (00022C), (00022D), (00022E),

(00022F), (00023A), (00023B), (00023C), (000290), (000300), (000310), (000330), (000340); and the following blocks in voting district (000350), tract 9711.00, block group 1, in Barton county: block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226; and the following blocks in voting district (000350), tract 9713.00, block group 2, in Barton county: block 000, block 001, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 016, block 017, block 021, block 046, block 047, block 048, block 049, block 050, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099; and the following blocks in voting district (000350), tract 9718.00, block group 1, in Barton county: block 015, block 016, block 017, block 018, block 019, block 033; and the following blocks in voting district (000350), tract 9718.00, block group 2, in Barton county: block 000, block 001, block 002, block 056; and the following voting districts in Barton county: (000370), (000380), (900010); and all of Comanche county; and all of Edwards county; and all of Harper county; and all of Kingman county; and all of Kiowa county; and all of Pawnee county; and all of Pratt county; and all of Stafford county.

Sec. 167. Senatorial district 34 shall consist of all of Reno county; and the following voting districts in Rice county: (000010), (000020), (000030), (000040), (000170), (000180), (00019A), (00019B), (00019C), (000200), (000210), (000230), (000250), (000260); and the following voting districts in Sedgwick county: (502480), (502560), (503780).

Sec. 168. Senatorial district 35 shall consist of all of Harvey county; and all of McPherson county; and the following voting districts in Marion county: (000010), (000020); and the following blocks in voting district (000050), tract 4895.00, block group 2, in Marion county: block 301, block 302, block 303, block 338, block 339, block 340; and the following voting districts in Marion county: (000060), (000080), (000090), (000170), (000190), (000230), (000250), (000260), (000270), (000300); and the following voting districts in Rice county: (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000220), (000240).

Sec. 169. Senatorial district 36 shall consist of the following voting districts in Barton county: (000010), (000020); and the following blocks in voting district (000040), tract 9711.00, block group 1, in Barton county: block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 170, block 171, block 172, block 173, block 174, block 175, block 182, block 253; and the following voting districts in Barton county: (000060), (000090), (000100), (000240), (000250), (000260), (00027A), (00027B), (000280), (000320); and the following blocks in voting district (000350), tract 9713.00, block group 2, in Barton county: block 012, block 014, block 015, block 024, block

025, block 041; and the following blocks in voting district (000350), tract 9713.00, block group 3, in Barton county: block 067, block 069, block 070; and the following blocks in voting district (000350), tract 9713.00, block group 4, in Barton county: block 000, block 003, block 043, block 044, block 046; and the following voting districts in Barton county: (000360), (000390); and all of Ellis county; and all of Ellsworth county; and all of Jewell county; and all of Lincoln county; and all of Mitchell county; and all of Osborne county; and the following blocks in voting district (000230), tract 0857.00, block group 2, in Ottawa county: block 118; and all of Republic county; and all of Rush county; and all of Russell county; and all of Smith county.

Sec. 170. Senatorial district 37 shall consist of the following voting districts in Johnson county: (000010), (000020), (000030), (000040), (001340), (00217A), (00217B), (002180), (002190), (00222A), (00222B), (002230), (00226A), (00226B), (002360), (00244A), (00244B), (002460), (002470), (00249C), (00249E), (00249F), (004300), (900010), (900020); and the following blocks in voting district (900290), tract 0534.10, block group 1, in Johnson county: block 018, block 020, block 023; and the following voting districts in Johnson county: (900810), (901000), (901010), (901020), (901030), (901040), (901050); and the following blocks in voting district (901060), tract 0534.14, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Johnson county: (901090), (901100), (901110), (901120), (901130), (901140), (901150), (901160), (901170), (901180), (901190), (901200), (901210), (901220), (901230), (901240), (901250), (901260), (901270), (901290), (901300), (901310).

Sec. 171. Senatorial district 38 shall consist of all of Clark county; and all of Ford county; and all of Gray county; and all of Meade county; and all of Seward county.

Sec. 172. Senatorial district 39 shall consist of all of Finney county; and all of Grant county; and all of Hamilton county; and all of Haskell county; and all of Hodgeman county; and all of Kearny county; and all of Morton county; and all of Stanton county; and all of Stevens county.

Sec. 173. Senatorial district 40 shall consist of all of Cheyenne county; and all of Decatur county; and all of Gove county; and all of Graham county; and all of Greeley county; and all of Lane county; and all of Logan county; and all of Ness county; and all of Norton county; and all of Phillips county; and all of Rawlins county; and all of Rooks county; and all of Scott county; and all of Sheridan county; and all of Sherman county; and all of Thomas county; and all of Trego county; and all of Wallace county; and all of Wichita county.";

And by renumbering sections accordingly;

On page 245, in line 5, by striking ", 4-4,493, 4-514, 4-515,;" by striking all in line 6 and inserting "and 4-4,493";

On page 1, in the title, in line 2, by striking "and state board of education member districts"; in line 25, by striking all after "4,492"; in line 26, by striking all before the period and inserting "and 4-4,493".

On the showing of five hands, a roll call was requested.

On roll call, the vote was: Yeas 8; Nays 28; Present and Passing 4; Absent or Not Voting 0.

Yeas: Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook.

Nays: Abrams, Apple, Bruce, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Pyle, Reitz, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Present and Passing: Donovan, Kelsey, A. Schmidt, Steineger.

The motion failed and the amendment was rejected.

EXPLANATION OF VOTE

MR. PRESIDENT: This amendment represents the best solution in addressing the need for an additional Senate seat in Johnson County. Growth in South Johnson County has been steady and predictable experiencing 20% population growth in the last 10 years. This amendment affirms the constitutional rights of one person one vote and support the laws involving communities of interest. – JULIA LYNN

Senators Merrick, Olson and Pilcher-Cook request the record to show they concur with the “Explanation of Vote” offered by Senator Lynn on **S Sub for HB 2371**.

A motion by Senator Abrams to amend **S Substitute for HB 2371** failed and the following amendment was rejected: on page 157, by striking all in lines 4 through 43;

By striking all on pages 158 through 243;

On page 244, by striking all in lines 1 through 26 and inserting the following:

"Sec. 134. Senatorial district 1 shall consist of all of Atchison county; and all of Brown county; and all of Doniphan county; and all of Jackson county; and all of Pottawatomie county.

Sec. 135. Senatorial district 2 shall consist of the following blocks in voting district (00006A), tract 0016.00, block group 2, in Douglas county: block 046, block 047, block 048, block 049; and the following voting districts in Douglas county: (00007A), (000080), (000090), (00010A), (000110), (00012A), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000330), (000340), (000350), (000360), (000370); and the following blocks in voting district (000380), tract 0009.01, block group 4, in Douglas county: block 016, block 017; and the following blocks in voting district (000380), tract 0009.01, block group 5, in Douglas county: block 008, block 009, block 010, block 011; and the following blocks in voting district (000380), tract 0009.02, block group 1, in Douglas county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 026, block 029, block 030; and the following voting districts in Douglas county: (000400), (000410), (000420), (000430), (00044A), (000450), (000460), (000470), (00050A), (00050C); and the following blocks in voting district (00052A), tract 0016.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 043, block 059, block 060, block 061, block 065, block 066; and the following blocks in voting district (00053A), tract 0008.01, block group 1, in Douglas county: block 000,

block 001, block 002, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 030, block 043; and the following blocks in voting district (00053A), tract 0008.01, block group 2, in Douglas county: block 004, block 005, block 006, block 007, block 008, block 009, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 034, block 036, block 042; and the following blocks in voting district (000560), tract 0008.01, block group 1, in Douglas county: block 003; and the following blocks in voting district (000560), tract 0016.00, block group 2, in Douglas county: block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 062, block 063, block 064; and the following blocks in voting district (00061A), tract 0005.01, block group 1, in Douglas county: block 001, block 003, block 005, block 037; and the following blocks in voting district (00061A), tract 0006.03, block group 1, in Douglas county: block 001, block 006, block 007, block 011, block 012, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 028, block 029, block 038; and the following blocks in voting district (00061A), tract 0006.03, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 009, block 010, block 014, block 015, block 026, block 027, block 085; and the following blocks in voting district (00061A), tract 0006.04, block group 1, in Douglas county: block 007; and the following blocks in voting district (00061A), tract 0015.00, block group 1, in Douglas county: block 076; and the following blocks in voting district (00067A), tract 0008.01, block group 1, in Douglas county: block 017, block 028, block 029, block 038, block 039, block 041, block 048, block 049; and the following blocks in voting district (00067A), tract 0008.01, block group 2, in Douglas county: block 032, block 033, block 038, block 039, block 040, block 041, block 043, block 045; and the following blocks in voting district (00067A), tract 0008.02, block group 2, in Douglas county: block 004, block 005, block 006, block 007, block 018; and the following blocks in voting district (00067A), tract 0009.02, block group 1, in Douglas county: block 031, block 032, block 039; and the following voting districts in Douglas county: (00067B); and the following blocks in voting district (200010), tract 0010.02, block group 2, in Douglas county: block 050, block 052; and the following blocks in voting district (200020), tract 0001.00, block group 3, in Douglas county: block 005; and the following blocks in voting district (200020), tract 0002.00, block group 1, in Douglas county: block 000, block 001, block 002, block 009, block 025; and the following blocks in voting district (200020), tract 0002.00, block group 6, in Douglas county: block 003, block 018, block 025, block 034; and the following blocks in voting district (200020), tract 0012.01, block group 1, in Douglas county: block 003, block 004, block 005, block 006, block 007, block 012, block 013; and the following voting districts in Douglas county: (400020), (400030), (400040); and the following blocks in voting district (400060), tract 0005.01, block group 1, in Douglas county: block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 030, block 031, block 032, block 033; and the following blocks in voting district (400070), tract 0002.00, block group 6, in Douglas county: block 000, block 001, block 028, block 030, block 032; and the following blocks in voting district (400070), tract 0012.01, block group 1, in Douglas county: block 014, block 015; and the following voting districts in Douglas county: (900040), (900050), (900060), (900070), (900090), (900100); and the following blocks in voting district (900110), tract 0002.00, block group 6, in Douglas county:

block 033; and the following blocks in voting district (900110), tract 0010.02, block group 2, in Douglas county: block 036, block 058; and the following blocks in voting district (900110), tract 0012.01, block group 1, in Douglas county: block 016; and the following voting districts in Douglas county: (900120), (900130), (900140), (900150), (900160).

Sec. 136. Senatorial district 3 shall consist of the following voting districts in Douglas county: (000020), (000600), (000620); and the following blocks in voting district (000630), tract 0012.03, block group 1, in Douglas county: block 010, block 011, block 024, block 030, block 031, block 032, block 033, block 034, block 035, block 080; and the following blocks in voting district (000630), tract 0012.03, block group 4, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (000640), tract 0012.03, block group 1, in Douglas county: block 062, block 063, block 064, block 065, block 066, block 067, block 068; and the following blocks in voting district (000640), tract 0012.03, block group 2, in Douglas county: block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 114, block 116; and the following blocks in voting district (000640), tract 0012.03, block group 3, in Douglas county: block 031, block 032, block 033, block 037, block 038, block 039; and the following blocks in voting district (000640), tract 0012.03, block group 4, in Douglas county: block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074; and the following voting districts in Douglas county: (000650); and the following blocks in voting district (000660), tract 0012.01, block group 1, in Douglas county: block 105, block 106, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 126, block 127; and the following blocks in voting district (000660), tract 0012.02, block group 1, in Douglas county: block 098, block 107; and the following blocks in voting district (000660), tract 0012.03, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (000660), tract 0012.03, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 027, block 028, block 029, block 039, block 040, block 041, block 117; and the following blocks in voting district (200010), tract 0010.02, block group 2, in Douglas county: block 028, block 040, block 067, block 068, block 069; and the following blocks in voting district (200010), tract 0012.01, block group 1,

in Douglas county: block 038, block 039, block 040, block 043, block 044, block 048, block 049, block 058, block 059, block 060, block 061, block 062, block 064, block 065, block 066, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 096, block 100, block 101, block 102, block 103, block 104, block 107, block 140; and the following blocks in voting district (200020), tract 0002.00, block group 6, in Douglas county: block 026; and the following blocks in voting district (200020), tract 0010.02, block group 2, in Douglas county: block 004, block 012; and the following voting districts in Douglas county: (400050); and the following blocks in voting district (400070), tract 0002.00, block group 6, in Douglas county: block 004, block 005, block 027, block 029; and the following blocks in voting district (400070), tract 0010.02, block group 2, in Douglas county: block 001, block 002, block 003, block 005, block 006, block 007, block 008, block 009, block 010, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 032, block 033, block 060, block 061, block 062, block 070; and the following blocks in voting district (400070), tract 0010.02, block group 3, in Douglas county: block 000, block 003, block 004, block 005, block 006; and the following voting districts in Douglas county: (400090), (400100), (900020); and the following blocks in voting district (900110), tract 0010.02, block group 2, in Douglas county: block 000, block 023, block 029, block 030, block 031; and the following blocks in voting district (900110), tract 0012.01, block group 1, in Douglas county: block 022, block 023; and the following blocks in voting district (000080), tract 0527.00, block group 2, in Johnson county: block 168; and the following voting districts in Johnson county: (001000); and the following blocks in voting district (001010), tract 0535.56, block group 1, in Johnson county: block 000, block 001, block 018, block 020, block 021, block 022, block 027, block 028, block 029, block 030, block 033, block 034, block 035, block 036; and the following blocks in voting district (001010), tract 0535.56, block group 2, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (001090), tract 0535.55, block group 1, in Johnson county: block 016, block 017, block 018, block 019, block 022, block 023; and the following blocks in voting district (001090), tract 0536.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (001090), tract 0536.01, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 024, block 025, block 026, block 027, block 028, block 029; and the following voting districts in Johnson county: (001130), (001150), (001160), (001200), (001210), (001220), (001260), (001280); and the following blocks in voting district (00147A), tract 0529.08, block group 4, in Johnson county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (001520), tract 0529.05, block group 2, in Johnson county: block 006, block 007, block 013, block 014, block 015, block 016; and the following voting districts in Johnson county: (00153J), (00153K); and the following blocks in voting district (004080), tract 0527.00, block group 2, in Johnson county: block 158, block 160, block 463; and the following voting districts in Johnson county: (004090), (004100); and the following blocks in voting district (900040), tract 0527.00,

block group 2, in Johnson county: block 157, block 162, block 165, block 171, block 174, block 438, block 440, block 442, block 443, block 461; and the following voting districts in Johnson county: (900050), (900640), (900680), (900700); and the following blocks in voting district (901550), tract 0535.55, block group 1, in Johnson county: block 029, block 030, block 031, block 032; and the following blocks in voting district (901550), tract 0535.55, block group 3, in Johnson county: block 009; and the following blocks in voting district (901550), tract 0535.57, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (901550), tract 0535.57, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 014; and the following blocks in voting district (901700), tract 0529.05, block group 2, in Johnson county: block 008, block 009, block 010, block 011, block 012, block 017, block 018, block 019; and the following blocks in voting district (901700), tract 0529.08, block group 4, in Johnson county: block 004; and the following blocks in voting district (901720), tract 0528.01, block group 3, in Johnson county: block 011; and the following blocks in voting district (901720), tract 0528.01, block group 4, in Johnson county: block 002, block 003, block 004, block 008, block 009, block 010, block 011; and the following blocks in voting district (901720), tract 0528.01, block group 5, in Johnson county: block 017, block 021, block 038; and the following blocks in voting district (901810), tract 0536.02, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 006, block 007, block 008, block 009, block 010, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 035, block 036; and the following voting districts in Johnson county: (901930); and the following blocks in voting district (901940), tract 0527.00, block group 1, in Johnson county: block 005; and the following blocks in voting district (901940), tract 0527.00, block group 2, in Johnson county: block 033, block 066, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 163, block 164, block 166, block 167, block 169, block 170, block 172, block 173, block 175, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235,

block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 303, block 304, block 305, block 306, block 307, block 308, block 309, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 324, block 325, block 326, block 327, block 328, block 329, block 330, block 331, block 332, block 333, block 334, block 335, block 336, block 337, block 338, block 339, block 340, block 341, block 342, block 343, block 344, block 345, block 346, block 347, block 348, block 349, block 350, block 351, block 352, block 353, block 354, block 355, block 356, block 357, block 358, block 359, block 360, block 361, block 362, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 373, block 374, block 375, block 376, block 377, block 378, block 379, block 380, block 381, block 382, block 383, block 384, block 385, block 386, block 387, block 388, block 389, block 390, block 391, block 392, block 393, block 394, block 395, block 396, block 397, block 398, block 399, block 400, block 401, block 402, block 403, block 404, block 405, block 406, block 407, block 408, block 409, block 410, block 411, block 412, block 413, block 414, block 415, block 416, block 417, block 418, block 419, block 420, block 421, block 422, block 423, block 424, block 425, block 426, block 427, block 428, block 429, block 430, block 431, block 432, block 433, block 434, block 435, block 436, block 437, block 441, block 444, block 445, block 446, block 447, block 448, block 449, block 450, block 451, block 452, block 453, block 454, block 455, block 456, block 457, block 458, block 459, block 460, block 462, block 464, block 465, block 476; and the following voting districts in Leavenworth county: (000020), (000030), (000050), (000310); and the following blocks in voting district (000320), tract 0714.00, block group 1, in Leavenworth county: block 099; and the following blocks in voting district (000320), tract 0714.00, block group 2, in Leavenworth county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084; and the following blocks in voting district (000320), tract 0714.00, block group 3, in Leavenworth county: block 000, block 001, block 002, block 003, block 004, block 005,

block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 052, block 057, block 059, block 060, block 061, block 062, block 063, block 064, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 093; and the following blocks in voting district (000320), tract 0718.00, block group 2, in Leavenworth county: block 055, block 056; and the following voting districts in Leavenworth county: (000350), (000360), (000370), (000380), (000390), (900010), (900020), (900030), (900080); and the following blocks in voting district (601100), tract 0448.03, block group 1, in Wyandotte county: block 046, block 047, block 048, block 049.

Sec. 137. Senatorial district 4 shall consist of the following voting districts in Wyandotte county: (600090), (600100); and the following blocks in voting district (600110), tract 0400.01, block group 1, in Wyandotte county: block 126; and the following blocks in voting district (600110), tract 0400.02, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 015, block 016, block 017; and the following blocks in voting district (600110), tract 0418.00, block group 1, in Wyandotte county: block 017, block 031; and the following blocks in voting district (600110), tract 0419.00, block group 1, in Wyandotte county: block 000, block 006, block 007; and the following blocks in voting district (600110), tract 0419.00, block group 2, in Wyandotte county: block 002, block 003, block 007, block 008, block 009, block 034; and the following voting districts in Wyandotte county: (600120), (600130), (600140), (600150), (600160), (600170), (600180), (600190), (600200), (600210), (600220), (600230), (600240); and the following blocks in voting district (600250), tract 0419.00, block group 2, in Wyandotte county: block 010, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (600250), tract 0420.02, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (600250), tract 0424.00, block group 2, in Wyandotte county: block 001; and the following blocks in voting district (600260), tract 0420.02, block group 1, in Wyandotte county: block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (600260), tract 0420.02, block group 2, in Wyandotte county: block 000, block 001, block 002; and the following voting districts in Wyandotte county: (600450), (600460), (600470); and the following blocks in voting district (600480), tract 0415.00, block group 1, in Wyandotte county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 036, block 038; and the following blocks in voting district (600480), tract 0415.00, block group 2, in Wyandotte county: block 017, block 018,

block 019, block 020, block 023, block 024; and the following blocks in voting district (600480), tract 0425.02, block group 1, in Wyandotte county: block 095; and the following blocks in voting district (600480), tract 0439.05, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 038, block 039, block 063, block 065; and the following voting districts in Wyandotte county: (600500); and the following blocks in voting district (600520), tract 0439.05, block group 1, in Wyandotte county: block 014, block 017, block 018, block 022; and the following blocks in voting district (600520), tract 0440.01, block group 2, in Wyandotte county: block 000, block 001, block 002, block 004, block 005, block 006; and the following blocks in voting district (600520), tract 0441.01, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following voting districts in Wyandotte county: (600530); and the following blocks in voting district (600540), tract 0441.02, block group 3, in Wyandotte county: block 000, block 001, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600550), tract 0441.02, block group 1, in Wyandotte county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020; and the following voting districts in Wyandotte county: (600590), (600600), (600610), (600620), (600630), (600640), (600650), (600660), (600670), (600680), (600690), (600700), (600710), (600720), (600730), (600740), (600870), (600880), (600890), (600900), (600910), (600920), (600930), (600940), (600950), (600970), (600980), (600990), (601000).

Sec. 138. Senatorial district 5 shall consist of the following voting districts in Leavenworth county: (000010), (000040), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (00017A), (00017B), (000180), (00019A), (00019B), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (00027A), (000280), (00029A), (00029C), (00029D), (000300), (000330), (000340), (300010), (800010), (900040), (900050), (900060); and the following blocks in voting district (600550), tract 0440.01, block group 1, in Wyandotte county: block 002; and the following blocks in voting district (600550), tract 0447.04, block group 2, in Wyandotte county: block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 055; and the following voting districts in Wyandotte county: (600750), (600760), (600960), (601010), (601020), (601030), (601040), (601050), (601060), (601070), (601080), (601090); and the following blocks in voting district (601100), tract 0448.03, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022,

block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045.

Sec. 139. Senatorial district 6 shall consist of the following blocks in voting district (000920), tract 0503.01, block group 1, in Johnson county: block 009, block 010, block 011, block 012, block 016; and the following blocks in voting district (000920), tract 0522.01, block group 1, in Johnson county: block 000, block 025; and the following blocks in voting district (001540), tract 0504.00, block group 2, in Johnson county: block 000, block 001, block 002; and the following blocks in voting district (001540), tract 0522.01, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 023, block 024, block 030, block 031; and the following voting districts in Johnson county: (900490), (900500), (900510), (900520); and the following voting districts in Wyandotte county: (600010), (600020), (600030), (600040), (600050), (600060), (600070), (600080); and the following blocks in voting district (600110), tract 0400.02, block group 1, in Wyandotte county: block 012, block 013, block 014, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063; and the following blocks in voting district (600110), tract 0419.00, block group 2, in Wyandotte county: block 004, block 005, block 006; and the following blocks in voting district (600110), tract 0425.01, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (600250), tract 0424.00, block group 2, in Wyandotte county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (600250), tract 0424.00, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (600250), tract 0425.01, block group 1, in Wyandotte county: block 014, block 015, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 120, block 121, block 122, block 123, block 124, block 125; and the following blocks in voting district (600260), tract 0420.02, block group 2, in Wyandotte county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (600260), tract 0424.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block

004, block 006; and the following voting districts in Wyandotte county: (600270), (600280), (600290), (600300), (600310), (600320), (600330), (600340), (600350), (600360), (600370), (600380), (600390), (600400), (600410), (600420), (600430), (600440); and the following blocks in voting district (600480), tract 0425.02, block group 1, in Wyandotte county: block 015; and the following blocks in voting district (600480), tract 0439.05, block group 2, in Wyandotte county: block 032, block 033, block 034, block 036, block 037, block 040, block 041, block 042, block 043, block 044, block 045, block 050, block 051, block 052, block 053, block 054, block 055, block 061, block 062; and the following voting districts in Wyandotte county: (600490), (600510); and the following blocks in voting district (600520), tract 0440.01, block group 2, in Wyandotte county: block 003; and the following blocks in voting district (600520), tract 0440.01, block group 3, in Wyandotte county: block 026, block 028; and the following blocks in voting district (600540), tract 0440.01, block group 1, in Wyandotte county: block 000, block 001, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 024, block 025, block 026, block 026; and the following blocks in voting district (600540), tract 0441.02, block group 3, in Wyandotte county: block 002; and the following blocks in voting district (600550), tract 0440.01, block group 1, in Wyandotte county: block 003; and the following voting districts in Wyandotte county: (600560), (600570), (600580), (600770), (600780), (600790), (600800), (600810), (600820), (600830), (600840), (600850), (600860).

Sec. 140. Senatorial district 7 shall consist of the following voting districts in Johnson county: (000100), (000110), (000120), (000130), (000200), (000210), (000220), (000230), (000840), (000850), (000860), (000870), (000880), (000890), (000900), (000910); and the following blocks in voting district (000920), tract 0503.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 013, block 014, block 015, block 017, block 018; and the following blocks in voting district (000920), tract 0503.01, block group 2, in Johnson county: block 000, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following voting districts in Johnson county: (000930), (000940), (000950), (000960), (000970); and the following blocks in voting district (001540), tract 0504.00, block group 2, in Johnson county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 014, block 015; and the following blocks in voting district (001540), tract 0504.00, block group 3, in Johnson county: block 001, block 002, block 003, block 021; and the following voting districts in Johnson county: (001550), (001560), (001570), (001580), (001590), (001600), (002320), (002500), (002510), (002520), (002530), (002550), (002560), (002570), (002580), (002590), (002600), (002610), (002620), (002630), (002640), (002650), (002660), (002670), (002680), (002690), (002700), (002710), (002720), (002730), (002740), (002750), (002870), (002920), (003130), (003140), (003150), (900530), (900540), (900550), (900560), (901320).

Sec. 141. Senatorial district 8 shall consist of the following voting districts in Johnson county: (000590), (000600), (000620), (000630), (000640), (000650); and the following blocks in voting district (000660), tract 0524.17, block group 1, in Johnson county: block 019, block 022, block 023, block 024, block 025, block 027, block 028, block 029, block 030; and the following blocks in voting district (000660), tract 0524.17, block group 2, in Johnson county: block 000, block 001, block 002, block 003,

block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 014, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 036, block 037, block 038, block 039, block 040, block 041; and the following voting districts in Johnson county: (001610), (001620), (001630), (001640), (001650), (001660), (001670), (001680), (001690), (001700), (001710), (001720), (001730), (001740), (001750), (001760), (001770), (001780), (001790), (001800), (001810), (001820), (001830), (001840), (001850), (001860), (001870), (001880), (001890); and the following blocks in voting district (001910), tract 0519.09, block group 3, in Johnson county: block 025; and the following voting districts in Johnson county: (001920), (001930), (001940), (001960), (001970), (001980), (001990), (002000), (002010), (002040), (002050), (002120), (002280), (002290), (002300), (002310), (002540); and the following blocks in voting district (900460), tract 0524.05, block group 3, in Johnson county: block 009; and the following blocks in voting district (900460), tract 0524.17, block group 2, in Johnson county: block 019; and the following voting districts in Johnson county: (900990).

Sec. 142. Senatorial district 9 shall consist of the following voting districts in Johnson county: (000070); and the following blocks in voting district (000080), tract 0527.00, block group 1, in Johnson county: block 100; and the following blocks in voting district (000080), tract 0527.00, block group 2, in Johnson county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 028, block 029, block 030, block 031, block 032, block 034, block 035, block 036, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 078, block 079, block 080, block 466; and the following blocks in voting district (000080), tract 0527.00, block group 3, in Johnson county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 044; and the following blocks in voting district (000430), tract 0524.10, block group 4, in Johnson county: block 005, block 008, block 009; and the following voting districts in Johnson county: (000450), (000510), (000520), (000530), (000540), (000550), (000560); and the following blocks in voting district (000660), tract 0524.17, block group 2, in Johnson county: block 016, block 017, block 033, block 034, block 035, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049; and the following voting districts in Johnson county: (00117A), (00117B), (001240), (001250), (001290), (001410), (001420), (001450), (00147B), (001480), (001490), (001500), (001510); and the following blocks in voting district (001520), tract 0529.05, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 020, block 021, block 022; and the following voting districts in Johnson county: (004070); and the following blocks in voting district (004080), tract 0527.00, block group 2, in Johnson county: block 159; and the following voting districts in Johnson county: (004140), (004180); and the following blocks in voting district (900040), tract 0527.00, block group 1, in Johnson county: block 002, block 009, block 010, block 011, block 012, block 013, block 016, block 017, block 018, block 021, block 022, block 119; and the following blocks in voting district (900040), tract 0527.00, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 176; and the following blocks in voting district (900040), tract 0527.00, block group 3, in Johnson county: block 001,

block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 028, block 029, block 030, block 031, block 032, block 033, block 041, block 042, block 043, block 045; and the following voting districts in Johnson county: (900060), (900370), (900380), (900390), (900400), (900410), (900420), (900450); and the following blocks in voting district (900460), tract 0524.17, block group 2, in Johnson county: block 015, block 018; and the following blocks in voting district (900460), tract 0529.10, block group 2, in Johnson county: block 000; and the following blocks in voting district (900460), tract 0530.05, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (900460), tract 9800.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 095, block 096, block 097, block 098, block 099; and the following voting districts in Johnson county: (900470), (900480), (900660), (900670), (900710), (900720), (900730), (900740), (900750), (900760), (900830), (900870), (900880), (900890), (901430), (901650), (901660), (901670); and the following blocks in voting district (901700), tract 0529.05, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 023; and the following blocks in voting district (901700), tract 0529.10, block group 2, in Johnson county: block 017, block 018, block 021, block 022; and the following voting districts in Johnson county: (901710); and the following blocks in voting district (901720), tract 0528.01, block group 5, in Johnson county: block 002, block 012, block 016, block 032, block 033, block 034; and the following voting districts in Johnson county: (901850), (901910); and the following blocks in voting district (901940), tract 0527.00, block group 1, in Johnson county: block 000, block 004, block 006, block 007, block 008, block 027, block 028, block 029, block 031, block 032, block 033, block 035, block 036, block 037, block 038, block 039, block 068, block 092, block 093, block 095, block 096, block 097, block 098, block 099, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 117, block 118, block 121, block 122; and the following blocks in voting district (901940), tract 0527.00, block group 2, in Johnson county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block

027, block 037, block 038, block 076, block 077, block 101, block 102, block 103; and the following blocks in voting district (000320), tract 0714.00, block group 3, in Leavenworth county: block 058, block 065, block 094, block 095.

Sec. 143. Senatorial district 10 shall consist of the following voting districts in Johnson county: (000190); and the following blocks in voting district (000430), tract 0524.10, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 006, block 007, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (000430), tract 0524.14, block group 2, in Johnson county: block 017, block 018, block 019, block 020, block 021, block 027, block 028, block 029; and the following voting districts in Johnson county: (000440), (000460), (000580), (000610), (002760), (002770), (002780), (002790), (002800), (002810), (002820), (002830), (002850), (002860), (002880), (002890), (002900), (002910), (002930), (002940), (002960), (002980), (002990), (003000), (003010), (003020), (003030), (003040), (003050), (003060), (003070), (003080), (003090), (900030), (900360), (900430), (900440), (901330), (901340), (901350), (901360), (901370), (901380), (901390), (901400), (901410), (901420); and the following voting districts in Wyandotte county: (601110).

Sec. 144. Senatorial district 11 shall consist of the following voting districts in Johnson county: (000240), (000270), (000350), (000370), (001900); and the following blocks in voting district (001910), tract 0519.04, block group 2, in Johnson county: block 000, block 025, block 026, block 029; and the following blocks in voting district (001910), tract 0519.08, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (001910), tract 0530.02, block group 1, in Johnson county: block 000, block 011; and the following blocks in voting district (001910), tract 0531.01, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following voting districts in Johnson county: (001950), (002020), (002030), (002060), (002070), (002080), (002090), (002130), (002140), (002150), (002180), (002190), (002200), (002210), (002330), (002340), (002350), (002360), (002370), (002380), (002390), (002400), (002410), (00242A), (00242B), (00244B), (00249C), (900190), (900200), (900210), (900220), (900230), (900240), (900250), (900260), (900270), (900280), (900290), (900300), (900310), (900320), (900330), (900340); and the following blocks in voting district (901060), tract 0534.14, block group 1, in Johnson county: block 017, block 024; and the following voting districts in Johnson county: (901070), (901080); and the following blocks in voting district (901160), tract 0534.10, block group 1, in Johnson county: block 021; and the following blocks in voting district (901160), tract 0534.10, block group 4, in Johnson county: block 010, block 017, block 018, block 019, block 020, block 023, block 024; and the following voting districts in Johnson county: (901200).

Sec. 145. Senatorial district 12 shall consist of the following voting districts in Franklin county: (000020); and the following blocks in voting district (000030), tract 9541.00, block group 4, in Franklin county: block 067, block 068, block 069, block

070, block 071, block 072, block 098, block 099, block 100, block 101, block 104, block 129, block 130; and the following blocks in voting district (000030), tract 9541.00, block group 5, in Franklin county: block 005, block 006, block 007, block 151, block 153, block 154, block 155, block 157, block 158, block 159, block 160, block 161, block 162, block 167, block 168, block 182, block 183, block 189; and the following blocks in voting district (000030), tract 9541.00, block group 6, in Franklin county: block 002, block 003, block 004; and the following voting districts in Franklin county: (000040), (000050), (000070); and the following blocks in voting district (000080), tract 9541.00, block group 3, in Franklin county: block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 084, block 085, block 086, block 087, block 088, block 089, block 095, block 101, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134; and the following blocks in voting district (000080), tract 9541.00, block group 4, in Franklin county: block 000, block 001, block 046, block 047, block 048, block 086, block 087, block 088, block 089, block 123, block 124, block 125; and the following voting districts in Franklin county: (000100); and the following blocks in voting district (000110), tract 9545.00, block group 2, in Franklin county: block 162, block 164, block 166, block 167, block 168, block 169, block 171, block 172, block 173; and the following blocks in voting district (000110), tract 9545.00, block group 3, in Franklin county: block 018, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 037, block 063, block 064; and the following blocks in voting district (000110), tract 9545.00, block group 4, in Franklin county: block 066, block 067, block 068, block 069, block 070, block 071, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 145, block 147, block 148, block 149, block 150, block 151; and the following blocks in voting district (000110), tract 9545.00, block group 5, in Franklin county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 019, block 027, block 028, block 029; and the following voting districts in Franklin county: (00012A), (00013A), (00013B), (00013C), (000140), (000150), (000160), (000170), (000180), (000190), (00020A), (000210), (000230); and the following blocks in voting district (000240), tract 9545.00,

block group 3, in Franklin county: block 058, block 059, block 060, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 094, block 186, block 187, block 188, block 189, block 190, block 191, block 192; and the following blocks in voting district (000240), tract 9545.00, block group 5, in Franklin county: block 018, block 024, block 025, block 026, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115; and the following voting districts in Franklin county: (900010); and the following voting districts in Johnson county: (000030), (000090), (004030), (004040), (100030), (900080); and the following blocks in voting district (901140), tract 0538.03, block group 1, in Johnson county: block 021, block 022; and the following blocks in voting district (901140), tract 0538.04, block group 1, in Johnson county: block 022, block 023, block 059, block 060, block 061, block 062; and the following blocks in voting district (901220), tract 0538.04, block group 1, in Johnson county: block 048, block 049; and the following voting districts in Johnson county: (901750), (901760); and the following blocks in voting district (901830), tract 0537.12, block group 3, in Johnson county: block 073, block 074; and the following voting districts in Johnson county: (901840); and all of Linn county; and all of Miami county.

Sec. 146. Senatorial district 13 shall consist of the following voting districts in Allen county: (000010), (000020), (000030), (000040), (000050); and the following blocks in voting district (00006A), tract 9530.00, block group 1, in Allen county: block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 162, block 163, block 164, block 165, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 288, block 289, block 290; and the following blocks in voting district (00006A), tract 9530.00, block group 2, in Allen county: block 000, block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 015, block 033, block 034, block 035, block 036, block 039, block 040, block 049, block 095, block 105; and the following blocks in voting district (00006A), tract 9530.00, block group 4, in Allen county: block 000, block 001, block 002, block 013, block 014, block 015, block 064,

block 087, block 093, block 095, block 096, block 097, block 099, block 100, block 101, block 102, block 104, block 105, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 124, block 125, block 126, block 127, block 128, block 129, block 131, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 158, block 163; and the following voting districts in Allen county: (000140), (000150); and the following blocks in voting district (000170), tract 9526.00, block group 1, in Allen county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 125, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 146, block 147, block 148, block 170, block 171, block 172, block 173, block 174, block 739; and the following voting districts in Allen county: (000180), (000190), (000210); and all of Bourbon county; and the following blocks in voting district (000030), tract 9584.00, block group 3, in Cherokee county: block 064; and the following voting districts in Cherokee county: (000050), (00010B), (000110), (000120), (00013A), (00013B), (00013C), (00013D), (000140), (00015A), (00015B), (000160); and the following blocks in voting district (000170), tract 9584.00, block group 1, in Cherokee county: block 156, block 157, block 162, block 163, block 164, block 165, block 166, block 167, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 179, block 180, block 192, block 193; and the following blocks in voting district (000170), tract 9584.00, block group 2, in Cherokee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 040, block 041, block 042, block 043, block 048, block 051, block 052, block 053, block 054, block 057, block 058; and the following blocks in voting district (000170), tract 9584.00, block group 3, in Cherokee county: block 011, block 012, block 013, block 014, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block

055, block 056, block 057, block 058, block 059, block 060, block 063, block 072, block 074, block 075, block 077, block 078, block 079, block 080, block 081; and the following blocks in voting district (000170), tract 9585.00, block group 1, in Cherokee county: block 074, block 075, block 076; and the following blocks in voting district (000170), tract 9586.00, block group 5, in Cherokee county: block 044, block 045; and the following voting districts in Cherokee county: (00018A), (00018B), (00018C), (000200), (000220), (000250), (000260), (000270), (000280), (000290), (000310), (000320), (000330), (000340), (000350); and the following blocks in voting district (000360), tract 9582.00, block group 2, in Cherokee county: block 041, block 042, block 043, block 046, block 047; and the following blocks in voting district (000360), tract 9584.00, block group 1, in Cherokee county: block 097, block 098, block 099; and the following voting districts in Cherokee county: (00039A), (000400), (000410), (00042A), (00042B); and all of Crawford county.

Sec. 147. Senatorial district 14 shall consist of the following voting districts in Cherokee county: (000010), (000020); and the following blocks in voting district (000030), tract 9584.00, block group 3, in Cherokee county: block 061, block 062, block 065; and the following blocks in voting district (000030), tract 9586.00, block group 3, in Cherokee county: block 037, block 038, block 049, block 050; and the following blocks in voting district (000030), tract 9586.00, block group 4, in Cherokee county: block 000, block 001, block 008, block 009, block 010, block 011, block 014, block 015, block 016, block 017, block 031, block 032, block 033, block 034, block 035, block 036; and the following blocks in voting district (000030), tract 9586.00, block group 5, in Cherokee county: block 000, block 001, block 002, block 004, block 006, block 008, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 039, block 040, block 041, block 042, block 048, block 049, block 050; and the following voting districts in Cherokee county: (00004A), (00004B), (000060), (000070), (000080), (000090), (00010A); and the following blocks in voting district (000170), tract 9584.00, block group 3, in Cherokee county: block 066, block 067; and the following blocks in voting district (000170), tract 9586.00, block group 5, in Cherokee county: block 003, block 005, block 043, block 046, block 047; and the following voting districts in Cherokee county: (000190), (000210), (000230), (000240), (00030A), (00030B); and the following blocks in voting district (000360), tract 9582.00, block group 2, in Cherokee county: block 019, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 044, block 045, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 105, block 175, block 176, block 180; and the following blocks in voting district (000360), tract 9584.00, block group 1, in Cherokee county: block 105, block 106, block 107, block 158, block 159, block 160, block 161, block 176, block 177, block 178, block 186, block 187, block 188; and the following blocks in voting district (000360), tract 9584.00, block group 2, in Cherokee county: block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 044, block

045, block 046, block 047, block 049, block 050; and the following voting districts in Cherokee county: (00037A), (00037B), (00037C), (000380); and all of Labette county; and the following voting districts in Montgomery county: (00001A), (00001B), (00001C), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230); and the following blocks in voting district (000240), tract 9501.00, block group 3, in Montgomery county: block 144, block 145, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 201, block 202, block 203, block 207; and the following blocks in voting district (000240), tract 9502.00, block group 1, in Montgomery county: block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129; and the following blocks in voting district (000240), tract 9502.00, block group 3, in Montgomery county: block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 096; and the following blocks in voting district (000240), tract 9507.00, block group 3, in Montgomery county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 035, block 036, block 037, block 038, block 039, block 041, block 042, block 043, block 048, block 049, block 253, block 254, block 255, block 256, block 257, block 261; and the following voting districts in Montgomery county: (000250), (000260); and the following blocks in voting district (000410), tract 9507.00, block group 3, in Montgomery county: block 040, block 044, block 045, block 046, block 047, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 165, block 244, block 260, block 264; and the following voting districts in Montgomery county: (000430), (00044A), (00044B), (00044C), (900010), (900020), (900030), (900040); and all of Neosho county.

Sec. 148. Senatorial district 15 shall consist of the following blocks in voting district (00006A), tract 9530.00, block group 2, in Allen county: block 016, block 018, block 106; and the following voting districts in Allen county: (00006B), (00006C), (000070), (000080), (000090), (00010A), (00010B), (000110), (000120), (000130), (00016A), (00016B), (00016C); and the following blocks in voting district (000170), tract 9526.00, block group 1, in Allen county: block 017; and the following voting districts in Allen county: (00020A), (00020B); and all of Anderson county; and all of

Chautauqua county; and all of Coffey county; and all of Elk county; and the following voting districts in Franklin county: (000010); and the following blocks in voting district (000030), tract 9541.00, block group 4, in Franklin county: block 065, block 066, block 102, block 103, block 107; and the following blocks in voting district (000030), tract 9541.00, block group 5, in Franklin county: block 008, block 009, block 020, block 146, block 147, block 148, block 149, block 150, block 152, block 172, block 173, block 188; and the following blocks in voting district (000030), tract 9541.00, block group 6, in Franklin county: block 005; and the following voting districts in Franklin county: (000060), (000090); and the following blocks in voting district (000110), tract 9545.00, block group 5, in Franklin county: block 020, block 021, block 022, block 023; and the following voting districts in Franklin county: (000220); and the following blocks in voting district (000240), tract 9545.00, block group 6, in Franklin county: block 167, block 168, block 169, block 170, block 171; and the following voting districts in Franklin county: (000250); and all of Greenwood county; and the following blocks in voting district (000240), tract 9501.00, block group 3, in Montgomery county: block 133, block 134, block 135, block 136, block 137, block 139, block 140, block 141, block 142, block 143, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 168, block 169, block 171, block 172, block 173, block 174, block 175, block 204; and the following blocks in voting district (000240), tract 9507.00, block group 3, in Montgomery county: block 029, block 030, block 031, block 032, block 033, block 034, block 259, block 263; and the following voting districts in Montgomery county: (000270), (000280), (000290), (000300), (000310), (00032A), (00032B), (000330), (000340), (000350), (000360), (000370), (000380), (000390), (00040A), (00040B), (00040C); and the following blocks in voting district (000410), tract 9506.00, block group 4, in Montgomery county: block 002; and the following blocks in voting district (000410), tract 9507.00, block group 2, in Montgomery county: block 000, block 001, block 002, block 003, block 004, block 007, block 008, block 009, block 010, block 014, block 015, block 016, block 136, block 137, block 138, block 139, block 170, block 183, block 184, block 185, block 186, block 197, block 198, block 199, block 200; and the following blocks in voting district (000410), tract 9507.00, block group 3, in Montgomery county: block 060, block 061, block 071, block 072, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 122, block 249, block 262, block 265; and the following voting districts in Montgomery county: (000420), (000450), (000460), (000470), (900050), (900060); and all of Wilson county; and all of Woodson county.

Sec. 149. Senatorial district 16 shall consist of all of Butler county; and the following blocks in voting district (500490), tract 0101.16, block group 1, in Sedgwick county: block 139, block 140, block 159, block 160, block 161, block 163, block 164; and the following voting districts in Sedgwick county: (500500), (500510), (500520); and the following blocks in voting district (500530), tract 0101.16, block group 1, in Sedgwick county: block 166, block 174, block 175, block 176, block 177, block 178, block 180, block 181, block 185, block 186; and the following blocks in voting district (500540), tract 0101.16, block group 1, in Sedgwick county: block 169, block 171, block 173; and the following voting districts in Sedgwick county: (500720), (500730); and the following blocks in voting district (502220), tract 0101.13, block group 2, in Sedgwick county: block 082; and the following blocks in voting district (502240), tract

0101.16, block group 1, in Sedgwick county: block 209, block 210, block 215, block 216, block 218, block 219; and the following blocks in voting district (502250), tract 0101.06, block group 1, in Sedgwick county: block 000, block 037; and the following blocks in voting district (502250), tract 0101.16, block group 1, in Sedgwick county: block 098, block 107, block 108, block 109, block 121, block 122, block 125, block 130, block 131, block 135, block 136, block 207; and the following blocks in voting district (502890), tract 0080.00, block group 1, in Sedgwick county: block 003; and the following blocks in voting district (502890), tract 0101.13, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030; and the following blocks in voting district (502890), tract 0101.13, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 005, block 029, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 055, block 056, block 079, block 080, block 081, block 083, block 084, block 192, block 195; and the following voting districts in Sedgwick county: (503010); and the following blocks in voting district (503020), tract 0101.15, block group 1, in Sedgwick county: block 003; and the following blocks in voting district (503020), tract 0101.16, block group 1, in Sedgwick county: block 167, block 168, block 194; and the following blocks in voting district (503090), tract 0101.16, block group 1, in Sedgwick county: block 172; and the following blocks in voting district (503160), tract 0101.16, block group 1, in Sedgwick county: block 182, block 183, block 184; and the following voting districts in Sedgwick county: (503530), (503550); and the following blocks in voting district (700010), tract 0102.00, block group 5, in Sedgwick county: block 000, block 001, block 071, block 072, block 073, block 074, block 075, block 077, block 078, block 079, block 080, block 081, block 082, block 085, block 086, block 087, block 088, block 089, block 170; and the following blocks in voting district (700200), tract 0102.00, block group 5, in Sedgwick county: block 140, block 169; and the following voting districts in Sedgwick county: (700470), (700490), (700620), (700660), (700670), (700830), (900010).

Sec. 150. Senatorial district 17 shall consist of all of Chase county; and the following voting districts in Dickinson county: (000060), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000230), (000240), (000250), (000270), (000300), (000310); and all of Lyon county; and the following voting districts in Marion county: (000020), (000030), (000040), (000050), (000060), (000070), (000100), (00011A), (00011B), (000120), (000130), (000140), (000200), (000210), (00022A), (00022B), (000240), (000260), (000270), (000290), (000310); and all of Morris county; and all of Osage county.

Sec. 151. Senatorial district 18 shall consist of the following blocks in voting district (000090), tract 0035.00, block group 2, in Shawnee county: block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 021, block 022, block 041, block 042, block 043, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 090, block 091, block 092, block 093, block 094, block 095,

block 096, block 097, block 098, block 099, block 100, block 167, block 168, block 169; and the following blocks in voting district (000090), tract 0036.01, block group 1, in Shawnee county: block 008, block 016; and the following voting districts in Shawnee county: (000150); and the following blocks in voting district (000250), tract 0008.00, block group 1, in Shawnee county: block 076, block 082, block 083; and the following blocks in voting district (000260), tract 0008.00, block group 1, in Shawnee county: block 081, block 091; and the following voting districts in Shawnee county: (000330), (000350), (000410), (000420), (000430), (000440); and the following blocks in voting district (000480), tract 0008.00, block group 1, in Shawnee county: block 085, block 096; and the following voting districts in Shawnee county: (000550); and the following blocks in voting district (000580), tract 0040.00, block group 1, in Shawnee county: block 000, block 001, block 002, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 117; and the following blocks in voting district (000580), tract 0040.00, block group 2, in Shawnee county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051; and the following blocks in voting district (000580), tract 0040.00, block group 3, in Shawnee county: block 005, block 006; and the following voting districts in Shawnee county: (000590), (000600), (000610), (000630), (000640), (000650), (000660), (000740), (000780), (000790), (001040), (001050), (001060), (001070), (001080), (001090), (001100), (001120), (001130), (001140), (001150), (001160), (001170), (001180), (001190), (001210), (001220), (001360), (001370), (001380), (001410), (001460), (001760), (001850), (001880), (100050), (200010), (200020); and the following blocks in voting district (200120), tract 0024.00, block group 1, in Shawnee county: block 105; and the following voting districts in Shawnee county: (400100), (400110), (500010), (600010), (600020), (600030), (600050), (600060), (600130), (600140); and the following blocks in voting district (600150), tract 0035.00, block group 1, in Shawnee county: block 067, block 112, block 113, block 114, block 115, block 116, block 131, block 132, block 178, block 179, block 180; and the following blocks in voting district (600150), tract 0035.00, block group 2, in Shawnee county: block 082, block 083, block 111, block 112, block 113, block 114, block 115, block 116, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 155, block 170; and the

following blocks in voting district (600160), tract 0035.00, block group 2, in Shawnee county: block 074, block 075, block 076, block 077, block 079, block 080, block 081, block 084, block 085, block 086, block 087, block 088, block 089, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 150, block 151, block 152, block 153, block 154, block 156, block 157, block 177; and the following blocks in voting district (600160), tract 0036.01, block group 1, in Shawnee county: block 129; and the following voting districts in Shawnee county: (600220), (600230), (600240), (600340), (600350), (600360), (600370), (600380), (600390), (600570), (600580); and the following blocks in voting district (800030), tract 0024.00, block group 1, in Shawnee county: block 037, block 081, block 090, block 091, block 103, block 104; and the following blocks in voting district (800030), tract 0036.07, block group 2, in Shawnee county: block 003; and the following voting districts in Shawnee county: (900030), (900040), (900050); and all of Wabaunsee county.

Sec. 152. Senatorial district 19 shall consist of the following voting districts in Douglas county: (000010), (000030), (000050); and the following blocks in voting district (00006A), tract 0006.03, block group 1, in Douglas county: block 002, block 003, block 004, block 005, block 013, block 014, block 016, block 017, block 018, block 035, block 036, block 040, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 098; and the following blocks in voting district (00006A), tract 0014.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 042, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 198, block 199, block 225, block 226, block 227, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237; and the following

blocks in voting district (00006A), tract 0014.00, block group 3, in Douglas county: block 003, block 004, block 005, block 006, block 007, block 008, block 222; and the following blocks in voting district (00006A), tract 0015.00, block group 1, in Douglas county: block 080, block 081, block 093, block 094, block 095, block 097; and the following blocks in voting district (00006A), tract 0015.00, block group 2, in Douglas county: block 072, block 073, block 074; and the following blocks in voting district (00006A), tract 0016.00, block group 2, in Douglas county: block 012, block 013, block 044, block 056; and the following blocks in voting district (000380), tract 0009.02, block group 1, in Douglas county: block 036; and the following voting districts in Douglas county: (00048A), (00048B), (00048C), (00048D); and the following blocks in voting district (00052A), tract 0006.03, block group 1, in Douglas county: block 015, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 067, block 068; and the following blocks in voting district (00052A), tract 0016.00, block group 2, in Douglas county: block 008, block 009, block 010, block 011; and the following blocks in voting district (00053A), tract 0008.01, block group 1, in Douglas county: block 011, block 031, block 032, block 033, block 035, block 036, block 037, block 044, block 045, block 047; and the following blocks in voting district (00053A), tract 0014.00, block group 1, in Douglas county: block 006, block 007, block 008; and the following blocks in voting district (000560), tract 0008.01, block group 1, in Douglas county: block 004, block 005, block 008; and the following blocks in voting district (000560), tract 0016.00, block group 2, in Douglas county: block 045, block 050, block 051, block 052, block 053, block 054, block 055, block 057, block 058; and the following voting districts in Douglas county: (000580), (000590); and the following blocks in voting district (00061A), tract 0006.03, block group 1, in Douglas county: block 000; and the following blocks in voting district (00061A), tract 0015.00, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 043, block 044, block 045, block 046, block 047, block 048, block 053, block 054, block 055, block 056, block 057, block 058, block 060, block 061, block 063, block 069, block 077, block 078, block 079, block 089, block 100, block 101; and the following blocks in voting district (000630), tract 0012.03, block group 1, in Douglas county: block 012, block 013, block 014, block 021, block 022, block 023, block 036, block 037, block 038, block 039, block 040; and the following blocks in voting district (000640), tract 0012.03, block group 1, in Douglas county: block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 069, block 070, block 071, block 072; and the following blocks in voting district (000660), tract 0012.01, block group 1, in Douglas county: block 097, block 098, block 099, block 108, block 123, block 124, block 125, block 128, block 129; and the following blocks in voting district (000660), tract 0012.03, block group 1, in Douglas county: block 078; and the following blocks in voting district (00067A), tract 0008.01, block group 1, in Douglas county: block 040, block 042; and the following blocks in voting district (00067A), tract 0008.02, block group 2, in Douglas county: block 016, block 017, block 019, block 020, block 021, block 022; and the following blocks in voting district (00067A), tract 0009.02, block group 1, in Douglas county: block 037, block 038, block 043; and the following blocks in voting district (00067A), tract

0012.01, block group 1, in Douglas county: block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 081, block 082, block 083; and the following blocks in voting district (00067A), tract 0014.00, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 010, block 011, block 012, block 013, block 014, block 015, block 025, block 026, block 027, block 028, block 037, block 045, block 046, block 047; and the following voting districts in Douglas county: (000680); and the following blocks in voting district (200010), tract 0010.01, block group 2, in Douglas county: block 028, block 038; and the following blocks in voting district (200010), tract 0012.01, block group 1, in Douglas county: block 067, block 068, block 069, block 079, block 080, block 093, block 094, block 095, block 109, block 134; and the following voting districts in Douglas county: (400010); and the following blocks in voting district (400060), tract 0015.00, block group 1, in Douglas county: block 039, block 040, block 042, block 050, block 051, block 052, block 059, block 064, block 065, block 066, block 067, block 070, block 071, block 072, block 073, block 074, block 075, block 096; and the following voting districts in Douglas county: (400080), (400110), (900010), (900080), (900170); and the following blocks in voting district (000080), tract 9541.00, block group 3, in Franklin county: block 010; and all of Jefferson county; and the following voting districts in Shawnee county: (000080), (000180), (000190); and the following blocks in voting district (000250), tract 0008.00, block group 1, in Shawnee county: block 089; and the following blocks in voting district (000250), tract 0009.00, block group 4, in Shawnee county: block 012, block 013; and the following blocks in voting district (000260), tract 0008.00, block group 1, in Shawnee county: block 090; and the following blocks in voting district (000260), tract 0009.00, block group 4, in Shawnee county: block 000, block 001, block 002, block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 015, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 026, block 030, block 041, block 045, block 046, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 063, block 064, block 076, block 078, block 079, block 080; and the following blocks in voting district (000260), tract 0031.00, block group 1, in Shawnee county: block 002, block 003, block 004; and the following blocks in voting district (000260), tract 0039.01, block group 1, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 018, block 019, block 021, block 022; and the following blocks in voting district (000260), tract 0039.01, block group 3, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 011; and the following voting districts in Shawnee county: (000270), (000280), (000290), (000300), (000310), (000370); and the following blocks in voting district (000480), tract 0008.00, block group 1, in Shawnee county: block 086; and the following blocks in voting district (000480), tract 0009.00, block group 1, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (000480), tract 0009.00, block group 2, in Shawnee county: block 000, block 001, block 002, block 003; and the following blocks in voting district (000480), tract 0009.00, block group 3, in Shawnee county: block 000, block 001, block 002, block 003; and the

following blocks in voting district (000480), tract 0009.00, block group 4, in Shawnee county: block 003, block 005, block 014, block 016, block 017, block 025, block 027, block 028, block 029, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 042, block 043, block 044, block 077; and the following voting districts in Shawnee county: (000490), (000500), (000510), (000520), (000530), (000540), (000560), (000570); and the following blocks in voting district (000580), tract 0010.00, block group 4, in Shawnee county: block 010, block 012; and the following voting districts in Shawnee county: (000690), (000700), (000710), (000750), (000760), (000770), (000800), (000820), (000830), (000840), (000850), (000860), (000870), (000880), (000890); and the following blocks in voting district (000910), tract 0030.02, block group 2, in Shawnee county: block 018, block 019, block 020, block 021, block 028; and the following voting districts in Shawnee county: (000920), (000930), (000940), (000950), (001010), (001910), (100060), (200090), (500070), (500080), (500120), (500130); and the following blocks in voting district (600210), tract 0030.02, block group 2, in Shawnee county: block 017, block 023, block 024; and the following voting districts in Shawnee county: (600420), (600430).

Sec. 153. Senatorial district 20 shall consist of the following blocks in voting district (000090), tract 0035.00, block group 2, in Shawnee county: block 174, block 175; and the following voting districts in Shawnee county: (000210), (000240), (000340); and the following blocks in voting district (000910), tract 0030.02, block group 2, in Shawnee county: block 027, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 047, block 048; and the following voting districts in Shawnee county: (000960), (000970), (000980), (000990), (001000), (001030), (001200), (001230), (001240), (001250), (001260), (001270), (001280), (001290), (001300), (001310), (001320), (001330), (001340), (001350), (001400), (001420), (001430), (001440), (001450), (001470), (001480), (001490), (001500), (001510), (001520), (001530), (001540), (001550), (001560), (001570), (001590), (001600), (001610), (001620), (001630), (001640), (001650), (001670), (001680), (001710), (001720), (001780), (001890), (100030), (100040), (200050), (200070), (200080); and the following blocks in voting district (200120), tract 0024.00, block group 1, in Shawnee county: block 102, block 108, block 115, block 125; and the following blocks in voting district (200120), tract 0036.07, block group 2, in Shawnee county: block 008; and the following voting districts in Shawnee county: (200130), (200140), (200150), (200160), (300090), (400070), (500110), (500140), (500160), (600040), (600080), (600090), (600110); and the following blocks in voting district (600150), tract 0035.00, block group 1, in Shawnee county: block 181, block 182; and the following blocks in voting district (600150), tract 0035.00, block group 2, in Shawnee county: block 171, block 172; and the following blocks in voting district (600160), tract 0035.00, block group 2, in Shawnee county: block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 173; and the following blocks in voting district (600160), tract 0036.01, block group 1, in Shawnee county: block 009; and the following voting districts in Shawnee county: (600170), (600180), (600190); and the following blocks in voting district (600210), tract 0030.02, block group 2, in Shawnee county: block 025, block 026, block 029, block 030, block 039, block 041, block 042, block 043, block 044, block 046; and the following blocks in voting district (600210), tract 0030.02, block group 3, in Shawnee

county: block 048, block 053; and the following blocks in voting district (600210), tract 0037.00, block group 4, in Shawnee county: block 004; and the following voting districts in Shawnee county: (600250), (600260), (600270), (600280), (600290), (600300), (600310), (600330), (600440), (600470), (600490), (600500), (600510), (600530), (700010), (700020), (800010), (800020); and the following blocks in voting district (800030), tract 0024.00, block group 1, in Shawnee county: block 109, block 112, block 113, block 114, block 116, block 117, block 119, block 122; and the following blocks in voting district (800030), tract 0036.07, block group 2, in Shawnee county: block 000, block 001, block 002, block 004, block 005, block 006, block 007, block 009, block 010, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 034, block 035, block 060; and the following blocks in voting district (800030), tract 0036.07, block group 3, in Shawnee county: block 000, block 001, block 003; and the following voting districts in Shawnee county: (800040), (800060), (800070), (900010), (900020), (900060), (900070), (900080), (900090).

Sec. 154. Senatorial district 21 shall consist of all of Clay county; and all of Cloud county; and the following voting districts in Geary county: (000010); and the following blocks in voting district (00002A), tract 0006.00, block group 2, in Geary county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 020, block 023, block 039, block 056, block 057, block 058, block 059, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 073, block 074, block 075, block 091, block 092, block 095, block 096, block 097, block 098, block 099, block 100, block 107, block 108, block 109, block 110, block 111, block 112, block 117; and the following voting districts in Geary county: (00002B), (00002C), (00002D), (00002E), (00002F), (00002L), (00002M), (00002O), (00002P), (00002Q), (00002R), (000040), (000050); and the following blocks in voting district (000060), tract 0007.00, block group 1, in Geary county: block 115, block 117, block 118, block 123, block 124, block 127, block 128, block 129, block 150, block 151, block 152, block 153, block 154, block 155, block 157, block 158, block 254, block 255, block 256, block 264, block 494; and the following voting districts in Geary county: (00022B), (000240), (000250), (000270); and the following blocks in voting district (900010), tract 0007.00, block group 1, in Geary county: block 184, block 185, block 220, block 221, block 222, block 236, block 239; and the following blocks in voting district (900010), tract 0008.00, block group 1, in Geary county: block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 234, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 299, block 301, block 302, block 312, block 313, block 315, block 316, block 334, block 335, block 336, block 337, block 338, block 340; and the following blocks in voting district (900010), tract 0008.00, block group 2, in Geary county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016,

block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 090, block 091, block 099, block 102, block 185, block 187, block 188, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 211, block 212, block 213, block 217, block 218, block 219, block 222, block 225, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 304, block 312, block 313, block 325, block 330, block 332, block 333, block 401, block 402, block 403, block 404; and the following voting districts in Geary county: (900060), (900070); and the following blocks in voting district (900090), tract 0007.00, block group 1, in Geary county: block 113, block 114, block 159, block 160, block 179, block 180, block 181, block 190, block 197, block 198, block 199, block 206, block 209; and the following blocks in voting district (900140), tract 0008.00, block group 2, in Geary county: block 100, block 152, block 164, block 165, block 166; and the following blocks in voting district (900170), tract 0008.00, block group 2, in Geary county: block 046, block 396, block 397, block 398, block 399, block 400; and the following blocks in voting district (900180), tract 0008.00, block group 2, in Geary county: block 089, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 101, block 180, block 181, block 182, block 183, block 184, block 186, block 189, block 297, block 300, block 319, block 320, block 321, block 322, block 323, block 324, block 331; and all of Marshall county; and all of Nemaha county; and the following blocks in voting district (000010), tract 0009.00, block group 4, in Riley county: block 049, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058; and the following voting districts in Riley county: (000020), (000030), (000040); and the following blocks in voting district (00005A), tract 0006.00, block group 1, in Riley county: block 008, block 009, block 021; and the following blocks in voting district (00005A), tract 0009.00, block group 1, in Riley county: block 009, block 032, block 063, block 064, block 065, block 075; and the following blocks in voting district (00005A), tract 0010.02, block group 1, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block

041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 139, block 141; and the following blocks in voting district (00005A), tract 0010.02, block group 2, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 131, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 154, block 155, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 324, block 326; and the following blocks in voting district (00005A), tract 0010.02, block group 3, in Riley county: block 007, block 008, block 009, block 010, block 011, block 012, block 018, block 019, block 039; and the following blocks in voting district (00005A), tract 0013.02, block group 2, in Riley county: block 136; and the following blocks in voting district (00005A), tract 0013.02, block group 3, in Riley county: block 039; and the following blocks in voting district (00005A), tract 9800.00, block group 1, in Riley county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052,

block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 303, block 304, block 305, block 306, block 307, block 308, block 309, block 310, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 324, block 325, block 326, block 327, block 328, block 329, block 330; and the following voting districts in Riley county: (00005B), (000060), (000070), (000080); and the following blocks in voting district (000140), tract 0002.00, block group 2, in Riley county: block 009; and the following blocks in voting district (000370), tract 0002.00, block group 4, in Riley county: block 048; and the following blocks in voting district (000370), tract 0011.00, block group 1, in Riley county: block 008, block 010; and the following blocks in voting district (00039A), tract 0002.00, block group 4, in Riley county: block 042, block 043, block 044, block 045, block 046, block 047, block 051, block 052, block 054, block 064, block 070; and the following blocks in voting district (00039A), tract 0011.00, block group 1, in Riley county: block 000, block 009; and the following blocks in voting district (00039A), tract 0013.01, block group 2, in Riley county: block 000,

block 025, block 026; and the following blocks in voting district (00039A), tract 0013.02, block group 1, in Riley county: block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 168, block 182; and the following blocks in voting district (00039A), tract 0013.02, block group 3, in Riley county: block 000, block 001, block 002, block 024, block 025, block 027, block 028, block 042, block 043; and the following blocks in voting district (000400), tract 0009.00, block group 3, in Riley county: block 000; and the following blocks in voting district (000400), tract 0009.00, block group 4, in Riley county: block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 050, block 060, block 116, block 118; and the following blocks in voting district (000420), tract 0002.00, block group 2, in Riley county: block 008; and the following blocks in voting district (000420), tract 0002.00, block group 4, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 027, block 028, block 029, block 030, block 031, block 038, block 039, block 040, block 041, block 050, block 053, block 056, block 057, block 058, block 060, block 061, block 062, block 063, block 068, block 069, block 071; and the following blocks in voting district (000420), tract 0002.00, block group 5, in Riley county: block 004, block 007, block 009, block 014, block 018; and the following blocks in voting district (000420), tract 0011.00, block group 3, in Riley county: block 000, block 001, block 003, block 004; and the following voting districts in Riley county: (000430), (000450), (000460), (000480), (300020), (300030); and the following blocks in voting district (300050), tract 0002.00, block group 4, in Riley county: block 049, block 055, block 065, block 066, block 067; and the following blocks in voting district (300050), tract 0011.00, block group 1, in Riley county: block 002, block 003, block 011, block 012; and the following blocks in voting district (800001), tract 0013.01, block group 2, in Riley county: block 027, block 028; and all of Washington county.

Sec. 155. Senatorial district 22 shall consist of the following blocks in voting district (00002A), tract 0006.00, block group 2, in Geary county: block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 060, block 071, block 072, block 076, block 113, block 118, block 119, block 120; and the following voting districts in Geary county: (00002G), (00002H), (00002I), (00002J), (00002K), (00002N); and the following blocks in voting district (000060), tract 0007.00, block group 1, in Geary county: block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 090, block 091, block 093, block 094, block 116, block 119, block 120, block 121, block 122, block 125, block 126, block 500, block 505, block 506, block 507; and the following voting districts in Geary county: (00007A), (000080), (000090), (000100), (000110), (00013A), (000140), (000150),

(00016A), (000180), (000190), (00022A), (000230), (000260); and the following blocks in voting district (900010), tract 0002.00, block group 1, in Geary county: block 000, block 001, block 002, block 003, block 008, block 016; and the following blocks in voting district (900010), tract 0002.00, block group 2, in Geary county: block 003, block 004, block 021; and the following blocks in voting district (900010), tract 0003.00, block group 2, in Geary county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 015, block 016, block 017, block 018, block 021, block 022; and the following voting districts in Geary county: (900020), (900030), (900040), (900050), (900080); and the following blocks in voting district (900090), tract 0001.00, block group 1, in Geary county: block 042, block 049, block 050, block 052, block 053, block 072, block 075, block 089, block 094; and the following blocks in voting district (900090), tract 0001.00, block group 3, in Geary county: block 000, block 003, block 013, block 016, block 017, block 018, block 080, block 084, block 095, block 097; and the following blocks in voting district (900090), tract 0005.00, block group 2, in Geary county: block 001, block 030, block 038, block 039; and the following blocks in voting district (900090), tract 0007.00, block group 1, in Geary county: block 087, block 088, block 089, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 172, block 178, block 497, block 498, block 499, block 502; and the following blocks in voting district (900090), tract 0007.00, block group 2, in Geary county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081; and the following voting districts in Geary county: (900100), (900120), (900130); and the following blocks in voting district (900140), tract 0008.00, block group 2, in Geary county: block 110, block 111, block 112, block 128, block 129, block 138, block 139, block 140, block 143, block 146, block 148, block 149, block 150, block 151, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 161, block 162, block 163, block 167, block 168; and the following voting districts in Geary county: (900150), (900160); and the following blocks in voting district (900170), tract 0003.00, block group 2, in Geary county: block 028, block 029, block 030, block 031, block 032, block 042, block 043, block 044, block 046, block 047, block 048, block 049; and the following blocks in voting district (900170), tract 0003.00, block group 4, in Geary county: block 019, block 052; and the following blocks in voting district (900170), tract 0008.00, block group 2, in Geary county: block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block

061, block 062, block 063, block 064, block 070, block 136, block 137, block 314, block 315, block 316, block 317, block 318, block 326, block 327, block 328, block 329, block 337; and the following blocks in voting district (900180), tract 0008.00, block group 2, in Geary county: block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 298; and the following voting districts in Geary county: (900190), (900200), (900210), (900220); and the following blocks in voting district (000010), tract 0009.00, block group 2, in Riley county: block 001, block 004, block 012, block 014, block 018, block 019, block 021, block 022, block 023, block 025, block 026, block 027, block 055, block 058, block 061; and the following blocks in voting district (000010), tract 0009.00, block group 3, in Riley county: block 005, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 039, block 041, block 042, block 044, block 076, block 077, block 078, block 079, block 082, block 085, block 086, block 093, block 094, block 096, block 097, block 101, block 102; and the following blocks in voting district (00005A), tract 0009.00, block group 1, in Riley county: block 133; and the following blocks in voting district (00005A), tract 0009.00, block group 2, in Riley county: block 063; and the following blocks in voting district (00005A), tract 0010.02, block group 2, in Riley county: block 129, block 130, block 132, block 133, block 134, block 135, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 303, block 304, block 305, block 306, block 307, block 308, block 309, block 310, block 311, block 312, block 313, block 314, block 315, block 325; and the following voting districts in Riley county: (000120); and the following blocks in voting district (000140), tract 0002.00, block group 2, in Riley county: block 010, block 018, block 019, block 020, block 021, block 023, block 024, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 042, block 043, block 044, block 045, block 046, block 047, block 048,

block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057; and the following blocks in voting district (000140), tract 0005.00, block group 4, in Riley county: block 000; and the following blocks in voting district (000140), tract 0011.00, block group 3, in Riley county: block 006, block 007, block 008; and the following voting districts in Riley county: (000170), (00022A), (00022B), (000230), (00025A), (00025B), (000310), (000320), (000330), (000340), (000350), (00036A); and the following blocks in voting district (000370), tract 0011.00, block group 1, in Riley county: block 004, block 005, block 006, block 007, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 022, block 023, block 024, block 025, block 027; and the following blocks in voting district (000370), tract 0011.00, block group 2, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029; and the following voting districts in Riley county: (000380); and the following blocks in voting district (00039A), tract 0013.01, block group 2, in Riley county: block 018, block 024; and the following voting districts in Riley county: (00039B), (00039C), (00039E), (00039G), (00039H); and the following blocks in voting district (000400), tract 0009.00, block group 3, in Riley county: block 001, block 002, block 003, block 004, block 006, block 007; and the following voting districts in Riley county: (000410); and the following blocks in voting district (000420), tract 0002.00, block group 2, in Riley county: block 007, block 025, block 041; and the following blocks in voting district (000420), tract 0002.00, block group 3, in Riley county: block 000, block 001, block 012, block 013, block 014, block 015, block 016, block 017, block 019; and the following blocks in voting district (000420), tract 0002.00, block group 4, in Riley county: block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (000420), tract 0002.00, block group 5, in Riley county: block 000, block 001, block 002, block 003, block 005, block 015; and the following blocks in voting district (000420), tract 0011.00, block group 3, in Riley county: block 005; and the following voting districts in Riley county: (00044A), (00047A), (00047B), (00047C), (00047D), (300010), (300040); and the following blocks in voting district (300050), tract 0011.00, block group 1, in Riley county: block 001; and the following voting districts in Riley county: (300060), (300070), (300090), (300100), (400010), (400020), (400030), (400040), (400050), (400060), (400070), (400080), (400090), (500010), (500030), (600001); and the following blocks in voting district (800001), tract 0013.01, block group 2, in Riley county: block 003, block 029; and the following voting districts in Riley county: (900010), (900020), (900030), (900040), (900050), (900060).

Sec. 156. Senatorial district 23 shall consist of the following voting districts in Johnson county: (00014A), (00014C), (000160); and the following blocks in voting district (001010), tract 0535.08, block group 1, in Johnson county: block 015, block 016; and the following blocks in voting district (001010), tract 0535.56, block group 1, in Johnson county: block 031; and the following blocks in voting district (001010), tract 0535.56, block group 2, in Johnson county: block 008, block 009, block 010, block 011; and the following voting districts in Johnson county: (001030), (001040), (001050), (001060), (001070); and the following blocks in voting district (001090), tract 0536.01, block group 2, in Johnson county: block 017, block 020, block 021, block 022, block

023; and the following blocks in voting district (001090), tract 0536.02, block group 1, in Johnson county: block 003; and the following voting districts in Johnson county: (001100), (001270), (001300), (001310), (001320), (001330), (001350), (001360), (001370), (001380), (001390); and the following blocks in voting district (00147A), tract 0529.08, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (00147A), tract 0529.08, block group 4, in Johnson county: block 003; and the following voting districts in Johnson county: (00153P), (00311A), (00311B), (00311D), (003120), (004190), (900090), (900100), (900110), (900120), (900130), (900150), (900160), (900170), (900180), (900570), (900580), (900600), (900610), (900620), (900650), (900820), (900850), (900860), (900910), (900920), (900930), (900940), (900980), (901440), (901460), (901470), (901510); and the following blocks in voting district (901550), tract 0535.08, block group 1, in Johnson county: block 014, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (901550), tract 0535.57, block group 1, in Johnson county: block 019, block 020; and the following blocks in voting district (901550), tract 0535.57, block group 2, in Johnson county: block 013, block 015; and the following blocks in voting district (901550), tract 0536.02, block group 1, in Johnson county: block 000, block 001, block 002, block 030, block 031, block 032, block 033, block 034, block 035, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 054, block 062, block 100; and the following voting districts in Johnson county: (901560), (901570), (901610), (901620), (901630), (901680), (901730), (901780), (901800); and the following blocks in voting district (901810), tract 0536.02, block group 1, in Johnson county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 036, block 038, block 039, block 040, block 057, block 058, block 059, block 060, block 061, block 069, block 070, block 071, block 073, block 078, block 079; and the following blocks in voting district (901810), tract 0537.11, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Johnson county: (901820); and the following blocks in voting district (901830), tract 0537.05, block group 1, in Johnson county: block 005; and the following blocks in voting district (901830), tract 0537.09, block group 4, in Johnson county: block 010; and the following blocks in voting district (901830), tract 0537.09, block group 5, in Johnson county: block 014, block 016, block 017; and the following blocks in voting district (901830), tract 0537.12, block group 1, in Johnson county: block 000, block 001, block 013; and the following blocks in voting district (901830), tract 0537.12, block group 2, in Johnson county: block 003, block 023; and the following blocks in voting district (901830), tract 0537.12, block group 3, in Johnson county: block 009, block 010, block 011, block 013, block 014, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 040, block 041, block 042, block 043, block 044, block 047, block 048, block 050, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block

062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 075, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 088; and the following voting districts in Johnson county: (901860), (901870), (901880), (901890), (901900), (901950), (901970).

Sec. 157. Senatorial district 24 shall consist of the following voting districts in Dickinson county: (000010), (00002A), (00002B), (000030), (000040), (000050), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000220), (000260), (000280), (000290), (000320), (900010), (900020), (900030); and all of Saline county.

Sec. 158. Senatorial district 25 shall consist of the following blocks in voting district (500010), tract 0034.00, block group 1, in Sedgwick county: block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (500010), tract 0034.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (500010), tract 0034.00, block group 3, in Sedgwick county: block 017, block 018, block 019, block 020, block 034, block 035, block 036, block 037; and the following blocks in voting district (500010), tract 0038.00, block group 2, in Sedgwick county: block 007, block 008, block 009, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (500010), tract 0038.00, block group 3, in Sedgwick county: block 013, block 014, block 015, block 016; and the following blocks in voting district (500010), tract 0039.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 019, block 020; and the following voting districts in Sedgwick county: (500020); and the following blocks in voting district (500030), tract 0026.00, block group 2, in Sedgwick county: block 024, block 025, block 032, block 033, block 034, block 035; and the following voting districts in Sedgwick county: (500740), (500750), (500760), (500770), (500780), (500950), (500960), (500970), (500990), (501000), (501010), (501020), (501340), (501380); and the following blocks in voting district (501490), tract 0103.00, block group 4, in Sedgwick county: block 112; and the following voting districts in Sedgwick county: (501830), (501840), (501850), (501860), (501870), (501880), (501900), (501910), (501920), (501930), (501940); and the following blocks in voting district (501950), tract 0082.00, block group 2, in Sedgwick county: block 006, block 007, block 008, block 009; and the following blocks in voting district (502000), tract 0081.00, block group 2, in Sedgwick county: block 148, block 149; and the following blocks in voting district (502000), tract 0082.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following voting districts in Sedgwick county: (502010); and the following blocks in voting district (502020), tract 0083.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 029, block 030, block 031, block 032; and the

following blocks in voting district (502020), tract 0083.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 021, block 022; and the following blocks in voting district (502020), tract 0103.00, block group 4, in Sedgwick county: block 086, block 087, block 096, block 097, block 098, block 099, block 100, block 101, block 105, block 106, block 107, block 114, block 117; and the following voting districts in Sedgwick county: (502410), (502420); and the following blocks in voting district (700210), tract 0103.00, block group 4, in Sedgwick county: block 083, block 084, block 089, block 090, block 092, block 093, block 094, block 095, block 103, block 104, block 108, block 109, block 110, block 111, block 115, block 116, block 120, block 121, block 123.

Sec. 159. Senatorial district 26 shall consist of the following voting districts in Sedgwick county: (500940), (501030), (501040), (501050), (501060), (501070), (501080), (501090), (501100), (501110), (501120), (501130), (501140), (501150), (501160), (501220), (501230), (501240), (501260), (501290), (501300), (501310); and the following blocks in voting district (501410), tract 0092.00, block group 2, in Sedgwick county: block 020, block 030, block 031, block 032, block 033, block 034, block 039, block 040, block 046, block 047, block 048, block 049, block 050, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 077, block 129, block 130, block 131; and the following voting districts in Sedgwick county: (501690), (501700), (501710), (501760), (501770), (501780), (501790), (502120), (502130), (502140), (502150), (502180), (502200), (502210), (502320), (502340), (502350), (502360), (502370), (502380), (502400), (502450); and the following blocks in voting district (502490), tract 0107.00, block group 1, in Sedgwick county: block 038, block 039, block 040, block 041, block 042, block 050, block 051, block 052, block 053, block 118, block 119, block 139, block 142, block 143, block 146, block 147, block 148, block 156; and the following voting districts in Sedgwick county: (502500), (502510); and the following blocks in voting district (502630), tract 0054.00, block group 1, in Sedgwick county: block 115, block 123, block 125; and the following blocks in voting district (502630), tract 0055.01, block group 1, in Sedgwick county: block 006; and the following blocks in voting district (502630), tract 0055.01, block group 2, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (502630), tract 0055.01, block group 3, in Sedgwick county: block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (502630), tract 0055.01, block group 4, in Sedgwick county: block 020; and the following blocks in voting district (502630), tract 0096.05, block group 2, in Sedgwick county: block 126; and the following voting districts in Sedgwick county: (502640), (502700), (502710), (502720), (502730), (502740), (502750), (502760), (502770), (502780), (502790), (502800), (502810), (502820), (503170); and the following blocks in voting district (503250), tract 0096.04, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (503250), tract 0096.05, block group 1, in Sedgwick county: block 081, block 082, block 083, block

084, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 123; and the following voting districts in Sedgwick county: (503260), (503270), (503280); and the following blocks in voting district (503590), tract 0054.00, block group 1, in Sedgwick county: block 113, block 116, block 117; and the following blocks in voting district (503590), tract 0055.01, block group 3, in Sedgwick county: block 006; and the following voting districts in Sedgwick county: (503670), (503710); and the following blocks in voting district (503760), tract 0055.02, block group 1, in Sedgwick county: block 008, block 010, block 017, block 025, block 026, block 035, block 036; and the following blocks in voting district (503760), tract 0055.02, block group 2, in Sedgwick county: block 009, block 018, block 022, block 024, block 025, block 032, block 039, block 041; and the following blocks in voting district (503760), tract 0097.00, block group 1, in Sedgwick county: block 011, block 012, block 013, block 025, block 026, block 038, block 047, block 048, block 049, block 050, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 102, block 103, block 104, block 107; and the following blocks in voting district (503760), tract 0097.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047; and the following voting districts in Sedgwick county: (503770); and the following blocks in voting district (503920), tract 0107.00, block group 1, in Sedgwick county: block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 077, block 078, block 079, block 080, block 081, block 086, block 087, block 088, block 089, block 090, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 120, block 121, block 122, block 123, block 124, block 125, block 131, block 204; and the following voting districts in Sedgwick county: (503930), (503940), (503950), (503960), (503970), (503990), (504000), (504010), (504020), (600190), (600440), (600460), (600780), (700510), (700630), (700650), (700690), (700840), (700890), (700950), (900020), (900030), (900040), (900080), (900110), (900120).

Sec. 160. Senatorial district 27 shall consist of the following voting districts in Sedgwick county: (500980), (501390), (501400); and the following blocks in voting district (501410), tract 0092.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block

031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052; and the following blocks in voting district (501410), tract 0092.00, block group 2, in Sedgwick county: block 000, block 001, block 003, block 004, block 005, block 006, block 007, block 008, block 011, block 012, block 015, block 021, block 022, block 035, block 036, block 037, block 038; and the following voting districts in Sedgwick county: (501420), (501430), (501440), (501450), (501460), (501470), (501500), (501520), (501530), (501540), (501550), (501560), (501570), (501580), (501590), (501600), (501610), (501620), (501630), (501640), (501650), (501660), (501670), (501720), (501730), (501740), (501750), (501810), (502160), (502170), (502430), (502440), (502460), (502470); and the following blocks in voting district (503290), tract 0103.00, block group 1, in Sedgwick county: block 089, block 090, block 091; and the following blocks in voting district (503290), tract 0103.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (503290), tract 0103.00, block group 3, in Sedgwick county: block 023, block 024, block 025, block 026, block 027, block 039, block 040, block 041, block 042, block 043, block 045, block 071, block 092, block 093, block 097, block 098, block 099, block 100; and the following blocks in voting district (503290), tract 0103.00, block group 5, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055; and the following voting districts in Sedgwick county: (503300), (503310), (503320), (600250), (600390).

Sec. 161. Senatorial district 28 shall consist of the following voting districts in Sedgwick county: (500390); and the following blocks in voting district (500590), tract 0100.01, block group 1, in Sedgwick county: block 033, block 036, block 058, block 060, block 061, block 062, block 068, block 071, block 072, block 073, block 074, block 075, block 076, block 077; and the following blocks in voting district (500590), tract 0100.02, block group 1, in Sedgwick county: block 025, block 026, block 027, block 028, block 029, block 033, block 036; and the following voting districts in Sedgwick county: (500830), (500840), (500850), (500870), (500880), (500890), (500900), (500910), (501170), (501180), (501190), (501200), (501210), (501320), (501330), (502260), (502270), (502280), (502290), (502300), (502570), (502580), (502590), (502600), (502610); and the following blocks in voting district (502630), tract 0055.01, block group 3, in Sedgwick county: block 001; and the following voting districts in Sedgwick county: (502650), (502660), (502670), (502680), (502690); and the following blocks in voting district (503040), tract 0100.01, block group 1, in Sedgwick county: block 032, block 066, block 067, block 069, block 078, block 079,

block 080; and the following blocks in voting district (503040), tract 0100.02, block group 1, in Sedgwick county: block 030, block 031, block 032, block 035; and the following blocks in voting district (503590), tract 0054.00, block group 1, in Sedgwick county: block 102, block 107, block 108, block 109, block 110, block 111, block 112, block 114; and the following blocks in voting district (503590), tract 0055.01, block group 3, in Sedgwick county: block 000; and the following blocks in voting district (503590), tract 0056.00, block group 3, in Sedgwick county: block 043, block 044; and the following voting districts in Sedgwick county: (503600), (503610), (503630), (503640), (503650), (503660), (503700), (600010), (600020), (600130), (600140), (600330), (600350), (600380), (700500), (700580), (700590), (700700), (700800), (700810), (700820), (700850), (700880).

Sec. 162. Senatorial district 29 shall consist of the following blocks in voting district (500010), tract 0038.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026; and the following blocks in voting district (500010), tract 0038.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 010, block 011, block 012, block 013; and the following blocks in voting district (500030), tract 0024.00, block group 2, in Sedgwick county: block 019, block 020, block 021, block 024, block 025, block 026, block 036, block 037, block 038; and the following blocks in voting district (500030), tract 0026.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051; and the following blocks in voting district (500030), tract 0026.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 026, block 027, block 028, block 029, block 030, block 031, block 036, block 037; and the following blocks in voting district (500030), tract 0034.00, block group 3, in Sedgwick county: block 004, block 005, block 014, block 015, block 016, block 023, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (500030), tract 0043.00, block group 2, in Sedgwick county: block 041, block 042, block 043, block 044, block 045, block 046, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073; and the following blocks in voting district (500030), tract 0043.00, block group 3, in Sedgwick county: block 054, block 055, block 056, block 057, block 059; and the following voting districts in Sedgwick county: (500040), (500050), (500060), (500070), (500080), (500090), (500110), (500120), (500130), (500140), (500150), (500160); and the following blocks

in voting district (500170), tract 0007.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (500170), tract 0078.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030; and the following blocks in voting district (500170), tract 0078.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500170), tract 0078.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500170), tract 0101.13, block group 2, in Sedgwick county: block 149, block 153, block 154, block 155, block 156, block 159, block 160, block 161, block 162, block 163, block 164; and the following blocks in voting district (500180), tract 0009.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 024; and the following voting districts in Sedgwick county: (500190), (500200), (500790), (500800), (501820), (501890); and the following blocks in voting district (501950), tract 0001.00, block group 3, in Sedgwick county: block 003, block 004, block 011, block 012; and the following blocks in voting district (501950), tract 0001.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (501950), tract 0002.00, block group 1, in Sedgwick county: block 000; and the following blocks in voting district (501950), tract 0003.00, block group 1, in Sedgwick county: block 008, block 009; and the following blocks in voting district (501950), tract 0082.00, block group 2, in Sedgwick county: block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 023, block 024, block 026, block 027, block 028; and the following blocks in voting district (501950), tract 0082.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following voting districts in Sedgwick county: (501960); and the following blocks in voting district (501990), tract 0001.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (501990), tract 0001.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 012, block 013; and the following blocks in voting district (501990), tract 0082.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 021, block 022, block 025.

Sec. 163. Senatorial district 30 shall consist of the following voting districts in Sedgwick county: (500100), (500210), (500320), (500330), (500340), (500350), (500360), (500370), (500380), (500400), (500410), (500420), (500430), (500440), (500450), (500460); and the following blocks in voting district (500530), tract 0101.15, block group 1, in Sedgwick county: block 028, block 029, block 035, block 036, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052; and the following blocks in voting district (500540), tract 0072.01, block group 2, in Sedgwick county: block 010, block 034, block 080; and the following blocks in voting district (500540), tract 0101.15, block group 1, in Sedgwick county: block 008, block 009, block 022, block 023, block 024, block 025, block 037, block 038, block 039, block 040, block 044, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 064, block 065, block 067, block 069, block 080, block 081, block 082, block 083, block 084, block 085, block 094, block 095, block 099, block 100, block 101, block 125, block 126, block 127, block 128, block 129, block 130, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 142; and the following voting districts in Sedgwick county: (500560), (500570), (500580); and the following blocks in voting district (500590), tract 0072.04, block group 1, in Sedgwick county: block 024, block 025; and the following blocks in voting district (500590), tract 0100.01, block group 1, in Sedgwick county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 018, block 019, block 020, block 024, block 025, block 026, block 034, block 035, block 037, block 038, block 039, block 040, block 041, block 042, block 045, block 046, block 053, block 054, block 056, block 057, block 063, block 064, block 065; and the following blocks in voting district (500590), tract 0100.02, block group 1, in Sedgwick county: block 001, block 002, block 003, block 006, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (500590), tract 0100.02, block group 2, in Sedgwick county: block 081; and the following voting districts in Sedgwick county: (500650), (500660), (500670), (500690), (500710), (500810), (500820); and the following blocks in voting district (503020), tract 0100.01, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 016, block 017, block 018, block 021, block 022, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 039, block 040, block 041, block 056, block 057, block 058, block 066; and the following blocks in voting district (503020), tract 0100.02, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 024, block 025, block 028, block 029, block 030, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 052, block 053, block 061, block 064, block 065, block 066, block 067, block 070, block 072, block 073, block 076, block 077, block 079, block 080, block 083, block 084, block 085; and the following blocks in voting district (503020), tract 0101.15, block group 1, in Sedgwick county: block 000, block 001, block 002, block 107, block 108, block 109, block 110, block 115, block 121, block 122, block 123, block 124; and the following voting districts in Sedgwick county: (503030); and the following blocks

in voting district (503040), tract 0072.04, block group 1, in Sedgwick county: block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039; and the following blocks in voting district (503040), tract 0072.04, block group 3, in Sedgwick county: block 018; and the following blocks in voting district (503040), tract 0100.01, block group 1, in Sedgwick county: block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (503040), tract 0100.02, block group 1, in Sedgwick county: block 016, block 034; and the following voting districts in Sedgwick county: (503050), (503060), (503070), (503080); and the following blocks in voting district (503090), tract 0101.15, block group 1, in Sedgwick county: block 026, block 027, block 041, block 042, block 043; and the following voting districts in Sedgwick county: (503100), (503110), (503120), (503130), (503140), (503150); and the following blocks in voting district (503160), tract 0101.15, block group 1, in Sedgwick county: block 030, block 031, block 032, block 033, block 034; and the following voting districts in Sedgwick county: (600420), (600430), (700530), (900060).

Sec. 164. Senatorial district 31 shall consist of the following voting districts in Harvey county: (000030); and the following blocks in voting district (000140), tract 0302.00, block group 5, in Harvey county: block 010, block 011, block 012, block 016, block 031, block 047, block 048; and the following blocks in voting district (000140), tract 0303.00, block group 2, in Harvey county: block 041, block 046, block 050, block 051, block 052, block 053, block 054, block 055, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 075, block 076, block 077, block 078, block 093, block 094, block 096, block 097, block 098, block 101, block 102, block 109; and the following blocks in voting district (000140), tract 0306.00, block group 2, in Harvey county: block 024, block 025, block 026, block 027, block 028, block 060, block 061; and the following blocks in voting district (000150), tract 0301.00, block group 1, in Harvey county: block 001, block 009, block 010, block 011; and the following blocks in voting district (000150), tract 0304.00, block group 3, in Harvey county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019; and the following blocks in voting district (000150), tract 0304.00, block group 5, in Harvey county: block 017, block 022, block 049; and the following voting districts in Harvey county: (000180), (00019A), (000200), (000210), (00022A); and the following blocks in voting district (000230), tract 0302.00, block group 2, in Harvey county: block 004, block 005, block 006, block 007, block 008, block 009, block 032, block 033, block 034; and the following blocks in voting district (000230), tract 0302.00, block group 3, in Harvey county: block 036, block 037, block 038, block 041; and the following blocks in voting district (000230), tract 0302.00, block group 4, in Harvey county: block 014, block 015, block 016, block 017; and the following blocks in voting district (000230), tract 0303.00, block group 2, in Harvey county: block 000, block 001; and the following blocks in voting district (000250), tract 0302.00, block group 2, in Harvey county: block 000, block 001, block 002, block 003, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 035, block 036, block 037, block 038; and the following blocks in voting district (000250), tract 0302.00, block group 5, in Harvey

county: block 013, block 014, block 015, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 043, block 044, block 045, block 046, block 049; and the following blocks in voting district (00027B), tract 0301.00, block group 1, in Harvey county: block 000; and the following blocks in voting district (00027B), tract 0304.00, block group 5, in Harvey county: block 000, block 050, block 051, block 052, block 053; and the following blocks in voting district (00027B), tract 0306.00, block group 2, in Harvey county: block 008, block 009, block 011; and the following voting districts in Harvey county: (00027D), (000310), (800010), (900020), (900050), (900060), (900070), (900080); and the following blocks in voting district (500170), tract 0101.13, block group 2, in Sedgwick county: block 098, block 099, block 129, block 130, block 131, block 133, block 140, block 141, block 142, block 143, block 144, block 148, block 150; and the following blocks in voting district (500180), tract 0077.00, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067; and the following blocks in voting district (500180), tract 0101.13, block group 2, in Sedgwick county: block 127, block 151, block 152; and the following voting districts in Sedgwick county: (500220), (500230), (500240), (500250), (500260), (500270), (500280), (500310), (500470), (500480); and the following blocks in voting district (500490), tract 0101.06, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 038, block 039, block 040, block 041; and the following blocks in voting district (500490), tract 0101.11, block group 1, in Sedgwick county: block 042, block 043, block 044, block 045, block 046, block 047, block 048; and the following blocks in voting district (500490), tract 0101.16, block group 1, in Sedgwick county: block 162, block 179, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 198, block 199, block 200, block 202, block 203; and the following blocks in voting district (500490), tract 0108.01, block group 1, in Sedgwick county: block 000, block 001, block 002, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 036; and the following blocks in voting district (500490), tract 0108.02, block group 1, in Sedgwick county: block 000, block 001, block 002, block 035, block 036, block 037, block 038, block 040, block 041, block 046, block 047, block 048, block 050, block 051, block 052, block 053; and the following voting districts in Sedgwick county: (501480); and the following blocks in voting district (501490), tract 0103.00, block group 1, in Sedgwick county: block 077; and the following voting districts in Sedgwick county: (501970), (501980); and the following blocks in voting district (501990), tract 0081.00, block group 2, in Sedgwick county: block 074, block 081, block 082, block

083, block 084, block 088, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 162, block 163, block 172, block 193, block 194, block 195, block 197, block 198, block 207, block 212, block 213, block 234, block 235, block 236, block 242, block 243, block 244, block 245, block 247; and the following blocks in voting district (501990), tract 0082.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (502000), tract 0081.00, block group 1, in Sedgwick county: block 029, block 030, block 031, block 032, block 035, block 036, block 037, block 038, block 039, block 040, block 043, block 044; and the following blocks in voting district (502000), tract 0081.00, block group 2, in Sedgwick county: block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 075, block 076, block 077, block 248, block 249; and the following blocks in voting district (502020), tract 0081.00, block group 2, in Sedgwick county: block 079, block 080; and the following blocks in voting district (502020), tract 0081.00, block group 3, in Sedgwick county: block 033, block 034, block 035, block 036, block 037, block 040, block 041, block 042, block 043, block 046, block 049; and the following blocks in voting district (502020), tract 0103.00, block group 4, in Sedgwick county: block 065, block 067, block 068, block 069, block 070, block 071, block 072, block 077, block 088, block 102; and the following voting districts in Sedgwick county: (502030), (502040), (502050), (502070), (502080); and the following blocks in voting district (502220), tract 0101.11, block group 2, in Sedgwick county: block 000, block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014; and the following blocks in voting district (502220), tract 0101.11, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 024; and the following blocks in voting district (502220), tract 0101.11, block group 4, in Sedgwick county: block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025, block 026; and the following voting districts in Sedgwick county: (502230); and the following blocks in voting district (502240), tract 0101.11, block group 1, in Sedgwick county: block 000, block 001, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 049, block 050; and the following blocks in voting district (502240), tract 0101.11, block group 4, in Sedgwick county: block 000,

block 003; and the following blocks in voting district (502250), tract 0101.06, block group 1, in Sedgwick county: block 001, block 016; and the following blocks in voting district (502250), tract 0101.16, block group 1, in Sedgwick county: block 105; and the following voting districts in Sedgwick county: (502830), (502840), (502850), (502860), (502870), (502880); and the following blocks in voting district (502890), tract 0101.13, block group 2, in Sedgwick county: block 054, block 067, block 074, block 075, block 076, block 077, block 078, block 090, block 092, block 165; and the following voting districts in Sedgwick county: (502900), (502910), (502930), (502940), (502950), (502960), (502970), (502980), (502990), (503000); and the following blocks in voting district (503290), tract 0103.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 044, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 065, block 066, block 067, block 068, block 069, block 070; and the following blocks in voting district (503290), tract 0103.00, block group 4, in Sedgwick county: block 002, block 003, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 028, block 037, block 038, block 039, block 041, block 074, block 075, block 078, block 122; and the following voting districts in Sedgwick county: (503370), (503380), (503390), (503400), (503410), (503450), (503460), (503470), (503480), (503490), (503500), (503510), (503520), (503560), (503580), (503800), (530540), (600030), (600090), (600150), (600360), (600400), (600470); and the following blocks in voting district (700010), tract 0102.00, block group 5, in Sedgwick county: block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 065, block 070, block 076, block 083, block 090, block 091, block 097, block 139, block 152, block 153, block 154, block 160, block 174, block 175, block 178; and the following voting districts in Sedgwick county: (700020), (700030), (700040), (700050), (700060), (700070), (700080), (700090), (700110), (700120), (700130), (700140), (700150), (700160), (700170), (700180); and the following blocks in voting district (700200), tract 0102.00, block group 5, in Sedgwick county: block 055, block 056, block 057, block 058, block 060, block 063, block 066, block 067, block 068, block 084, block 092, block 093, block 094, block 095, block 103, block 104, block 113, block 143, block 172, block 173; and the following blocks in voting district (700210), tract 0103.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 009, block 010, block 011, block 019, block 071, block 073, block 078, block 079, block 080, block 081; and the following blocks in voting district (700210), tract 0103.00, block group 3, in Sedgwick county: block 059, block 060, block 061, block 062, block 063, block 064, block 072, block 075, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 094; and the following blocks in voting district (700210), tract 0103.00, block group 4, in Sedgwick

county: block 082, block 085; and the following voting districts in Sedgwick county: (700220), (700230), (700250), (700310), (700320), (700330), (700350), (700380), (700390), (700400), (700410), (700430), (700460), (700540), (700550), (700560), (700570), (700600), (700640), (700710), (700780), (700790), (700860), (700900), (700910), (700920), (700930), (700940), (900050).

Sec. 165. Senatorial district 32 shall consist of all of Cowley county; and the following blocks in voting district (502490), tract 0107.00, block group 1, in Sedgwick county: block 138, block 140, block 141, block 144, block 145, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 175, block 176, block 177, block 178, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 202, block 203; and the following voting districts in Sedgwick county: (503180), (503190), (503210), (503220), (503230); and the following blocks in voting district (503250), tract 0096.04, block group 1, in Sedgwick county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063; and the following blocks in voting district (503250), tract 0096.04, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049; and the following blocks in voting district (503250), tract 0096.05, block group 1, in Sedgwick county: block 121, block 122, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 148, block 149, block 150, block 152; and the following voting districts in Sedgwick county: (503740), (503750); and the following blocks in voting district (503760), tract 0097.00, block group 1, in Sedgwick county: block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 105, block 106, block 108, block 109, block 110, block 111, block 112; and the following blocks in voting district (503920), tract 0107.00, block group 1, in Sedgwick county: block 076, block 082, block 083, block 084, block 085, block 091, block 092, block 093, block 126, block 127, block 128, block 129, block 130, block 132, block 133, block 134, block 135, block 136, block 137, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 189, block 190, block

191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 205, block 206, block 207, block 209; and the following voting districts in Sedgwick county: (600340), (600370); and all of Sumner county.

Sec. 166. Senatorial district 33 shall consist of all of Barber county; and the following voting districts in Barton county: (000030), (000050), (000070), (00011A), (00011B), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (00019A), (00019B), (000200), (000210), (00022A), (00022B), (00022C), (00022D), (00022E), (00022F), (00023A), (00023B), (00023C), (000290), (000300), (000330), (000340); and all of Comanche county; and all of Edwards county; and all of Harper county; and all of Kingman county; and all of Kiowa county; and all of Pawnee county; and all of Pratt county; and all of Stafford county.

Sec. 167. Senatorial district 34 shall consist of all of Reno county; and the following voting districts in Sedgwick county: (501680), (502480), (502560), (503780), (700260), (700290), (700300), (700960), (900090), (900100).

Sec. 168. Senatorial district 35 shall consist of all of Ellsworth county; and the following voting districts in Harvey county: (000010), (000020), (000040), (000050), (000060), (000070), (000080), (000090), (00010A), (000110), (000120), (000130); and the following blocks in voting district (000140), tract 0302.00, block group 3, in Harvey county: block 015; and the following blocks in voting district (000140), tract 0302.00, block group 5, in Harvey county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 027, block 028, block 029, block 030, block 032, block 033, block 034, block 037, block 038, block 039, block 040, block 041, block 042; and the following blocks in voting district (000140), tract 0303.00, block group 2, in Harvey county: block 072, block 073, block 074, block 095, block 105, block 106, block 107; and the following blocks in voting district (000140), tract 0305.00, block group 2, in Harvey county: block 240, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266; and the following blocks in voting district (000140), tract 0306.00, block group 2, in Harvey county: block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 166; and the following blocks in voting district (000150), tract 0301.00, block group 1, in Harvey county: block 002, block 003, block 004, block 005, block 006, block 021, block 022, block 024, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (000150), tract 0301.00, block group 4, in Harvey county: block 081, block 082, block 084; and the following voting districts in Harvey county: (000160), (000170); and the following blocks in voting district (000230), tract 0302.00, block group 3, in Harvey county: block 030, block 031, block 032, block 033, block 034, block 035, block 039, block 040, block 042, block 043; and the following blocks in voting district (000230), tract 0302.00, block group 4, in Harvey county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following voting districts in Harvey county: (000240); and the following blocks in voting district (000250), tract 0302.00, block group 3, in Harvey county: block 014; and the following voting districts in Harvey

county: (000260), (00027A); and the following blocks in voting district (00027B), tract 0301.00, block group 2, in Harvey county: block 000, block 001, block 002, block 006, block 007; and the following blocks in voting district (00027B), tract 0301.00, block group 4, in Harvey county: block 000, block 001, block 002, block 003, block 004, block 014, block 042, block 048, block 055, block 059, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 079, block 080, block 083; and the following blocks in voting district (00027B), tract 0305.00, block group 3, in Harvey county: block 151, block 152, block 171, block 172, block 173, block 181, block 182, block 183, block 184, block 185, block 187, block 188; and the following blocks in voting district (00027B), tract 0306.00, block group 2, in Harvey county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 095, block 096, block 097, block 105; and the following voting districts in Harvey county: (00027C), (000280), (000290), (000300), (000320), (900010), (900030), (900040); and all of McPherson county; and the following voting districts in Marion county: (000010), (000080), (000090), (000150), (00016C), (000170), (000180), (000190), (000230), (000250), (000280), (000300), (900010), (900020); and all of Rice county.

Sec. 169. Senatorial district 36 shall consist of the following voting districts in Barton county: (000010), (000020), (000040), (000060), (000080), (000090), (000100), (000240), (000250), (000260), (00027A), (00027B), (000280), (000310), (000320), (000350), (000360), (000370), (000380), (000390), (900010); and all of Ellis county; and all of Jewell county; and all of Lincoln county; and all of Mitchell county; and all of Osborne county; and all of Ottawa county; and all of Republic county; and all of Russell county; and all of Smith county.

Sec. 170. Senatorial district 37 shall consist of the following voting districts in Johnson county: (000010), (000020), (000040), (001340), (00140B), (002160), (00217A), (00217B), (00222A), (00222B), (002230), (002240), (00226A), (00226B), (00244A), (002460), (002470), (00249A), (00249E), (00249F), (004300), (900010), (900020), (900350), (900790), (900800), (900810), (900840), (901000), (901010), (901020), (901030), (901040), (901050); and the following blocks in voting district (901060), tract 0534.14, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Johnson county: (901090), (901100), (901110), (901120), (901130); and the following blocks in voting district (901140), tract 0534.18, block group 2, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (901140), tract 0538.03, block group 2, in Johnson county: block 042; and the following blocks in voting district (901140), tract 0538.04, block group 1, in Johnson county: block 000, block 003, block 004, block 005, block 019, block 020, block 021, block 071, block 073; and the following voting districts in Johnson county: (901150); and the following blocks in voting district (901160), tract 0534.10, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 008, block 009, block 010, block 014, block 022, block 024; and the following blocks in voting district (901160), tract 0534.10, block group 5, in Johnson

county: block 015, block 017, block 018, block 019, block 021, block 026, block 029, block 030, block 035, block 036, block 037, block 038, block 039, block 040; and the following blocks in voting district (901160), tract 0534.10, block group 6, in Johnson county: block 007, block 008, block 009, block 010, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Johnson county: (901170), (901180), (901190), (901210); and the following blocks in voting district (901220), tract 0538.04, block group 1, in Johnson county: block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 039, block 040, block 067, block 068, block 069, block 070, block 072, block 077; and the following voting districts in Johnson county: (901230), (901240), (901250), (901260), (901270), (901290), (901300), (901310), (901690).

Sec. 171. Senatorial district 38 shall consist of all of Clark county; and all of Ford county; and all of Gray county; and all of Meade county; and all of Seward county.

Sec. 172. Senatorial district 39 shall consist of all of Finney county; and all of Grant county; and all of Hamilton county; and all of Haskell county; and all of Hodgeman county; and all of Kearny county; and all of Morton county; and all of Stanton county; and all of Stevens county.

Sec. 173. Senatorial district 40 shall consist of all of Cheyenne county; and all of Decatur county; and all of Gove county; and all of Graham county; and all of Greeley county; and all of Lane county; and all of Logan county; and all of Ness county; and all of Norton county; and all of Phillips county; and all of Rawlins county; and all of Rooks county; and all of Rush county; and all of Scott county; and all of Sheridan county; and all of Sherman county; and all of Thomas county; and all of Trego county; and all of Wallace county; and all of Wichita county.";

And by renumbering sections accordingly;

On page 245, in line 5, by striking all after "4-4,492"; by striking all in line 6 and inserting "and 4-4,493";

On page 1, in the title, in line 2, by striking "and state board of education member districts"; in line 25, by striking all after "4-4,492"; in line 26, by striking all before the period and inserting "and 4-4,493"

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

On roll call, the vote was: Yeas 19; Nays 21; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Donovan, Kelsey, King, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, A. Schmidt, Steineger, Taddiken, Wagle.

Nays: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

The motion failed and the amendment was rejected.

EXPLANATION OF VOTE

MR. PRESIDENT: This map offers a non-partisan solution to the redistricting crisis plaguing Kansas, one that fairly treats Democrats and Republicans of all types. It also best meets the requirements of the statutes case law, and the United States Constitution. This map bears in mind the admonition of courts that acceptable redistricting maps must (as much as possible): minimize population deviations; avoid dilution of minority voting power; preserve county and municipal boundaries; create compact and contiguous districts; preserve existing districts; and unite communities sharing common interests.

In this map, all population deviations but one are below 2.5% (a level far better than any other map offered to the Senate). It preserves all three majority-minority districts. It divides only nine counties and one city of the first-class whose population is less than a full Senate district. This map's districts are far more compact and contiguous than existing law or that of any other map proposed in the Senate. It preserves all forty existing districts, keeping them as close to current boundaries as the 2010 Census will allow. Finally, it keeps communities of interest intact throughout the state, but especially in our urban/suburban centers and through western, central, and southeast Kansas. I vote yes. — JEFF KING

Senator Abrams requests the record to show he concurs with the “Explanation of Vote” offered by Senator King on **S Sub for HB 2371**.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Emler an emergency was declared by a 2/3 constitutional majority, and **S Sub for HB 2371** was advanced to Final Action and roll call.

S Sub for HB 2371, AN ACT concerning reapportionment; relating to state legislative districts and state board of education member districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-3,731, 4-3,732, 4-3,733, 4-3,734, 4-3,735, 4-3,736, 4-3,737, 4-3,738, 4-3,739, 4-3,740, 4-3,741, 4-3,742, 4-3,743, 4-3,744, 4-3,745, 4-3,746, 4-3,747, 4-3,748, 4-3,749, 4-3,750, 4-3,751, 4-3,752, 4-3,753, 4-3,754, 4-3,755, 4-3,756, 4-3,757, 4-3,758, 4-3,759, 4-3,760, 4-3,761, 4-3,762, 4-3,763, 4-3,764, 4-3,765, 4-3,766, 4-3,767, 4-3,768, 4-3,769, 4-3,770, 4-3,771, 4-3,772, 4-3,773, 4-3,774, 4-3,775, 4-3,776, 4-3,777, 4-3,778, 4-3,779, 4-3,780, 4-3,781, 4-3,782, 4-3,783, 4-3,784, 4-3,785, 4-3,786, 4-3,787, 4-3,788, 4-3,789, 4-3,790, 4-3,791, 4-3,792, 4-3,793, 4-3,794, 4-3,795, 4-3,796, 4-3,797, 4-3,798, 4-3,799, 4-3,800, 4-3,801, 4-3,802, 4-3,803, 4-3,804, 4-3,805, 4-3,806, 4-3,807, 4-3,808, 4-3,809, 4-3,810, 4-3,811, 4-3,812, 4-3,813, 4-3,814, 4-3,815, 4-3,816, 4-3,817, 4-3,818, 4-3,819, 4-3,820, 4-3,821, 4-3,822, 4-3,823, 4-3,824, 4-3,825, 4-3,826, 4-3,827, 4-3,828, 4-3,829, 4-3,830, 4-3,831, 4-3,832, 4-3,833, 4-3,834, 4-3,835, 4-3,836, 4-3,837, 4-3,838, 4-3,839, 4-3,840, 4-3,841, 4-3,842, 4-3,843, 4-3,844, 4-3,845, 4-3,846, 4-3,847, 4-3,848, 4-3,849, 4-3,850, 4-3,851, 4-3,852, 4-3,853, 4-3,854, 4-3,855, 4-3,856, 4-3,857, 4-3,858, 4-4,451, 4-4,452, 4-4,453, 4-4,454, 4-4,455, 4-4,456, 4-4,457, 4-4,458, 4-4,459, 4-4,460, 4-4,461, 4-4,462, 4-4,463, 4-4,464, 4-4,465, 4-4,466, 4-4,467, 4-4,468, 4-4,469, 4-4,470, 4-4,471, 4-4,472, 4-4,473, 4-4,474, 4-4,475, 4-4,476, 4-4,477, 4-4,478, 4-4,479, 4-4,480, 4-4,481, 4-4,482, 4-4,483, 4-4,484, 4-4,485, 4-4,486, 4-4,487, 4-4,488, 4-4,489, 4-4,490, 4-4,491, 4-4,492, 4-4,493, 4-514, 4-515, 4-516, 4-517, 4-518, 4-519, 4-520, 4-521, 4-522, 4-523, 4-524 and 4-525.

On roll call, the vote was: Yeas 21; Nays 19; Present and Passing 0; Absent or Not Voting 0.

Yeas: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Bruce, Donovan, Kelsey, King, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, A. Schmidt, Steineger, Taddiken, Wagle.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote no on **Senate Substitute for HB 2371**. As the prime directive for us in reapportionment is to reset, to the best of our ability, the right of each of our constituents to “one person one vote”, this attempt is an embarrassment to our chamber. In this bill 34 of the proposed districts deviate from ideal by over 2.5%, 22 of them by more than 4%! This would result in a deviation in representation that is so bad, that the 10 most populated senators would represent a full senate district more than the 10 least populated! Meanwhile we passed on a map (all be it by only a 2 vote margin) that not only maintained political subdivisions but accomplished a deviation of less than 2.5% in 39 of 40 districts. I know we can not get to a perfect zero deviation, but shame on us for presenting such an extreme inequity and shame on any court of review that would allow such as inequity to become law. – TY MASTERSON

Senator Abrams requests the record to show he concurs with the “Explanation of Vote” offered by Senator Masterson on **S Sub for HB 2371**.

EXPLANATION OF VOTE

MR. PRESIDENT: I cannot vote for a flawed map that collapses, once again, a Western Kansas rural district. Those of us in rural Kansas recognize the challenges we face to keep our schools, and businesses open and our services viable in our small communities – the challenges to serve our elderly and our disabled in largely dispersed areas. We recognize the challenge of housing shortages that are a major constraint to our economic revitalization – a challenge that must be addressed at both the state and local levels. We recognize the economic opportunity of windpower energy generation and horizontal drilling that may provide a huge boon to state income and growth in jobs and industry in our communities but also represents huge environmental considerations concerning our water and land. We recognize the opportunities to produce ethanol and other by-products from our crop residues.

I call on my fellow rural Senators to vote against this collapse of District 36 which represents a **net loss of two rural votes for the next decade**. We can accommodate population changes by moving district lines. **We do not have to collapse a district!** –

ALLEN SCHMIDT

REPORT ON ENROLLED BILLS

SB 134 reported correctly enrolled, properly signed and presented to the Governor on May 1, 2012.

SR 1865 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on May 1, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Transportation** begs leave to submit the following report:

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

By the Governor:

Secretary, Kansas Department of Transportation: K.S.A. 75-5001
Michael King, serves at the pleasure of the Governor.

Committee on **Ways and Means** recommends **HB 2249** be amended as recommended by Committee on Public Health and Welfare as reported in the Journal of the Senate on March 21, 2011, and the bill, as printed as Senate Substitute for No. HB 2249, be further amended by substituting a new bill to be designated as "Substitute for Senate Substitute for House Bill No. 2249," as follows:

"SENATE Substitute for SENATE Substitute for HOUSE BILL No. 2249

By Committee on Ways and Means

"AN ACT concerning confidentiality of health information; amending K.S.A. 2011 Supp. 65-6828 and repealing the existing section."; and the substitute bill be passed.

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

By the Governor:

Member, Pooled Money Investment Board: K.S.A. 75-4221a
Robert Chestnut, term expires March 15, 2016

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

By the Attorney General:

Member, Crime Victims Compensation Board: K.S.A. 74-7303
Suzanne Valdez, term expires March 15, 2016

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Wednesday, May 2, 2012.

Journal of the Senate

SIXTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, May 2, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-nine senators present.
Senator Steineger was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Today I pray for Senators
As they seek to wrap things up.
Almost every year it seems
Something interrupts.

The media is faithful to remind
How much it costs each day
To keep the legislature in session
And the Chaplains' pay!

I've watched this happen for many years,
And there's never an easy solution
For the many different challenges
Which may contribute to confusion.

Lord, please help them find a way
To reach an acceptable conclusion,
So legislators and their staffers
Can relax in brief seclusion.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Teichman and Bruce introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1866—

A RESOLUTION congratulating and commending the town of Sylvia, Kansas, on the 125th anniversary of its founding on May 26, 1887.

WHEREAS, The first homesteaders in the area came from Missouri and settled in an area called Peace Creek until prairie fires forced them to resettle further south in Reno County; and

WHEREAS, Early settlers and visitors to the area were few and far between until the late 1860s and early 1870s. Those early settlers found that the area around Sylvia, nestled in the picturesque valley of the North Ninescah River, had the best water wells; and

WHEREAS, In the 1870s, the land which was to become the town of Sylvia was a sand mound measuring about 300 yards around its base located in western Reno County on the ranch of Henry S. Thompson; and

WHEREAS, In 1882, Henry S. Thompson, fondly remembered as “Uncle” Henry Thompson, came to Kansas, settled in Reno County and would have a profound and lasting influence on the founding and shaping of the town of Sylvia and the State Fair in Kansas; and

WHEREAS, Henry S. Thompson convinced the Atchison, Topeka and Santa Fe Railroad to have its Kinsley branch routed through Sylvia, Kansas. Then subsequently in 1884, the land which was to become the town of Sylvia was deeded to the Topeka and Santa Fe Railway Company which, in turn in 1886, was deeded back to Henry Thompson and his wife and immediately transferred to the Sylvia Town Company; and

WHEREAS, On April 7, 1886, the Sylvia Town Company platted the town of Sylvia and recorded said plat at the Reno County Courthouse; and the town of Sylvia was incorporated as a city of the third class less than a year later; and

WHEREAS, The town of Sylvia was named for the wife of a vice-president of the Sante Fe Railroad; and the town of Sylvia was not two months old, a newspaper reported that Sylvia already had two elevators, three lumber yards, a bank, a livery stable, a hotel and a newspaper; and

WHEREAS, At its founding, the main street of Sylvia was pure sand one foot deep bounded by elevated wooden sidewalks four feet wide. These sidewalks were replaced with brick sidewalks in the early 1900s; and

WHEREAS, In 1895, Henry S. Thompson operated a racetrack on his ranch near Sylvia known as the Sylvia Trotting and Racing Association which was a forerunner of the Kansas State Fair; and

WHEREAS, Sylvia’s favorite son, Henry S. Thompson served two terms as the president of the State Board of Agriculture and three years as a State Representative from the 76th District and was instrumental in seeing that the Kansas State Fair would be located in Hutchinson, Kansas; and

WHEREAS, Today Sylvia is known as a friendly town which extends a Kansas hometown welcome to visitors from all around the world; and

WHEREAS, During hunting season, Sylvia is well known as, and prides itself in being, one of the best upland bird areas in the Midwest; and

WHEREAS, On May 26, 2012, the town of Sylvia, Kansas, will hold a day long celebration which is open to all and which includes car shows, parades, trade booths

and a dinner that evening: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the town of Sylvia, Kansas, on the celebration of its 125th anniversary; and

Be it further resolved: That the Secretary of the Senate shall send ten enrolled copies of this resolution to Senator Ruth Teichman.

On emergency motion of Senator Teichman **SR 1866** was adopted unanimously.

Senator Ostmeyer introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1867—

A RESOLUTION congratulating and commending the Hoxie High School girls' basketball team on winning the 2012 Class 1A Division I state championship.

WHEREAS, The Hoxie High School girls' basketball team won the 2012 Kansas State High School Activities Association Class 1A Division I state basketball championship with a 55-45 victory over St. John on March 10, 2012; and

WHEREAS, The game started close as Hoxie was only ahead by one point at the end of the first quarter, but the Lady Indians kept playing hard and were able to go into halftime with a five-point lead; and

WHEREAS, In the third quarter, the Lady Indians built on their lead and never looked back, winning the game by a 10 point margin; and

WHEREAS, The members of the championship team are: Mackenzie Mense, Shelby Heim, Gabi Spresser, Sarah Farber, Marlee McKenna, Danel Stithem, Kristina Farber, Carly Heim, Ellie Heim, Landee McKenna, Lexi Schamberger, Natasha Allmer, Madi Niblock, Kelsey Kelch and Quinlan Stein. Team managers are Terran Hoyt, Kelsey Geerdes and Brynn Niblock. The head coach is Shelly Hoyt and the assistant coach is Marlin Beougher: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate the Hoxie High School girls' basketball team on winning the 2012 Class 1A Division I state championship. Their hard work and outstanding athletic achievement are points of pride for their families, school and community. We extend our best wishes for their continued success; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Hoxie High School.

On emergency motion of Senator Ostmeyer **SR 1867** was adopted unanimously.

Senator Ostmeyer introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1868—

A RESOLUTION congratulating the Wallace County High School girls' basketball team on winning the Class 1A Division II state championship.

WHEREAS, The Wallace County High School girls' basketball team won the 2012 Class 1A Division II state girls championship with a win over Central Christian. It was the first state championship for a Wallace County High School basketball team; and

WHEREAS, The 2012 Wallace County girls' basketball team finished the regular season with a 15-8 record and entered the state tournament ranked sixth; and

WHEREAS, Despite their low seed, the Wallace County wildcats played like they had nothing to lose and won each of their tournament games, including the state championship against Central Christian; and

WHEREAS, The game was tied 12-12 at the end of the first quarter, but Central Christian did not miss any free throws in the second quarter and built a slight 26-23 halftime lead against the wildcats; and

WHEREAS, The wildcats never gave up and fought back to take a small lead in the second half. The game came down to the final seconds as the wildcats clung to a two-point lead and Central Christian had one last chance with five seconds left, but their final shot fell short and the wildcats won the game with a final score of 48-46; and

WHEREAS, The team members are: Hayley Pletcher, Hallie Kuhlman, Tatum Elder, Ashli Dinkel, Jenna Kriegh, Jordan Compton, Ally Dewees, Rachael Kuhlman, Rylea Rains, Sarah Dinkel and Chanity Daily. The team manager is Heidi Pletcher. The head coach is Landon Steele and the assistant coach is Kenli Allen: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate the Wallace County High School girls' basketball team on winning the Class 1A Division II state championship. The team, their families, the school and community should be proud of their hard work and outstanding athletic achievement. We extend our best wishes for their continued success in the future; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Wallace County High School.

On emergency motion of Senator Ostmeyer **SR 1868** was adopted unanimously.

Senator Ostmeyer introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1869—

A RESOLUTION congratulating the Scott Community High School boys' basketball team on winning the Class 3A state championship.

WHEREAS, The Scott Community High School boys' basketball team won the 2012 Class 3A state championship with a 61-47 win over Seneca-Nemaha Valley; and

WHEREAS, This is the second straight state boys' basketball championship for the Scott Community High School beavers; and

WHEREAS, The beavers opened the game with a 15-0 run and by the third quarter had built a 22-point lead before Seneca-Nemaha Valley fought back to cut the lead to 10 points, but could never get any closer; and

WHEREAS, The beavers finished their championship season with a 25-1 record; and

WHEREAS, The members of the championship team are: Brett O'Neil, Trey O'Neil, Colten Yager, Braeden Robinson, Jeremy Clinton, Tyler Hess, Austin Habiger, Anthony Wilson, Joey Meyer, Drew Kite, Collin Ratzlaff and Brenner Wells. Team managers are Danielle Hutton, Skyler Glenn and Calvin Jarmer. The head coach is Glenn O'Neil and the assistant coaches are Brian Gentry and Scott Holt: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate the Scott Community High School boys' basketball team on winning the 2012 Class 3A state championship. We extend our best wishes for their continued success; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Scott Community High School.

On emergency motion of Senator Ostmeyer **SR 1869** was adopted unanimously.

COMMUNICATIONS FROM STATE OFFICERS**KANSAS DEPARTMENT OF LABOR**

May 1, 2012

Karin Brownlee, Secretary, submitted the 2011 Annual Report for the Kansas Department of Labor.

The President announced the above report is on file in the office of the Secretary of the Senate and is available for review at any time.

On motion of Senator Emler, the Senate recessed until 2:00 p.m.

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

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **House Substitute for SB 114**.

The House adopts the Conference Committee report on **SB 367**.

The House nonconcur in Senate amendments to **HB 2572**, requests a conference and has appointed Representatives Rhoades, Kelley and Feuerborn as conferees on the part of the House.

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **H Sub for SB 62**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Love moved the Senate concur in House amendments to **H Sub for SB 62**.

H Sub SB 62, AN ACT concerning medical care facilities; relating to abortion; sterilization; amending K.S.A. 65-443, 65-446 and 65-447 and K.S.A. 2011 Supp. 65-444 and repealing the existing sections.

On roll call, the vote was: Yeas 23; Nays 16; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Donovan, Emler, Kelsey, King, Longbine, Love, Lynn, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, A. Schmidt, Taddiken, Umbarger, Wagle.

Nays: Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Marshall, Owens, Reitz, V. Schmidt, Schodorf, Teichman, Vratil.

Absent or Not Voting: Steineger.

The Senate concurred.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote no on the motion to concur on **H Sub for SB 62**. I would hope that we adopt a better test than “which the person reasonably believes that may result in the termination of a pregnancy,” such as the wording “which with reasonable medical probability may result in the termination of a pregnancy” that was in an amendment offered, but not adopted, in the House. We should strive to avoid unintended consequences that could come about if a patient is directed to a clinician who is unwilling to administer drugs prescribed for that woman's health. We need to protect the ability of a health care professional to take actions and make referrals that they believe are in the best interests of a patient, especially in emergency situations. I would hope that the conference committee is given the opportunity to make changes based on the debate in the Senate before this bill becomes law. — MARCI FRANCISCO

Senators Haley and Kultala request the record to show they concur with the “Explanation of Vote” offered by Senator Francisco on **H Sub for SB 62**.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote no on **H Sub for SB 62**. I have never been an advocate for abortions. This bill however carries with it opportunities for unintended consequences, where a person with medical skills and training could be in a situation to deny help resulting in the death of the mother. I do not accept that as a pro-life choice but rather allows a medical professional to allow a death to occur when they have the ability to prevent it. — TIM OWENS

Senators Francisco, Huntington, Kelly, Kultala, Marshall, Reitz, V. Schmidt, Schodorf, Teichman and Vratil request the record to show they concur with the “Explanation of Vote” offered by Senator Owens on **H Sub for SB 62**.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 56, the following appointments, submitted by the Attorney General and Governor to the senate for confirmation, were considered.

Senator Emler moved the following appointments be confirmed as recommended by the Standing Senate Committees:

By the Attorney General

On the appointment to the:

Kansas Crime Victims Compensation Board, Member:

Suzanne Valdez, term expires March 15, 2016.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Steineger.

The appointment was confirmed.

By the Governor:

On the appointment to the:

Department of Transportation, Secretary:

Michael Steven King, serves at the pleasure of the Governor.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 1; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Present and Passing: Francisco.

Absent or Not Voting: Steineger.

The appointment was confirmed.

By the Governor:

On the appointment to the:

Pooled Money Investment Board, Member:

Robert Chestnut, term expires March 15, 2016.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Steineger.

The appointment was confirmed.

By the Governor:

On the appointment to the:

State Court of Tax Appeals, Member:

James Cooper, term expires January 15, 2016.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Steineger.

The appointment was confirmed.

By the Governor:

On the appointment to the:

State Court of Tax Appeals, Member:

Samuel H. Sheldon, term expires January 15, 2016.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco,

Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Steineger.

The appointment was confirmed.

REPORTS OF STANDING COMMITTEES

KPERS Select Committee recommends **Substitute for House Bill No. 2333**, as amended by House Committee of the Whole, be amended by substituting a new bill to be designated as "SENATE Substitute for Substitute for HOUSE BILL No. 2333," as follows:

"SENATE Substitute for Substitute for HOUSE BILL No. 2333

By KPERS Select Committee

"AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; enacting the Kansas public employees retirement system act of 2014; providing terms, conditions, requirements, benefits and contributions related thereto; relating to employer and employee contributions; member election; employment after retirement; plan of death and long-term disability benefits; members of legislature, rate of compensation; amending K.S.A. 74-4915 and 74-4919 and K.S.A. 2011 Supp. 74-4914d, 74-4920, as amended by section 2 of 2012 House Bill No. 2460, 74-4927, 74-4937, 74-4995, 74-49,205 and 74-49,213 and repealing the existing sections.";

and the substitute bill be passed.

Committee on **Reapportionment** recommends **HB 2329** be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2329," as follows:

"SENATE Substitute for HOUSE BILL No. 2329

By Committee on Reapportionment

"AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-136, 4-137, 4-138, 4-139, 4-140, 4-141 and 4-142.";

and the substitute bill be passed.

ORIGINAL MOTIONS

On motion of Senator Brungardt, the Senate acceded to the request of the House for a conference on **HB 2572**.

The President appointed Senators Brungardt, Reitz and Faust-Goudeau as conferees on the part of the Senate.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Owens in the chair.

On motion of Senator Owens the following report was adopted:

Recommended **Substitute SB 449** be amended by adoption of the committee report recommending a substitute bill, be further amended by motion of Senator Umbarger, on page 33, in line 33, by adding \$85,000 to the dollar amount and by adjusting the dollar amount in line 33 accordingly

Sub SB 449 be further amended by motion of Senator Umbarger, on page 85, after line 42, by inserting:

"Southeast Kansas economic development.....\$500,000"

Sub SB 449 be further amended by motion of Senator McGinn, on page 1, in line 14, by striking "and"; in line 14, after "2015," by inserting "and June 30, 2016";

On page 38, in line 21, by adding \$3,975 to the amount to line 21, and by adjusting the amount in line 21 accordingly;

On page 103, line 39 by adding \$1,276,677 to the dollar amount and by adjusting the dollar amount in line 39 accordingly;

On page 105, line 6 by adding \$6,300,000 to the dollar amount and by adjusting the dollar amount in line 6 accordingly;

On page 109, in line 39, by striking "Kansas"; also in line 39, by striking "property"; also in line 39, by striking "trust";

On page 137, in line 6, by subtracting \$133,847 from the dollar amount and by adjusting the dollar amount in line 6 accordingly;

On page 170, in line 31, by subtracting \$500,000 from the dollar amount and by adjusting the dollar amount in line 31 accordingly;

On page 174, after line 12, by inserting:

"Community corrections special revenue fund No limit";

On page 175, after line 20, by inserting:

"(i) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the community corrections special revenue fund of the department of corrections.";

On page 187, line 23 by adding \$36,480 to the dollar amount and by adjusting the dollar amount in line 23 accordingly;

On page 214, in line 42, by adding \$315,178 to the amount in line 42, and by adjusting the amount in line 42 accordingly;

On page 220, in line 4, by striking "pay" and inserting "transfer"; in line 9, by striking "pay" and inserting "transfer"; in line 14, by striking "pay" and inserting "transfer";

On page 268, in line 11, by striking "2012" and inserting "2013"; in line 12, by striking "2013" and inserting "2014";

On page 1, in the title, in line 2, by striking "and"; also in line 2, following "2015," by inserting "and June 30, 2016,"

Sub SB 449 be further amended by motion of Senator Bruce, on page 131, in line

10, by adding \$50,000,000 to the dollar amount and by adjusting the dollar amount in line 10 accordingly; in line 14, by adding \$27,000,000 to the dollar amount and by adjusting the dollar amount in line 14 accordingly

Sub SB 449 be further amended by motion of Senator Huntington, on page 115, in line 8, by adding \$2,500,000 to the dollar amount and by adjusting the dollar amount in line 8 accordingly; on page 117, in line 11, by adding \$2,500,000 to the dollar amount and by adjusting the dollar amount in line 11 accordingly

Sub SB 449 be further amended by motion of Senator Teichman, on page 115, in line 28, by adding \$1,933,378 to the dollar amount and by adjusting the dollar amount in line 28 accordingly;

On page 218, in line 25, by subtracting 23.00 from the number in the line and adjusting the number in line 25 accordingly; in line 27, by adding 23.00 to the number in the line and adjusting the number in line 27 accordingly

Sub SB 449 be further amended by motion of Senator Kelly, on page 268, in line 22, by striking "July 1, 2012,"; after line 25, by inserting:

"(3) On July 1, 2012, the director of accounts and reports shall transfer \$600,000 from the state general fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto."

Sub SB 449 be further amended by motion of Senator V. Schmidt, on page 282, in line 5, by striking "years" and inserting "year"; in line 6, by striking "and 2013,"; in line 7, by striking "\$13,500,000" and inserting "\$22,500,000"; also in line 7, by striking all after "year"; in line 8, by striking all before the first comma and inserting "2013, \$36,000,000 during fiscal year 2014, \$42,750,000 during fiscal year 2015, \$49,500,000 during fiscal year 2016" also in line 8, by striking "2016" and inserting "2017"

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

On roll call, the vote was: Yeas 26; Nays 12; Present and Passing 1; Absent or Not Voting 1.

Yeas: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Marshall, McGinn, Morris, Olson, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Bruce, Donovan, Lynn, Masterson, Merrick, Ostmeyer, Pilcher-Cook, Pyle, Taddiken, Wagle.

Present and Passing: Love.

Absent or Not Voting: Steineger.

The motion carried.

EXPLANATION OF VOTE

MR. PRESIDENT: We strongly support property tax relief for our hard working Kansas citizens. However, we must vote NO on the LAVTR amendment that only pretends to lower property taxes. This appropriation, which over four years will total up to 296.5 million, is nothing more than an unencumbered slush fund with no legal safeguards to ensure Kansas taxpayers will receive any real property tax relief. Instead, the LAVTR amendment is a shell game to fool Kansas citizens and further prevent real progress towards lowering property tax rates in Kansas while continuing excessive spending and growing bigger government. — JULIA LYNN

Senators Abrams, Bruce, Pilcher-Cook, Donovan, Masterson, Merrick, Pyle and

Wagle request the record to show they concur with the "Explanation of Vote" offered by Senator Lynn on **Sub SB 449**.

Sub SB 449 be further amended by motion of Senator V. Schmidt, on page 164, in line 14, by adding \$111,309 to the dollar amount and by adjusting the dollar amount in line 14 accordingly

Sub SB 449 be further amended by motion of Senator Huntington, on page 230, following line 27, by inserting:

"Sec. 122. Except as otherwise provided in this section, during one year after the date of implementation of the managed care system or any managed care oversight, no state agency named in this or any other appropriation act of the 2012 regular session of the legislature shall expend moneys from the state general fund or from any special revenue fund or funds authorized by this or any other appropriation act of the 2012 regular session of the legislature, to provide services: (a) through the home and community based services waiver for individuals with developmental disabilities; (b) through intermediate care facilities, targeted case management or assessment services for individuals with developmental disabilities; or (c) to technology assisted waivers, under any managed care system or any managed care oversight or any function that is determined to be a managed care oversight during fiscal year 2013 and fiscal year 2014: *Provided*, That any community developmental disability organizations or community service providers shall not be required to contract with any managed care organization or participate in any managed care system or any managed care oversight during such year of implementation: *Provided further*, That services during such year of implementation shall be administered and provided consistent with laws and rules and regulations in force on April 1, 2012: *And provided further*, That moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 and fiscal year 2014, as authorized by this or any other appropriation act of the 2012 regular session of the legislature to provide services during such year of implementation: (a) through the home and community based services waiver for individuals with developmental disabilities; (b) through intermediate care facilities, targeted case management or assessment services for individuals with developmental disabilities; or (c) to technology assisted waivers, shall be expended only in the same manner as such moneys were expended during fiscal year 2012 pursuant to the developmental disabilities reform act, K.S.A. 39-1801 through 39-1810, and K.S.A. 2011 Supp. 39-1811, and amendments thereto, and the rules and regulations, policies and contracts, in force on April 1, 2012: *Provided, however*, That during fiscal year 2013 and fiscal year 2014, nothing in this section shall prevent any community service provider from voluntarily participating in a pilot program established during such year of implementation.";

And by renumbering sections accordingly

Sub SB 449 be further amended by motion of Senator Hensley, on page 131, in line 13, before the period, by inserting the following:

"*Provided further*, That, if 2012 Senate Substitute for House Bill No. 2200, or any other legislation which increases the state prescribed percentage as defined in K.S.A. 2011 Supp. 72-6433, and amendments thereto, in fiscal year 2013 from 31% to 32%, is not passed by the legislature during the 2012 regular session and enacted into law, then, on July 1, 2012, of the \$1,967,322,680 appropriated for the above agency for the general state aid account, the sum of \$50,000,000 is hereby lapsed";

Also on page 131, in line 17, before the period, by inserting the following:

“: *Provided further*, That, if 2012 Senate Substitute for House Bill No. 2200, or any other legislation which increases the state prescribed percentage as defined in K.S.A. 2011 Supp. 72-6433, and amendments thereto, in fiscal year 2013 from 31% to 32%, is not passed by the legislature during the 2012 regular session and enacted into law, then, on July 1, 2012, of the \$362,212,000 appropriated for the above agency for the supplemental general state aid account, the sum of \$27,000,000 is hereby lapsed”

Sub SB 449 be further amended by motion of Senator King, on page 282, following line 24, by inserting the following:

" Sec. 159. On July 1, 2012, K.S.A. 79-2961 is hereby amended to read as follows: 79-2961. (a) The county clerk shall certify to the county treasurer when budgets are made pursuant to K.S.A. 79-2960 and amendments thereto and tax levies are filed with the county clerk. Prior to crediting the proper amounts under subsection (c) and except as provided in subsection (d), the county treasurer shall divide the amount paid by the state treasurer to the county treasurer among the county and all other taxing subdivisions of the county except school districts and any incorporated city within which any portion of the Fort Riley military reservation is located and which would otherwise be a participant in the Riley county allocation, which comply with the requirements of this act, in the proportion that the product of the last preceding total tangible tax rate of each subdivision, times its equalized tangible assessed valuation for the preceding year, is to the sum of such products of all the tangible tax-levying political subdivisions, except school districts and any incorporated city within which any portion of the Fort Riley military reservation is located and which would otherwise be a participant in the Riley county allocation, exclusive of the levy by the county for any deficiency for state purposes.

(b) ~~No~~ Each year a political subdivision shall be entitled to participate in the distribution of any money appropriated to carry out K.S.A. 79-2960 and amendments thereto and this section ~~unless and until when~~ such political subdivision has adopted and certified a budget for the ensuing year which shows as a separate item the amount of the distribution to one or more tax levy funds of general application within such subdivision except bond and interest funds and has certified a tax levy for each such fund that will produce a sum of money less than the amount which a maximum levy would produce for each such fund, in an amount equal to or in excess of the amount of such distribution. The budget of each political subdivision also shall show that the aggregate levies made by such tangible property tax-levying political subdivisions will produce a sum less than the amount which the aggregate levy would produce in an amount equal to or in excess of the aggregate amount of the budget items of such distribution shown in the aggregate levy that has reduced the aggregate levies made by each such tangible property tax levying political subdivision by an amount equal to the annual amount received by the political subdivision from the local ad valorem tax reduction fund.

(c) In crediting the amount that has been divided pursuant to subsection (a) or subsection (d), the county treasurer shall proceed as follows: Upon receipt of the payment from the state treasurer each year, credit the appropriate fund or funds of each political subdivision complying with the provisions of this act with its proportionate share of such payment and the county treasurer shall notify such political subdivision of the amounts so credited. This section and K.S.A. 79-2960 and amendments thereto shall not apply to school districts.

(d) The amount paid by the state treasurer to the county treasurer of each county under subsection (d) of K.S.A. 79-2959 and amendments thereto, shall be divided only among the one or more community colleges or municipal universities, or both, which received amounts under this section from the payment made from the local *ad valorem* tax reduction fund on January 15, 1983. The amount received by each such community college or municipal university under this subsection shall bear the same proportion to the total amount paid to such county under subsection (d) of K.S.A. 79-2959 and amendments thereto, as the amount received by such community college or municipal university under this section from the payment made to such county from the local *ad valorem* tax reduction fund on January 15, 1983, bears to the total amount received by all such community colleges and municipal universities under this section from such payment.";

On page 295, in line 21, following "2012," by inserting "K.S.A. 79-2961 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, following the semicolon by inserting "relating to the distribution to political subdivision of the local *ad valorem* tax reduction fund;"; also in line 7, following "amending" by inserting "K.S.A. 79-2961 and" and **Sub SB 449** be passed as further amended.

Senators Abrams and V. Schmidt withdrew amendments on **Sub SB 449**.

A motion by Senator Wagle to amend **Sub SB 449** failed and the following amendment was rejected: on page 272, by striking all in lines 33 through 43;

On page 273, by striking all in lines 1 and 2; in 3 by striking all before "reconciled" and inserting "The state treasurer may make estimated payments to the bioscience authority more frequently based on estimates provided by the secretary of revenue and"

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

On roll call, the vote was: Yeas 16; Nays 23; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Donovan, Kelsey, King, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Wagle.

Nays: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil.

Absent or Not Voting: Steineger.

The motion failed and the amendment was rejected.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Emler an emergency was declared by a 2/3 constitutional majority, and **Sub SB 449** was advanced to Final Action and roll call.

Sub SB 449, AN ACT making and concerning appropriations for fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, June 30, 2015, and June 30, 2016, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; relating to the distribution to political subdivision of the local *ad valorem* tax reduction fund; amending K.S.A. 79-2961 and amending K.S.A. 2011 Supp. 2-223, 12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i,

79-34,156, 79-34,171 and 82a-953a and repealing the existing sections.

On roll call, the vote was: Yeas 34; Nays 5; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil.

Nays: Donovan, Masterson, Pilcher-Cook, Pyle, Wagle.

Absent or Not Voting: Steineger.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote in favor of **Sub SB 449**. This budget bill has been amended in a bipartisan manner today in several key areas that have been brought to my attention as being of great concern to many citizens and organizations in the 36th District. This chamber, casting mostly bipartisan votes added in the following funding:

- added funds from the tobacco settlement for the Children's Initiative Fund.
- \$2.5 million for each to reduce the physical disabilities and developmental disabilities waiting lists.
- An increase of \$74 per pupil to K-12 education.
- Funding to add FTEs and increase “under pay” at Larned State Hospital
- \$45 million in local property tax relief.
- Return to the undermarket pay adjustments that were cut-off in last year's budget.

I regret that this budget failed to address the increased funding for expansion of forensic beds at Larned State Hospital but I was assured that this addition would be executed in conference committee. With the additions to the budget, I support **Sub SB 449**. – ALLEN SCHMIDT

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Thursday, May 3, 2012.

Journal of the Senate

SIXTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, May 3, 2012, 10:00 a.m.

The Senate was called to order by Vice President John Vratil.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

When the pressure's on and tempers short,
We tend to turn to You,
And beseech Your power to employ
To pull our measures through.

But every time this happens
We seem to hear You say,
"You ought to know by now
That I don't work that way."

So remind us that your power
Must never be abused;
That You're our God to worship,
Not one who can be used.

But there is a prayer that we should pray,
Whether we've lost or won.
Help us to pray sincerely,
"Lord, Thy will be done!"

I pray in the name of Jesus Christ, AMEN

The Pledge of Allegiance was led by Vice President John Vratil.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Faust-Goudeau, Abrams, Brungardt, Emler, Francisco, Haley, Hensley, Holland, Kelly, Kelsey, Kultala, Longbine, Love, Masterson, McGinn, Merrick, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, A. Schmidt, V. Schmidt, Taddiken, Teichman, Umbarger, Vratil and Wagle introduced the following Senate resolution,

which was read:

SENATE RESOLUTION No. 1870—

A RESOLUTION congratulating and commending the Kansas Highway Patrol on its 75 years of service to the citizens of Kansas.

WHEREAS, In 1933, the Kansas Legislature, Governor Alfred Landon and Highway Department Attorney Wint Smith acted to halt the rampant bank robberies and crime sprees of the 1920s and 1930s. They created a force of ten motor vehicle inspectors, the forerunners of Kansas troopers. The Kansas Legislature created the Kansas Highway Patrol in 1937, staffed with 45 patrolmen; and

WHEREAS, The duties, powers and authority of the Kansas Highway Patrol are still largely unchanged from this early law concerning the enforcement of traffic and drivers' license laws promoting safety and protecting life upon the highways of Kansas; and

WHEREAS, In 1945, legislation was passed to provide the Kansas Highway Patrol with two-way state radio communications; and

WHEREAS, In the 1960s, each trooper was assigned a patrol car to improve coverage of Kansas roadways and provided access to the Law Enforcement Teletype System and National Crime Information Center, which improved the Kansas Highway Patrol's communications. The Kansas Highway Patrol began the use of aircraft in its enforcement program in 1963. The plane was used to detect violators from the air and report them to ground units for action; and

WHEREAS, The first female troopers joined the Kansas Highway Patrol in 1981. Today, the agency actively recruits both women and men to be troopers as well as to fill other uniformed and civilian positions; and

WHEREAS, The Kansas Highway Patrol is vested with the power and authority of peace, police and law enforcement officers anywhere in the state irrespective of county lines; and

WHEREAS, The quality and sanctity of community life are cherished values, worthy of safeguarding. The Kansas Highway Patrol has preserved and protected such values with unwavering courage and dedication in the daily performance of their duties; and

WHEREAS, The Kansas Highway Patrol's history is replete with commendations for innovation, expertise in criminal investigations, traffic enforcement and accommodation to continuing technological advances in the law enforcement industry. Members of the Kansas Highway Patrol have served the citizens of Kansas with great distinction and honor, exhibiting unparalleled professionalism and excellence for the past 75 years; and

WHEREAS, Members of the Kansas Highway Patrol have faced extremely dangerous situations, doing so with bravery, while protecting themselves and others. The extensive training, experience and strong will of the Kansas Highway Patrol has enabled the agency to respond to major accidents and natural disasters occurring throughout the state: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the Kansas Highway Patrol for its 75 years of service, protection and dedication to the citizens of the state of Kansas. Kansas citizens have come to rely on these valiant law enforcement officers in times of civil disorder or personal distress and their trust has been well founded. We are indeed fortunate and grateful for the

contributions of the members of the Kansas Highway Patrol to the people of this state; and

Be it further resolved: That we pay tribute to the Kansas Highway Patrol for 75 years of selfless dedication, devotion and commitment of the highest caliber in providing service, public safety and law enforcement to the residents and visitors of the great state of Kansas; and

Be it further resolved: That the Secretary of the Senate shall send 18 enrolled copies On emergency motion of Senator Faust-Goudeau **SR 1870** was adopted unanimously.

Senator Faust-Goudeau congratulated the Kansas Highway Patrol on its 75 years of service to the citizens of Kansas. The Patrolmen and women in attendance were introduced as follows: Colonel Ernest Garcia, Lieutenant Colonel Alan Stoecklein, Major Mark Bruce, Captain Dennis Gassman, Captain Jimmie Atkinson, Captain Scott Harrington, Lieutenant Joe Vajgrt-Been, Lieutenant David Bogina, Lieutenant Harold Tillman, Lieutenant Allan Lytton, Lieutenant Josh Kellerman, Lieutenant Eric Hatcher, Sergeant Terry Golightley, Motor Carrier Inspector Sergeant Tony Stewart, Master Trooper Wayne Faulkner, Technical Trooper Robyn Goss, Technical Trooper Adam Winters, Trooper Sean Hankins, Public Service Administrator April McCollum, Media Production Supervisor & Highway Employee Will Downing and Don Cackler, Retired Lieutenant, now the Senate security officer. The Senate acknowledged the Highway Patrol with a standing ovation.

On motion of Senator Emler, the Senate recessed until 11:00 a.m.

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

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 14**.

The House adopts the Conference Committee report on **House Substitute for Substitute SB 148**.

The motion to concur in Senate amendments to **Senate Substitute for HB 2371** failed.

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **SB 14; H Sub for Sub SB 148; SB 262; S Sub for HB 2313, S Sub for HB 2596**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 14** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 7 through 34;

By striking all on pages 2 through 5 and inserting:

"Section 1. K.S.A. 2011 Supp. 65-180, as amended by section 39 of 2012 Substitute for Senate Bill No. 397, is hereby amended to read as follows: 65-180. The secretary of health and environment shall:

(a) Institute and carry on an intensive educational program among physicians, hospitals, public health nurses and the public concerning congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases detectable with the same specimen. This educational program shall include information about the nature of such conditions and examinations for the detection thereof in early infancy in order that measures may be taken to prevent intellectual disability or morbidity resulting from such conditions.

(b) Provide recognized screening tests for phenylketonuria, galactosemia, hypothyroidism and such other diseases as may be appropriately detected with the same specimen. The initial laboratory screening tests for these diseases shall be performed by the department of health and environment or its designee for all infants born in the state. Such services shall be performed without charge.

(c) Provide a follow-up program by providing test results and other information to identified physicians; locate infants with abnormal newborn screening test results; with parental consent, monitor infants to assure appropriate testing to either confirm or not confirm the disease suggested by the screening test results; with parental consent, monitor therapy and treatment for infants with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria or other genetic diseases being screened under this statute; and establish ongoing education and support activities for individuals with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases being screened under this statute and for the families of such individuals.

(d) Maintain a registry of cases including information of importance for the purpose of follow-up services to prevent intellectual disability or morbidity.

(e) Provide, within the limits of appropriations available therefor, the necessary treatment product for diagnosed cases for as long as medically indicated, when the product is not available through other state agencies. In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual meets medicaid eligibility, such individuals' needs shall be covered under the medicaid state plan. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual is not medicaid eligible, but is below 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of between 50% to 100% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual exceeds 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of an amount not to exceed 50% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment.

(f) Provide state assistance to an applicant pursuant to subsection (e) only after it has been shown that the applicant has exhausted all benefits from private third-party payers, medicare, medicaid and other government assistance programs and after consideration of the applicant's income and assets. The secretary of health and environment shall adopt rules and regulations establishing standards for determining eligibility for state assistance under this section.

(g) (1) Except for treatment products provided under subsection (e), if the medically necessary food treatment product for diagnosed cases must be purchased, the purchaser shall be reimbursed by the department of health and environment for costs incurred up to \$1,500 per year per diagnosed child age 18 or younger at 100% of the product cost upon submission of a receipt of purchase identifying the company from which the product was purchased. For a purchaser to be eligible for reimbursement under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(2) As an option to reimbursement authorized under subsection (g)(1), the department of health and environment may purchase food treatment products for distribution to diagnosed children in an amount not to exceed \$1,500 per year per diagnosed child age 18 or younger. For a diagnosed child to be eligible for the distribution of food treatment products under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(3) In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection ~~(g)~~.

(h) The department of health and environment shall continue to receive orders for both necessary treatment products and necessary food treatment products, purchase such products, and shall deliver the products to an address prescribed by the diagnosed individual. The department of health and environment shall bill the person or persons who have legal responsibility for the diagnosed patient for a pro-rata share of the total costs, in accordance with the rules and regulations adopted pursuant to this section.

(i) ~~Not later than July 1, 2008~~, the secretary of health and environment shall adopt rules and regulations as needed to require, to the extent of available funding, newborn screening tests to screen for treatable disorders listed in the core uniform panel of newborn screening conditions recommended in the 2005 report by the American college of medical genetics entitled "Newborn Screening: Toward a Uniform Screening Panel and System" or another report determined by the department of health and environment to provide more appropriate newborn screening guidelines to protect the health and welfare of newborns for treatable disorders.

(j) In performing the duties under subsection (i), the secretary of health and environment shall appoint an advisory council to advise the department of health and environment on implementation of subsection (i).

(k) The department of health and environment shall periodically review the newborn screening program to determine the efficacy and cost effectiveness of the program and determine whether adjustments to the program are necessary to protect the health and welfare of newborns and to maximize the number of newborn screenings that

may be conducted with the funding available for the screening program.

(1) There is hereby established in the state treasury the Kansas newborn screening fund which shall be administered by the secretary of health and environment. All expenditures from the fund shall be for the newborn screening program. All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee. Each month, the director of accounts and reports shall determine the amount credited to the state general fund pursuant to K.S.A. 40-3213, and amendments thereto, and shall transfer the portion of such amount that is necessary to fund the newborn screening program for the preceding month as certified by the secretary of health and environment or the secretary's designee, to the newborn screening fund, except that such amount shall not exceed the amount to be credited to the state general fund pursuant to K.S.A. 40-3213, and amendments thereto.

Sec. 2. K.S.A. 2011 Supp. 65-180, as amended by section 39 of 2012 Substitute for Senate Bill No. 397, is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, by striking all in lines 1 through 4 and inserting:

"AN ACT concerning the department of health and environment; relating to education and screening for congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases and disorders; creating the Kansas newborn screening fund; amending K.S.A. 2011 65-180, as amended by section 39 of 2012 Substitute for Senate Bill No. 397, and repealing the existing section.";

And your committee on conference recommends the adoption of this report.

BRENDA LANDWEHR
OWEN DONOHUE
GERALDINE FLAHARTY
Conferees on part of House

RUTH TEICHMAN
TY MASTERSON
A. SCHMIDT
Conferees on part of Senate

Senator Teichman moved the Senate adopt the Conference Committee Report on **SB 14**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

Senator Taddiken moved the Senate adopt the conference committee report on **H Sub for Sub SB 148**.

Senator Bruce offered a substitute motion to not adopt the conference committee report on **H Sub for Sub SB 148** and a new conference committee be appointed. The motion carried and Vice President Vratil appointed Senators Taddiken, Teichman and Francisco as second conferees for the Senate.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 262** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, in line 8, by striking "preference" and inserting "substantial consideration"; following line 10, by inserting "Such evaluation of custody, visitation or residency arrangements shall be stated on the record."; in line 26, by striking "preference" and inserting "substantial consideration"; in line 32, by striking "placement" and inserting "finding";

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

PETE BRUNGARDT

ROGER P. REITZ

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

Senator Brungardt moved the Senate adopt the Conference Committee Report on **SB 262**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Senate Substitute for HB 2313** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for HB 2313, as follows:

On page 1, by striking all in lines 5 through 36;

On page 2, by striking all in lines 1 through 43;

On page 3, by striking all in lines 1 through 13 and inserting:

"Section 1. (a) This section shall be known as the transparency in lawsuits protection act and shall be part of and supplemental to the Kansas code of civil procedure.

(b) It is the intent of the legislature that no statute, rule, regulation or other enactment of the state shall create a private right of action unless such right is expressly stated therein.

(c) Any legislation enacted in this state creating a private right of action shall contain express language providing for such a right. Courts of this state shall not construe a statute to imply a private right of action in the absence of such express language.

(d) Nothing in this act shall be construed to prevent the breach of any duty imposed by law from being used as the basis for a cause of action under any theory of recovery otherwise recognized by law, including, but not limited to, theories of recovery under the law of torts or contract.";

On page 1, in the title, in line 1, by striking all after "concerning;"; by striking all in line 2 and inserting "civil procedure; relating to private rights of action; certain restrictions.";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

Senator Owens moved the Senate adopt the Conference Committee Report on **S Sub for HB 2313**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **S Sub for HB 2596** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2596, as follows:

On page 3, by striking all in lines 21 through 28;
 On page 10, in line 41, by striking "(a)";
 On page 11, by striking all in lines 7 through 14;
 On page 12, in line 24, by striking "(a)"; by striking all in lines 31 through 38;
 On page 13, in line 6, by striking "(a)"; by striking all in lines 12 through 19;
 On page 16, following line 15, by inserting:
 "(4) As used in the Kansas pet animal act, "adequate veterinary medical care" shall not apply to United States department of agriculture licensed animal breeders or animal distributors.";
 On page 25, in line 27, after "39." by inserting "On January 1, 2013,";
 On page 28, in line 24, by striking "47-1809,"; following line 25, by inserting:
 "Sec. 44. On January 1, 2013, K.S.A. 2011 Supp. 47-1809 is hereby repealed.";
 And by renumbering the remaining section accordingly;
 And your committee on conference recommends the adoption of this report.

MARK TADDIKEN
 RUTH TEICHMAN
 MARCI FRANCISCO

Conferees on part of Senate

L. R. POWELL
 DAN KERSCHEN
 JERRY D. WILLIAMS

Conferees on part of House

Senator Taddiken moved the Senate adopt the Conference Committee Report on **S Sub for HB 2596**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

REPORT ON ENROLLED BILLS

SR 1866, SR 1867, SR 1868, SR 1869 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on May 3, 2012.

On motion of Senator Emler, the Senate recessed until 2:00 p.m.

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

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **HB 2471**.

The House adopts the Conference Committee report on **House Substitute for SB 129**.

The House not adopts the Conference Committee report on **Senate Substitute for HB 2730**, requests a conference and appoints Representatives Powell, Kerschen, and Williams as Second conferees on the part of the House.

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **S Sub for S Sub for HB 2249; HB 2324; S Sub for Sub HB 2333**.

COMMITTEE OF THE WHOLE

On motion of Senator Emler, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator V. Schmidt in the chair.

On motion of Senator V. Schmidt the following report was adopted:

Recommended committee report on **S Sub HB 2249** recommending **S Sub for S Sub HB 2249** be adopted, and the substitute bill be passed.

HB 2324 be amended by the adoption of the committee amendments, and **HB 2324** be passed as amended.

HB 2729 be amended by the adoption of the committee amendments and further amended by motion of Senator Apple, on page 4, in line 29, by striking "and"; in line 30, before the period by inserting "; and

(3) The fee for a daily permit or annual permit for a motor vehicle registered in Kansas by a resident who is 65 or more years of age or who is a person with a disability and displays a special license plate or placard issued pursuant to K.S.A. 8-1,125, and amendments thereto, shall be an amount equal to 1/2 the fee fixed by the secretary for daily or annual park and recreation motor vehicle permits. A nonresident shall pay the full fee" and **HB 2729** be passed as further amended.

Sub for HB 2333 be amended by adoption of the committee report recommending a **S Sub for Sub for HB 2333**.

Senator Kelly further amended, on page 29, following line 23, by inserting:

"Sec. 29. K.S.A. 2011 Supp. 74-4918 is hereby amended to read as follows: 74-4918. (1) A member may elect to have such member's retirement benefit paid under one of the options provided in this section in lieu of having it paid in the form stated in K.S.A. 74-4915, and amendments thereto. Such election must be made before the date of actual retirement. A specific person must be designated as joint annuitant at the time of election of the joint and 1/2 to joint annuitant survivor option, the joint and survivor option and the joint and 3/4 to joint annuitant survivor option. ~~Under no circumstances may~~ Except as specifically provided in this subsection, an option elected by a member as provided in this section shall not be changed or canceled nor shall the named joint annuitant be changed after the date of actual retirement of the member. If a retirant is divorced after the retirant's date of actual retirement, and the retirant has named the

retirant's ex-spouse as a joint annuitant under subsection (3), the joint annuitant option may be canceled and the retirant's benefit returned to the maximum amount of such retirant's retirement benefit commencing the first month following the date such cancellation is ordered by the district court of the county where the divorce action was filed. The retirant shall not receive a refund or interest of any amounts already paid to fund the original joint annuitant benefit. The retirant may not name a subsequent joint annuitant once the original joint annuitant option has been cancelled.

(2) The amount of retirement benefit payable under an option shall be based on the age of the member and, if applicable, the age of the joint annuitant, and shall be such amount as to be the actuarial equivalent of the retirement benefit otherwise payable under K.S.A. 74-4915₂ and amendments thereto, as prescribed in subsection (3). In no case shall the total amount of retirement benefit paid under any option provided in this section be more than 100% of the retirement benefit which would have been otherwise payable if no option had been elected under this section.

(3) The following retirement options, which are subject to the provisions of K.S.A. 74-49,123, and amendments thereto, are available:

(A) *Joint and 1/2 to joint annuitant survivor.* A reduced retirement benefit is payable to the retirant during the retirant's lifetime in a monthly amount equal to the product of (i) the monthly payment of the retirement benefit otherwise payable under K.S.A. 74-4915₂ and amendments thereto, and (ii) the percentage equal to 91% minus .4% for each year by which the age of the retirant's joint annuitant is less than the retirant's age, computed to the nearest whole year, or plus .4% for each year by which the age of the retirant's joint annuitant is more than the retirant's age, computed to the nearest whole year, with 1/2 of that monthly amount continued to the retirant's joint annuitant during such joint annuitant's remaining lifetime, if any, after the death of the retirant. In the event that the designated joint annuitant under this option predeceases the retirant, the amount of the retirement benefit otherwise payable to the retirant under this option shall be adjusted automatically to the retirement benefit which the retirant would have received if no option had been elected under this section.

(B) *Joint and survivor.* A reduced retirement benefit is payable to the retirant during the retirant's lifetime in a monthly amount equal to the product of (i) the monthly payment of the retirement benefit otherwise payable under K.S.A. 74-4915₂ and amendments thereto, and (ii) the percentage equal to 83% minus .6% for each year by which the age of the retirant's joint annuitant is less than the retirant's age, computed to the nearest whole year, or plus .6% for each year by which the age of the retirant's joint annuitant is more than the retirant's age, computed to the nearest whole year, with that amount continued to the joint annuitant during the joint annuitant's remaining lifetime, if any, after the death of the retirant. In the event that the designated joint annuitant under this option predeceases the retirant, the amount of the retirement benefit otherwise payable to the retirant under this option shall be adjusted automatically to the retirement benefit which the retirant would have received if no option had been elected under this section.

(C) *Joint and 3/4 to joint annuitant survivor.* A reduced retirement benefit is payable to the retirant during the retirant's lifetime in a monthly amount equal to the product of (i) the monthly payment of the retirement benefit otherwise payable under K.S.A. 74-4915₂ and amendments thereto, and (ii) the percentage equal to 87% minus .5% for each year by which the age of the retirant's joint annuitant is less than the retirant's age,

computed to the nearest whole year, or plus .5% for each year by which the age of the retirant's joint annuitant is more than the retirant's age, computed to the nearest whole year, with $\frac{3}{4}$ of that monthly amount continued to the retirant's joint annuitant during such joint annuitant's remaining lifetime, if any, after the death of the retirant. In the event that the designated joint annuitant under this option predeceases the retirant, the amount of the retirement benefit otherwise payable to the retirant under this option shall be adjusted automatically to the retirement benefit which the retirant would have received if no option had been elected under this section.

(D) *Life with 5 years certain.* A reduced retirement benefit is payable to the retirant during the retirant's lifetime in a monthly amount equal to 98% of the monthly payment of the retirement benefit otherwise payable under K.S.A. 74-4915, and amendments thereto, and if the retirant dies within the five-year certain period, measured from the commencement of retirement benefit payments, such payments shall be continued to the retirant's beneficiary during the balance of the five-year certain period.

(E) *Life with 10 years certain.* A reduced retirement benefit is payable to the retirant during the retirant's lifetime in a monthly amount equal to 95% of the monthly payment of the retirement benefit otherwise payable under K.S.A. 74-4915, and amendments thereto, and if the retirant dies within the ten-year certain period, measured from the commencement of retirement benefit payments, such payments shall be continued to the retirant's beneficiary during the balance of the ten-year certain period.

(F) *Life with 15 years certain.* A reduced retirement benefit is payable to the retirant during the retirant's lifetime in a monthly amount equal to 88% of the monthly payment of the retirement benefit otherwise payable under K.S.A. 74-4915, and amendments thereto, and if the retirant dies within the fifteen-year certain period, measured from the commencement of retirement benefit payments, such payments shall be continued to the retirant's beneficiary during the balance of the fifteen-year certain period.

(G) *Lump sum payment at retirement.* (i) Pursuant to this option, the member must specify a lump sum amount to be paid to the member upon the member's retirement. The lump sum amount will be based on the actuarial present value of the benefit as provided in K.S.A. 74-4915, and amendments thereto. The lump sum amount designated by the member must be in 10% increments and shall not exceed $\frac{1}{2}$ of the actuarial present value of the benefit provided in K.S.A. 74-4915, and amendments thereto. If the member's spouse elects a lump sum payment as provided in this section pursuant to the provisions of subsection (4), the lump sum payment will be based on the present value of the retirement option selected by the spouse. The lump sum amount designated by the spouse must be in 10% increments and shall not exceed $\frac{1}{2}$ of the actuarial present value of the option selected in this section.

(ii) Pursuant to this option, the member must elect to have the remaining actuarial present value paid in a monthly amount under the provisions of K.S.A. 74-4915, and amendments thereto, or subsections (3)(A) through (3)(F) of this section.

(iii) In the event that the designated joint annuitant pursuant to subsection (3)(A), (3)(B) or (3)(C) under this option predeceases the retirant, the amount of the retirement benefit otherwise payable to the retirant under this option shall be adjusted automatically to the retirement benefit which the retirant would have received if no option had been elected under this section.

(iv) The provisions of this subsection shall be effective on and after July 1, 2001.

(4) If a member, who is eligible to retire in accordance with the provisions of

K.S.A. 74-4914, and amendments thereto, dies without having actually retired, the member's spouse, if the spouse is the sole beneficiary for the member's accumulated contributions, may elect to receive benefits under one of the options provided in this section in lieu of receiving the member's accumulated contributions.

(5) The benefits of subsection (4) shall be available in the case of death within the first six months after the entry date of the member's participating employer.

(6) On and after May 1, 2004, if a member with 10 or more years of credited service dies before attaining retirement age, the member's spouse, if the spouse is the sole beneficiary for the member's accumulated contributions, may elect to receive benefits under one of the options provided in this section in lieu of receiving the member's accumulated contributions. Payments under one of the options provided in this section to the member's spouse if so elected, shall commence on the date that the member would have been eligible for normal retirement pursuant to subsection (1) of K.S.A. 74-4914, and amendments thereto, or would have been eligible for early retirement pursuant to subsection (4) of K.S.A. 74-4914, and amendments thereto, if such early retirement date occurs earlier.

(7) Benefits payable to a joint annuitant shall accrue from the first day of the month following the death of a member or retirant and, in the case of the joint and $\frac{1}{2}$ to joint annuitant survivor option, the joint and survivor option and the joint and $\frac{3}{4}$ to joint annuitant survivor option, shall end on the last day of the month in which the joint annuitant dies.

(8) The provisions of the law in effect on the retirement date of a member under the system shall govern the retirement benefit payable to the retirant and any joint annuitant, except, for retirement benefits payable after July 1, 1993, for retirants who retired prior to July 1, 1982, in the event that the designated joint annuitant under the option provided in subsection (3)(A), (B) or (C), as applicable, predeceased the retirant, the amount of the retirement benefit otherwise payable to the retirant under the option provided in subsection (3)(A), (B) or (C), as applicable, shall be adjusted automatically to the retirement benefit which the retirant would have received if no option had been elected under this section.

(9) Upon the death of a joint annuitant who is receiving a retirement benefit under the provisions of this section, there shall be paid to such joint annuitant's beneficiary an amount equal to the excess, if any, of the accumulated contributions of the retirant over the sum of all retirement benefit payments made to such retirant and such joint annuitant. Such joint annuitant shall designate a beneficiary by filing in the office of the retirement system such designation at the time of death of the retirant. If there is no named beneficiary of such joint annuitant living at the time of death of such joint annuitant, any amount provided for by this section shall be paid to, in order of preference as follows:

- (A) The joint annuitant's surviving spouse;
- (B) the joint annuitant's dependent child or children;
- (C) the joint annuitant's dependent parent or parents;
- (D) the joint annuitant's nondependent child or children;
- (E) the joint annuitant's nondependent parent or parents; or
- (F) the estate of the deceased joint annuitant."

And by renumbering the remaining sections accordingly;

Also on page 29, in line 25, after "4914d,"; by inserting "74-4918,";

On page 1, in the title, in line 8, before "amending" by inserting "retirement benefit options";

in line 9, after "4914d," by inserting "74-4918," and **S Sub for Sub for HB 2333** be passed as further amended.

A motion by Senator King to amend **S Sub for HB 2333** failed and the following amendment was rejected, on page 1 by striking all in lines 14 through 35;

By striking all on pages 2 through 8;

On page 9, by striking all in lines 1 through 32 and inserting the following:

"New Section 1. (a) The provisions of sections 1 through 18, and amendments thereto, shall be known and may be cited as the Kansas public employees retirement system act of 2014.

(b) This act applies to any individual who is:

(1) First hired on and after January 1, 2014, by a participating employer and who would otherwise qualify for membership in the Kansas public employees retirement system, K.S.A. 74-4901 *et seq.*, and amendments thereto; and

(2) any individual:

(A) Who was a member of the Kansas public employees retirement system prior to January 1, 2014, but was not an active or inactive member of the Kansas public employees retirement system on January 1, 2014;

(B) who is hired on or after January 1, 2014, by a participating employer; and

(C) who would otherwise qualify for membership in the Kansas public employees retirement system, K.S.A. 74-4901 *et seq.*, and amendments thereto.

(c) This act does not apply to members of the Kansas police and firemen's retirement system, K.S.A. 74-4951 *et seq.*, and amendments thereto, and the retirement system for judges, K.S.A. 20-2601 *et seq.*, and amendments thereto.

(d) A system member may not simultaneously be a member of the pre-2014 plan and the plan established pursuant to this act. A period of service may not be credited in more than one retirement plan within the system.

(e) The board of trustees of the Kansas public employees retirement system shall administer the provisions of this act in the same manner as the board administers the provisions of K.S.A. 74-4901 *et seq.*, and amendments thereto, except as specifically provided in this act.

(f) Unless specifically provided in this act, the provisions of K.S.A. 74-4901 *et seq.*, and amendments thereto, shall be applicable to this act. In an event that a conflict exists between the provisions of this act and the provisions of K.S.A. 74-4901 *et seq.*, and amendments thereto, the provisions of this act shall control, and to that end, no legal or contractual rights shall inure to the benefit of members or participating employers under this act with regard to the provisions of K.S.A. 74-4901 *et seq.*, and amendments thereto, when the provisions of this act control.

(g) Each participating employer as provided in this act and each employee as defined by this act shall be subject to the provisions of this act as specified in this act and subject to the provisions of K.S.A. 74-4901 *et seq.*, and amendments thereto, as appropriate as to terms, conditions and requirements not specifically covered in this act. The provisions of this act shall not apply to members of the Kansas public employees retirement system as provided in K.S.A. 74-4901 *et seq.*, and 74-49,201 *et seq.*, and amendments thereto, employed by a participating employer prior to January 1, 2014, unless otherwise provided in this act.

(h) The provisions of this act shall be part of and supplemental to the provisions of K.S.A. 74-4901 *et seq.*, and amendments thereto, subject to the limitations contained in this act.

New Sec. 2. (a) Terms that are used in this act have the meanings set forth for them in K.S.A. 74-4902, and amendments thereto, unless otherwise provided or the context otherwise requires.

(b) As used in this act, unless otherwise provided or the context otherwise requires:

(1) "Act" means the Kansas public employees retirement system act of 2014, section 1 *et seq.*, and amendments thereto;

(2) "active member" means a member who is actively employed by a participating employer;

(3) "403(b) plan" means a retirement plan offered to qualifying public school employees, community college employees and other eligible employees as allowed under section 403(b) of the internal revenue code. The 403(b) plan shall be comprised of tax deferred annuities described in section 403(b) of the internal revenue code, including custodial accounts described in section 403(b)(7) of the internal revenue code;

(4) "employee directed account" means the account established for a member under section 3, and amendments thereto;

(5) "employer annuity account" means the account established for a member under section 3, and amendments thereto;

(6) "member" means an individual who is required by section 1, and amendments thereto, to be a member of the plan. The term also includes any survivor or beneficiary of such member;

(7) "normal retirement age" means the attainment of age 65, except that for security officers, normal retirement age means the attainment of age 55;

(8) "plan" means the plan established within the Kansas public employees retirement system by section 3, and amendments thereto;

(9) "pre-2014 plan" means the plan established pursuant to K.S.A. 74-4901 *et seq.*, and amendments thereto, and K.S.A. 74-49,201 *et seq.*, and amendments thereto; and

(10) "system" means the Kansas public employees retirement system.

New Sec. 3. (a) The board shall establish within the Kansas public employees retirement system a plan in accordance with the provisions of this act. In addition to other options provided under such plan, for qualifying public school employees, community college employees and other eligible employees, the plan shall include all plan options as allowed under section 403(b) of the internal revenue code. For all other employees, the plan must be established as part of the pension plan pursuant to K.S.A. 74-4920, and amendments thereto, for the exclusive benefit of members and their beneficiaries, and as a qualified governmental plan pursuant to sections 401(a), 414(d), and 414(k) of the federal internal revenue code and its implementing regulations. The plan is established in addition to any retirement, pension, deferred compensation or other benefit plan currently administered by the state or a political subdivision thereof. Assets of the plan must be held in the trust for the Kansas public employees retirement system, other than those assets held in the 403(b) plan which may be held in annuities or custodial accounts as provided by section 403(b) of the federal internal revenue code and implementing regulations.

(b) (1) For members who are qualifying public school employees, community college employees and other eligible employees, the board shall establish separate

accounts for employee contributions of each member. These separate accounts shall be administered as a defined contribution plan as provided by section 403(b) of the federal internal revenue code and implementing regulations.

(2) For all other members, the board shall establish separate accounts for the mandatory contributions of each member. These separate accounts shall be administered in the nature of a defined contribution plan as provided by section 414(k) of the federal internal revenue code and implementing regulations.

(3) Accounts described in both subsection (b)(1) and (b)(2) shall be referred to as the employee directed accounts.

(c) The board shall establish for each member an employer annuity account, which shall be credited with employer credits as provided pursuant to section 10, and amendments thereto, and interest credits on those employer contribution credits as determined by the board under section 11, and amendments thereto. The employer annuity account shall be used to determine a lump-sum distribution or an annuity for the member upon retirement as provided in section 13, and amendments thereto.

New Sec. 4. (a) The board has the powers and shall perform the duties regarding the plan as provided in K.S.A. 74-4909, and amendments thereto, as applicable. The board may exercise the powers and shall perform the duties provided in this act.

(b) The board may contract for any aspect of plan administration, subject to subsection (c), and must use a competitive proposal process when contracting for consulting, educational, investment, recordkeeping or other administrative services for the plan.

(c) The board shall administer the plan through a third party administrator/recordkeeper selected by the board based on a competitive proposal process established by such specifications and considerations as are deemed appropriate by the board. The administrator/recordkeeper shall be independent of any of the retirement plan providers or investment providers selected by the board or by any participating employer.

New Sec. 5. (a) For participants in the 403(b) plan, up to the amount allowed by the internal revenue code, each participating employer shall make a mandatory contribution of 6% of an eligible employee's compensation to the 403(b) plan for participants in such plan. Eligible employees for the 403(b) plan may contribute an additional, discretionary contribution through payroll deductions on a pre-tax or after-tax basis. The 403(b) plan shall comply with all applicable provisions of the internal revenue code.

(b) For all other members, up to the amount allowed by the internal revenue code, each active member shall make a mandatory contribution of 6% of the member's compensation to the member's employee directed account in the 401(a) plan. These contributions shall be picked up by the employer via a salary reduction as provided in section 414(h)(2) of the federal internal revenue code. An employer may not pick up these contributions without a corresponding salary reduction as provided in section 414(h)(2) of the federal internal revenue code. A member under this subsection may not make voluntary contributions to the plan. The 401(a) plan shall comply with all applicable provision of the internal revenue code.

(c) A member's employee directed account includes the member's mandatory contributions under this section, and the gains and losses on those contributions. The member's employee directed account is vested from the date the employee becomes a member of the plan.

New Sec. 6. (a) A wide range of investment alternatives shall be established for the employee directed accounts. For all employees, there also shall be offered an investment alternative that is similar to the investment portfolio of the Kansas public employees retirement system.

(b) Each eligible employee in the 403(b) plan shall select one or more investment options for the contributions made on such employee's behalf and may transfer such employee's directed account plan balance among those investments, as allowed under the internal revenue code and the rules, regulations and policies established by the board, from among the section 403(b) annuities and section 403(b)(7) custodial accounts made available under the 403(b) plan:

(1) By the board. The board shall make available section 403(b) options from no less than three annuity or investment providers, reviewed and selected by the board based on a competitive proposal process established by such specifications and considerations as are deemed appropriate by the board; and

(2) by the employee's employer. In addition to the options made available by the board, each participating employer shall use all reasonable efforts to make available to its eligible employees section 403(b) options from no less than three annuity or investment providers, reviewed and selected by the employer based on a competitive proposal process established by such specifications and considerations as are deemed appropriate by the employer. The board shall establish procedures for incorporating these options into the operation and administration of the 403(b) plan. All materials relating to the 403(b) plan that are provided by the board to participating employers or eligible employees, or by a participating employer to its eligible employees, including, but not limited to, summaries of the 403(b) plan and plan marketing materials, shall not favor specific annuity or investment providers or products.

(c) The section 403(b) options selected by the board shall:

(1) Encompass a broad range of investment alternatives, including one or more alternatives that provide asset management, one or more alternatives that provide asset protection, and one or more alternatives that provide income guarantees;

(2) include a low fee or self-service alternative; and

(3) include an independent local financial advisor alternative; and provide eligible employees with a reasonable opportunity to materially affect the potential return on such employee's retirement investment, to choose among diversified investments that in the aggregate minimize the risk of the employee's overall retirement investment, and to achieve a retirement investment portfolio with the varying risk and return characteristics in the aggregate that are normally appropriate for plan participants.

(d) The board shall from time to time review the suitability and management of investment alternatives under the employee directed accounts, including those 403(b) options chosen by the board and may change the alternatives to be offered. The board shall notify affected members of potential changes before any changes become effective, except if the board determines there is a compelling need to change an alternative immediately.

(e) The default option for any member or beneficiary who does not have an effective investment direction shall be the fund that is similar to the investment portfolio of KPERs.

(f) Assets within each employee directed account must be invested as directed by the member within the investment alternatives established by the board, unless the

board determines there is a compelling need to remove assets from an investment alternative. In such a case, the asset will be moved to the default alternative until the member elects another investment alternative.

New Sec. 7. (a) With respect to the employee directed accounts, the board may:

(1) Assess fees on member employee directed accounts to pay the reasonable administrative costs of the accounts, which fees may be reasonable or asset-based fees, or both, as determined by the board;

(2) negotiate with a vendor or vendors for vendor reimbursement of board administrative expenses for the accounts;

(3) assess fees on employers to pay reasonable administrative costs of the accounts; and

(4) assess specific fees on an individual member employee directed account to pay specific expenses attributable to that member.

(b) All fees assessed must be fully disclosed to members and treated as public information.

(c) Costs for the board to secure investment advice, recordkeeping, contract oversight, educational materials for members, performance evaluations and other appropriate information and services are included as part of the administrative expenses of the plan.

New Sec. 8. The board shall establish a rollover account for each member and shall accept the rollover of contributions and the income on those contributions from another eligible retirement plan to the member's rollover account only to the extent allowed under applicable federal law. The board shall establish policies with respect to the rollover accounts as to investments, distributions and other administrative matters.

New Sec. 9. (a) An employer credit shall be made to the member's employer annuity account at the end of each calendar quarter according to the following schedule:

(1) One percent of compensation for each member who has up to one year of service;

(2) one and one-half percent of compensation for each member who has one but less than two years of service;

(3) two percent of compensation for each member who has two but less than three years of service;

(4) two and one-half percent of compensation for each member who has three but less than four years of service;

(5) three percent of compensation for each member who has four but less than five years of service;

(6) three and one-half percent of compensation for each member who has five but less than six years of service;

(7) four percent of compensation for each member who has six but less than seven years of service;

(8) four and one-half percent of compensation for each member who has seven but less than eight years of service; and

(9) five percent of compensation for each member who has eight or more years of service.

(b) An active member's employer shall contribute a percentage of compensation, determined by the board, which must be allocated to the death and long-term disability plan under K.S.A. 74-4927, and amendments thereto.

(c) Any credited service accrued by a member under the provisions of the pre-2014 plan shall be credited for the purpose of computing such member's years of service under this section.

New Sec. 10. (a) A member's employer annuity account is the sum of all employer credits to the account plus the interest credits on the account, which shall be determined at the end of each year. The interest credits shall be determined under section 11, and amendments thereto.

(b) If the member's employer annuity account is not vested upon the member's termination of plan membership, as provided in section 13, and amendments thereto, the employer credits and interest credits are forfeited as provided in section 13, and amendments thereto. If the member's employer annuity account is vested upon the member's termination of plan membership, as provided in section 13, and amendments thereto, but the member dies prior to attaining normal retirement age without a spouse eligible for the employer annuity account under section 13, and amendments thereto, the employer credits and interest credits are forfeited. Forfeitures may not be used to increase a member's account, but instead will be used to pay administrative expenses of the accounts or to reduce employer contributions.

New Sec. 11. At the end of each calendar year, the board shall credit each employer annuity account with a zero percent interest credit. At the end of each calendar year, the board shall also credit each employer annuity account with a supplemental interest credit rate, which will equal the net investment return on the KPERS portfolio, which may be negative or positive, in that particular calendar year. If the member retires in the middle of a calendar year, the board shall credit that member's employer annuity account with a supplemental interest credit rate that equals the net investment return on the KPERS portfolio, which may be negative or positive, for that portion of that calendar year. For the purposes of determining the member's annuity benefit amount pursuant to section 13, and amendments thereto, a member's employer annuity account shall not be less than the total amount of employer credits to the account.

New Sec. 12. (a) Any time after termination of service or death, a member or the member's beneficiary may file a written application with the board and take a distribution of the member's employee directed account from the plan through any combination of the following payout options, each of which is subject to the applicable provisions of the federal internal revenue code and the applicable regulations of the internal revenue service:

- (1) A direct rollover to an eligible retirement plan;
- (2) a lump-sum distribution; or
- (3) an optional form of periodic distribution offered by the board by official action.

(b) The board by official action may specify minimum account balances for purposes of allowing benefit payment options and rollovers in accordance with federal law.

New Sec. 13. (a) A member is vested, but subject to forfeiture, in the member's employer annuity account upon completion of five years of service. A member's benefit is nonforfeitable upon the attainment of normal retirement age and the completion of at least five years of service, whichever is later.

(b) Except as provided in subsection (d), a member who has a nonforfeitable interest in the member's employer annuity account, at any time after termination from service and the attainment of normal retirement age, shall receive an annuity that may

be provided by employer credits and income credits in the employer annuity account, using factors established by the board by official action as of the member's annuity start date, and based on the pension benefits guaranty corporation distress termination interest rates. The normal form of benefit shall be a single life annuity with five-year certain. The member may elect any joint and survivor option described in K.S.A. 74-4918, and amendments thereto.

(c) Except as provided in subsection (d), in the case of an active or inactive member:

- (1) Who is vested in the member's employer annuity account;
- (2) who has 10 or more years of service at death; and
- (3) who dies before attaining normal retirement age, with their spouse at time of death designated as their sole primary beneficiary, the member's surviving spouse on and after the date the member would have attained normal retirement age had the member not died, shall receive an annuity that may be provided by employer credits and income credits in the employer annuity account, using factors established by the board by official action as of the beneficiary's annuity start date and taking into consideration the pension benefit guaranty corporation distress termination interest rates. The normal form of benefit shall be a single life annuity with five-year certain. The beneficiary may elect any joint and survivor option as described in K.S.A. 74-4918, and amendments thereto.

(d) If a member's vested employer annuity account is less than \$1,000 upon separation from service, the account balance shall be mandatorily distributed to the member in accordance with section 401(a)(31)(B) of the federal internal revenue code. If the member does not elect to have such distribution paid directly to an eligible retirement plan specified by the participant in a direct rollover or to receive the distribution directly, then the board will pay the distribution to the member directly.

New Sec. 14. A member's beneficiary must be determined as provided in the pre-2014 plan regulations. Upon filing a written application with the board after the death of a member, the member's beneficiary is entitled to the member's employee directed account.

New Sec. 15. (a) Members of the retirement system under the Kansas public employees retirement system act of 2014 shall be covered in the death and disability plan in accordance with K.S.A. 74-4927, and amendments thereto, but subject to the provisions of this section.

(b) (1) In the event that a member becomes eligible for and begins receiving a long-term disability benefit under the plan, such member shall be given participating service credit for the entire period of such disability. Such member's employer annuity account shall be credited with the amount of credits and interest prescribed in this act for the entire period of such disability.

(2) The salary upon which credits to such member's employer annuity account are based shall be the employee's salary at the time of disability, which shall be adjusted once each year on January 1, but only after five years of disability, by the lesser of: (A) The percentage increase in the consumer price index for all urban consumers as published by the bureau of labor statistics of the United States department of labor measured in the prior November, minus 1%; or

(B) 4% per annum.

(3) All credits to the employer annuity account shall cease upon the earliest of: (A)

Death; (B) attainment of normal retirement age; or (C) the date the member is no longer entitled to receive disability benefits pursuant to law.

New Sec. 16. The provisions of K.S.A. 74-49,122, 74-49,123 and 74-49,124, and amendments thereto, apply to this act, except the definitions of "actuarial equivalent" and "actuarial computation" are not applicable to this act.

New Sec. 17. On and after January 1, 2014, any benefit earned or accrued by a member of the legislature under the provisions of this act shall be calculated based only upon all compensation received: (a) As *per diem* compensation for service during a regular or special session of the legislature pursuant to subsection (a) of K.S.A. 46-137a, and amendments thereto; (b) as per diem compensation for attendance at in-state or out-of-state meetings pursuant to K.S.A. 75-3212, 75-3215 or 75-3223, and amendments thereto, in the amount prescribed under subsection (a) of K.S.A. 46-137a, and amendments thereto; (c) as additional compensation for legislative officers as provided in K.S.A. 46-137b, and amendments thereto; and (d) as any other additional compensation provided by law, excluding any allowances or reimbursements for any expenses incurred.

New Sec. 18. The provisions of sections 1 through 18, and amendments thereto, shall be effective on and after January 1, 2014."

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

On roll call, the vote was: Yeas 20; Nays 20; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Donovan, Haley, Kelsey, King, Love, Lynn, Marshall, Masterson, Merrick, Olson, Ostmeier, Petersen, Pilcher-Cook, Pyle, Steineger, Taddiken, Wagle.

Nays: Brungardt, Emler, Faust-Goudeau, Francisco, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

The motion failed and the amendment was rejected.

A motion by Senator Masterson to amend **S Sub for HB 2333** failed and the following amendment was rejected: on page 1, in line 18, following "2014," by inserting "and who makes an election as prescribed by section 26, and amendments thereto, or the default election in subsection (b)(2) of section 26, and amendments thereto,";

On page 21, following line 12, by inserting:

"New Sec. 26. (a) An employee first employed by a participating employer on or after January 1, 2014, shall elect to become a member of the plan established pursuant to section 1 *et seq.*, and amendments thereto, or shall select a plan established pursuant to section 27 *et seq.*, and amendments thereto, by making an election within six months from such employee's first day of employment with a participating employer.

(b) (1) Elections made pursuant to this section shall be made on a form and in a manner prescribed by the board.

(2) An employee failing to make an election prescribed by this section shall be a member of the plan established pursuant to section 1 *et seq.*, and amendments thereto.

(3) An election made by a member prescribed by this section, including the default election pursuant to subsection (b)(2), is a onetime irrevocable election.

(c) A member in either plan who becomes inactive after an election prescribed by this section, and who returns to active membership remains in the plan previously

elected.

(d) A member may not simultaneously be a member of the plan established in section 1 *et seq.*, and amendments thereto, and the plan selected in section 27 *et seq.*, and amendments thereto, and shall be a member of one plan or the other. A period of service shall be credited in only one plan or the other.

(e) During the six-month period commencing after the employee's first day of employment in which the employee has to make the election required pursuant to this section, the following provisions are applicable:

(1) Such employee shall participate in the Kansas public employees deferred compensation plan as provided pursuant to K.S.A. 2011 Supp. 74-49b07 *et seq.*, and amendments thereto, except that such employees shall have 6% of such employee's compensation deferred and deducted each payroll period in accordance with the Kansas public employees deferred compensation plan;

(2) the participating employer of any such employee shall contribute 4% of such member's compensation to a qualified government plan pursuant to section 401(a) or 414(d) of the federal internal revenue code and its implementing regulations; and

(3) upon the commencement of the employee's plan after the six-month election period prescribed by this section, all amounts in the employee's deferred compensation plan and the qualified plan prescribed in subsection (e)(2) shall be transferred to the plan that the employee elects pursuant to this act or the default election as prescribed by the board.

(f) Unless the context requires otherwise, terms used in this section shall have the meanings set forth in K.S.A. 74-4902, and amendments thereto.

New Sec. 27. (a) The provisions of sections 27 through 34, and amendments thereto, shall be known and may be cited as the Kansas public employees retirement system defined contribution act, and shall be effective on and after January 1, 2014.

(b) This act applies to any individual who is first employed by a participating employer on or after January 1, 2014, and who makes an election as prescribed by section 26, and amendments thereto.

(c) This act does not apply to members of the Kansas police and firemen's retirement system, K.S.A. 74-4951 *et seq.*, and amendments thereto, and the retirement system for judges, K.S.A. 20-2601 *et seq.*, and amendments thereto, and security officers as provided in K.S.A. 74-4914a, and amendments thereto.

New Sec. 28. Unless the context requires otherwise, terms that are used in this act have the meanings set forth for them in K.S.A. 74-4902, and amendments thereto, and the following definitions apply:

(a) "Act" means the provisions of section 27 *et seq.*, and amendments thereto;

(b) "active DC plan member" means a DC plan member who is actively employed by a participating employer;

(c) "defined benefit plan" means the defined benefit plan for the Kansas public employees retirement system for KPERS;

(d) "DC plan member" means an individual who is required by section 27, and amendments thereto, to be a member of a defined contribution plan. The term also includes any survivor or beneficiary of a DC plan member, who has a retirement account in the defined contribution plan;

(e) "optional retirement program" means the retirement plan established by the state board of regents under K.S.A. 74-4925, and amendments thereto; and

(f) "plan" or "defined contribution plan" means the defined contribution retirement plan chosen by the member pursuant to section 29, and amendments thereto.

New Sec. 29. (a) Upon making the election prescribed by section 26, and amendments thereto, a DC plan member shall be eligible to choose any qualified government plan including, but not limited to, qualified plans, pursuant to sections 414(k), 401(a), 457 or 403(b) of the federal internal revenue code and its implementing regulations.

(b) Upon notification of the employee's choice of DC plan, the board shall transfer all employee and employer contributions pursuant to section 33, and amendments thereto, to the employee's plan.

New Sec. 30. The board has the powers and shall perform the duties regarding the defined contribution plan as provided in K.S.A. 74-4909, and amendments thereto, as applicable. The board may also exercise the powers and shall perform the duties provided in this act.

New Sec. 31. The statutory provisions governing the defined contribution plan are subject to amendment by the legislature. The board has the power to amend the plan document, policies and procedures, consistent with the statutory provisions governing the defined contribution plan at the time of the amendment.

New Sec. 32. The board shall accept the rollover of contributions and the income on those contributions from another eligible retirement plan to the member's rollover account only to the extent allowed under applicable federal law.

New Sec. 33. (a) An active DC plan member shall contribute 6% of compensation to their defined contribution plan. These contributions shall be picked up by the employer via a salary reduction as provided in section 414(h)(2) of the federal internal revenue code.

(b) An active DC plan member's employer shall contribute:

- (1) Four percent of compensation to the employee's defined contribution plan; and
- (2) a percentage of compensation, determined by the board, must be allocated to the death and long-term disability plan under K.S.A. 74-4927, and amendments thereto.

New Sec. 34. (a) For the purposes of providing the "insured death benefit" and "insured disability benefit" as prescribed in K.S.A. 74-4927, and amendments thereto, the term "member" as used in K.S.A. 74-4927, and amendments thereto, shall include those members of the Kansas public employees retirement system's defined contribution plan as defined in section 28, and amendments thereto.

(b) Each participating employer shall pay to the Kansas public employees retirement system in such manner as the board of trustees shall prescribe each payroll period an amount sufficient to pay the employer's contribution to the group insurance reserve as provided in subsection (b)(2) of section 33, and amendments thereto.

(c) Except as otherwise provided, in the event that a DC plan member as defined in section 28, and amendments thereto, becomes eligible for and begins to receive the insured disability benefit prescribed in K.S.A. 74-4927, and amendments thereto, the member's participating employer shall continue to make the contributions on behalf of such individual to the retirement plan as required under subsection (b)(1) of section 33, and amendments thereto, and shall also contribute to the retirement plan an amount equal to the individual's contribution required under subsection (a) of section 33, and amendments thereto, if the DC plan member is permanently and totally disabled as defined in section 72(m) of the federal internal revenue code. Commencing on and after

July 1, 2013, such contributions shall cease at the earlier of: (1) The date that the individual is no longer entitled to an insured disability benefit under K.S.A. 74-4927, and amendments thereto; or (2) the date that is five years after the date the individual becomes eligible for and begins to receive the insured disability benefit prescribed in K.S.A. 74-4927, and amendments thereto. For purposes of applying this subsection, compensation under section 33, and amendments thereto, means the individual's compensation at the time the individual became disabled as defined under the insured disability program prescribed in K.S.A. 74-4927, and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, after "compensation;" by inserting "enacting the Kansas public employees retirement system defined contribution act, terms, conditions, requirements, benefits and contributions; new member election;"

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

On roll call, the vote was: Yeas 20; Nays 20; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Donovan, Huntington, Kelsey, King, Love, Lynn, Marshall, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Steineger, Taddiken, Wagle.

The motion failed and the amendment was rejected.

A motion by Senator King to amend **S Sub for HB 2333** failed and the following amendment was rejected: on page 4, in line 25, by striking "6%" and inserting "5%"; also in line 25, by striking all after "annum"; by striking all in lines 26 and 27; in line 28, by striking all before the period; in line 32, by striking all following the comma; by striking all in lines 33 through 37; in line 38, by striking "board" and inserting "if the funded ratio of the plan established by section 3, and amendments thereto, exceeds 100% on both the funded basis and current value basis of the plan. If the board elects not to provide an additional interest credit when the funded ratio exceeds 100%, then the amount which exceeds 100% shall be used only for the purpose of securing the funded status of the plan established by section 3, and amendments thereto";

On page 5, in line 19, by striking "6%" and inserting "5%"; also in line 19, by striking all after "annum"; by striking all in lines 20 and 21; in line 22, by striking all before the period; in line 26, by striking all following the comma; by striking all in lines 27 through 31; in line 32, by striking "board" and inserting "if the funded ratio of the plan established by section 3, and amendments thereto, exceeds 100% on both the funded basis and current value basis of the plan. If the board elects not to provide an additional interest credit when the funded ratio exceeds 100%, then the amount which exceeds 100% shall be used only for the purpose of securing the funded status of the plan established by section 3, and amendments thereto"

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

On roll call, the vote was: Yeas 18; Nays 22; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Donovan, King, Love, Lynn, Marshall, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Steineger, Taddiken, Wagle.

Nays: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

The motion failed and the amendment was rejected.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Emler an emergency was declared by a 2/3 constitutional majority, and **S Sub for S Sub for HB 2249; HB 2324; S Sub for Sub HB 2333; HB 2729** were advanced to Final Action and roll call.

S Sub for S Sub HB 2249, AN ACT concerning confidentiality of health information; amending K.S.A. 2011 Supp. 65-6828 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The substitute bill passed.

HB 2324, AN ACT concerning cigarettes and tobacco products; relating to electronic cigarettes; amending K.S.A. 2011 Supp. 79-3301, 79-3303 and 79-3321 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The bill passed, as amended.

S Sub for Sub HB 2333, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; enacting the Kansas public employees retirement system act of 2014; providing terms, conditions, requirements, benefits and contributions related thereto; relating to employer and employee contributions; member election; employment after retirement; plan of death and long-term disability benefits; members of legislature, rate of compensation; retirement benefit options; amending K.S.A. 74-4915 and 74-4919 and K.S.A. 2011 Supp. 74-4914d, 74-4918, 74-4920, as amended by section 2 of 2012 House Bill No. 2460, 74-4927, 74-4937, 74-4995, 74-49,205 and 74-49,213 and repealing the existing sections.

On roll call, the vote was: Yeas 32; Nays 8; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil.

Nays: Apple, King, Love, Lynn, Marshall, Pilcher-Cook, Pyle, Wagle.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote yes on **S Sub for Sub HB 2333**.

In 2011, the Kansas House passed a defined contribution system that would force

Kansas taxpayers and public employees to pay \$1.2 billion more in contributions, crippling the defined benefit plan for thousands of current and retired Kansas public employees.

While some legislators may claim that Kansas taxpayers foot the entire bill for what they call “lavish retirements”, they won't tell you that state government funded only 22% of employee retirements in FY 2010.

Or that the average retirement benefit under KPERS is \$1,100 per month. Employee contributions and investment earnings make up the remaining 78% of annual revenues to KPERS used to fund benefits for current and future retirees. That's hardly a lavish retirement.

Instead of raiding the retirement funds of 280,000 Kansans to appease Wall Street and special interests, Kansas should be moving to eliminate the Unfunded Actuarial Liability (UAL).

S Sub for Sub HB 2333 makes that first step. – ANTHONY HENSLEY

EXPLANATION OF VOTE

MR. PRESIDENT: I vote aye on **S Sub for Sub HB 2333** with great reluctance and deep disappointment in the product before us. It is only because I feel compelled to at least take a small step forward in restructuring our public retirement system and to begin addressing our tremendous unfunded liability that I do. By the will of only twenty members, we even refused to give new employees, our constituents, the same choice we are afforded as legislators to opt out and direct our own retirement plan. My hope is that this is only a first step in the right direction. – TY MASTERTSON

Senators Abrams, Lynn, Merrick, Petersen and Taddiken request the record to show they concur with the “Explanation of Vote” offered by Senator Mastertson on **S Sub for Sub HB 2333**.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote in favor of **S Sub for Sub HB 2333**. While this KPERS plan does not fulfill all the necessary changes to address the current system problems, it does provide security to current KPERS employees and provides acceptable modifications to new KPERS employees.

Our state employees rank 48th in the nation of pay. This is unacceptable. The retirement system for these underpaid employees is very important to offset their pay situation and an important aspect to retaining them in that employment, and avoiding high costly attrition rates in our state employment force. We must maintain a strong state employee retirement system and ensure the state keeps its commitment. Thank-You, Mr. President. – ALLEN SCHMIDT

HB 2729, AN ACT concerning motor vehicles; relating to parks and recreation motor vehicle permits; amending K.S.A. 32-901 and K.S.A. 2011 Supp. 8-134 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Mastertson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken,

Teichman, Umbarger, Vratil, Wagle.

Nays: Pilcher-Cook.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** begs leave to submit the following report:

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

By the Governor:

Member, Kansas Bioscience Authority: K.S.A. 74-99b04

Leon H. Borck, to fill a term expiring on March 15, 2016

Committee on **Ways and Means** begs leave to submit the following report:

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

By the Governor:

Member, State Board of Indigents' Defense Services: K.S.A. 22-4519

Andrew D. Wimmer, to fill a term expiring on January 15, 2014

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **SB 394**.

CONSIDERATIONS OF MOTIONS TO CONCUR OR NONCONCUR

Senator Bruce moved the Senate concur in House amendments to **SB 394**.

Citing Rule 26, Senator Owens moved to lay on the table the motion to concur.

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

On roll call, the vote was: Yeas 22; Nays 17; Present and Passing 0; Absent or Not Voting 1.

Yeas: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, King, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Bruce, Donovan, Kelly, Kelsey, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Taddiken, Wagle.

Absent or Not Voting: Steineger.

The motion carried.

EXPLANATION OF VOTE

MR. PRESIDENT: Affordable housing is key to the economic vitality of rural Kansas. Nowhere is this more true than communities like Iola that were devastated by the great 2007 flood. The Department of Corrections housing program would provide quality affordable housing in areas (like Iola) where the private sector cannot meet existing demand at prices that local residents can afford. It also provides much needed training and job skills to prisoners in a way that does not compete with private industry. This bill, if adopted, would have killed the Department of Corrections housing program and prevented communities across Kansas from best addressing their affordable housing

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needs. For that reason, and that reason alone, I voted to table the Motion to Concur on this bill. – JEFF KING

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Friday, May 4, 2012.

Journal of the Senate

SIXTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, May 4, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-four senators present.
Senators Kelsey, King, Ostmeyer, Steineger, Taddiken and Wagle were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

So much to do,
So little time;
Rivers to cross,
Mountains to climb.

Rivers of phone calls,
Mountains of e-mails.
Still getting lost
In paper trails.

Brains on hold,
No longer witty.
What sleep I get
I dream of committees.

Bones are weary,
Sore where I sit.
Too tired to continue,
Too proud to quit.

Need to feel close, Lord,
To You when I pray.
You remain firm,
Though I move away.

Need a revival,
Need a fresh start;
Need some assurance
You dwell in my heart.

Need to be hearing
Your voice in my ear.
Need to remember
Why I am here.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Holland introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1871—

A RESOLUTION congratulating and commending the
Baldwin High School design team for being named
national champions in the Real World Design Challenge.

WHEREAS, The Baldwin High School design team was named the national champions of the Real World Design Challenge. The national challenge event was held at the National Air and Space Museum in Washington, D.C. in April; and

WHEREAS, The Real World Design Challenge is an annual high school competition run by a public-private partnership with the goal of sustainably increasing the Science, Technology, Engineering, and Mathematics (STEM) workforce. The Real World Design Challenge began in 2008 through a partnership between industry, government, academia, and non-profit. The partners are focused on working within the context of the American educational system to transform STEM education in the United States by providing professional science and engineering and learning resources to students and teachers; and

WHEREAS, This year-long competition challenges high school students to solve real problems faced by the engineering industry. This year, the teams were presented with computer-designed fuselages and asked to digitally design tail sections and wings to complete a light-aviation aircraft. Teams then had to demonstrate their designs could take off from Kitty Hawk, North Carolina, and fly to Dayton, Ohio, and land; and

WHEREAS, The Baldwin High School team and the other two top teams from Nevada and Pennsylvania were selected from the 31 teams that presented in the national's first round at the National 4-H Center in Chevy Chase, Maryland. The three teams then faced off at the Smithsonian Air and Space Museum's IMAX Theater; and

WHEREAS, The Baldwin High School team used a sail-plane wing in their design, earning the top award for its safe and fuel-efficient aircraft which got 66.4 miles to the gallon; and

WHEREAS, The Baldwin High School team has been equally successful since the inception of the Real World Design Challenge, being the only team to win the national competition twice. In addition to this year, the team earned first place in 2010. The team also received third place in 2011; and

WHEREAS, This year's team members are Kaitlyn Barnes, Abby Clem, Carrie Deitz, Quint Heinecke, Mackenzie Johnson and Austin Kraus. The team coach is Pam Davis,

Baldwin school district extended learning teacher, and the team mentor is Sandy Barnes: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate the Baldwin High School design team for being named national champions in the Real World Design Challenge in Washington, D.C., we commend them for setting an example of excellence for their peers and we extend our best wishes for their continued success and happiness; and

Be it further resolved: That the Secretary of the Senate shall send eight enrolled copies of this resolution to Senator Holland.

On emergency motion of Senator Holland **SR 1871** was adopted unanimously.

Senator Holland introduced and congratulated the Baldwin High School design team for being named national champions in the Real World Design Challenge. The following are the members of the Baldwin High School design team: Quint Heinecke, Abby Clem, Austin Kraus, Kaitlyn Barnes, MacKenzie Johnson and Carrie Deitz. Also in attendance were Pam Davis, team coach, Sandy Barnes, team mentor, Paul Dorathy, Superintendent, Rob McKim, Principal and R.J. Dake, Technical Education Consultant from Kansas State University. The Senate acknowledged their achievement with a standing ovation.

REPORT ON ENGROSSED BILLS

H Sub for SB 62 reported correctly engrossed May 3, 2012.

ORIGINAL MOTIONS

On motion of Senator Teichman, the Senate acceded to the request of the House for a conference on **S Sub for HB 2730**.

The President appointed Senators Taddiken, Teichman and Francisco as second conferees on the part of the Senate.

VETO SUSTAINED

President Morris announced the time had arrived for reconsideration of the veto on **SB 353**, AN ACT concerning barbers; relating to the powers of the board; fees; licensure; amending K.S.A 65-1819 and 65-1820a and K.S.A 2011 Supp. 65-1817 and 65-1824 and repealing the existing sections.

No motion having been offered to reconsider, President Morris announced the Governor's veto on **SB 353** was declared sustained.

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Monday, May 7, 2012.

Journal of the Senate

SIXTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, May 7, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-five senators present.
Senators Haley, Lynn, Ostmeyer, Steineger and Wagle were excused.
Invocation by Chaplain Fred S. Holloman.

Heavenly Father,

People move around at lot,
Which means our districts change;
With more folks in the city
And fewer homes on the range.

Some districts can be covered
With only thick shoe leather;
While one district's larger than
Three states put together.

Those of us who run again
Will find a lot of faces
We have never seen before
In some brand new places.

But we will also miss some folks
Whom we appreciate.
Someone else will shake their hands
Or engage in a debate.

Of course we'd like Your help, O God,
To get us re-elected;
But most of all we pray that we
Deserve to be respected.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Morris.

MESSAGES FROM THE GOVERNOR

SB 134 approved on May 4, 2012.

MESSAGE FROM THE HOUSE

The House nonconcurrs in Senate amendments to **Senate Substitute for Substitute HB 2333**, requests a conference and has appointed Representatives M. Holmes, Grange and Ruiz as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for Substitute SB 148** and has appointed Representatives Powell, Kerschen and Williams as second conferees on the part of the House.

ORIGINAL MOTIONS

On motion of Senator King, the Senate acceded to the request of the House for a conference on **S Sub for Sub HB 2333**.

The President appointed Senators Morris, King and Kelly as conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORTS

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Senate Substitute for HB 2117** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

On motion of Senator Donovan the Senate adopted the conference committee report on **Senate Substitute for HB 2117**, and requested a new conference be appointed.

The President appointed Senators Donovan, Apple and Holland as a second Conference Committee on the part of the Senate on **Senate Substitute for HB 2117**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Emler introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1872—

A RESOLUTION honoring Sterling College in their 125th year.

WHEREAS, Sterling College was founded on November 1, 1887, by the Synod of Kansas of the United Presbyterian Church of North America; and

WHEREAS, After 125 years, Sterling College continues to affirm its historical ties with the Reformed tradition and holds strong to the original mandate of the charter to be "thoroughly Christian, but not in any sense sectarian"; and

WHEREAS, The mission of Sterling College is to develop creative and thoughtful leaders who understand a maturing Christian faith; and

WHEREAS, The vision of Sterling College is to be recognized as the finest Christ-centered, servant leadership development-focused, liberal arts experience in the Great Plains; and

WHEREAS, In active, vital partnership with the church, community and strategic partners, and ever striving for first-class quality in all it does, the Sterling College community will be guided in all its work by the intrinsic values of faith, calling, learning, integrity, service and community; and

WHEREAS, Sterling College offers quality academics, an excellent faculty and life-changing experiences; and

WHEREAS, At Sterling College, success is measured not only by career and further education, but through finding meaning and purpose in life with Sterling's emphasis on Christ-centered education and servant leadership: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we honor Sterling College for its 125 years of success as a Christ-centered, liberal arts college and wish the entire Sterling College community continued success in its future endeavors; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Emler.

On emergency motion of Senator Emler **SR 1872** was adopted unanimously.

Senator Emler recognized Sterling College on their 125th Anniversary. The following guests representing Sterling College were: Dr. Paul J. Maurer, President, Dr. Marvin Dewey, Vice President of Advancement, Susan Sankey, Director of Annual Giving, Amy Thompson, Director of Alumni Relations, Doug Penner, President of Kansas Independent College Association, Matt Lindsey, Doug Penner's successor, Karin Swihart, Director of Marketing and Presidential Communication, Josh Boos, student and Mike Redondo, student. The Senate acknowledged the guests with a standing ovation.

REPORT ON ENGROSSED BILLS

Sub SB 449 reported correctly engrossed May 3, 2012.

Also, **SB 14**; **SB 262** reported correctly engrossed May 4, 2012.

REPORT ON ENROLLED BILLS

H Sub SB 62 reported correctly enrolled, properly signed and presented to the Governor on May 4, 2012.

On motion of Senator Emler, the Senate recessed until 2:30 p.m.

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

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title.

SB 473, AN ACT concerning state finance; relating to fiscal notes; amending K.S.A. 75-3715a and repealing the existing section, by Committee on Ways and Means.

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Tuesday, May 8, 2012.

Journal of the Senate

SIXTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, May 8, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

As the pressure takes it's toll,
And we don't care where fall the chips;
Things are done and words are said
That jeopardize relationships.

When we feel we've been betrayed,
And our hopes are all undone;
The hardest thing we have to do
Is forgive the guilty ones.

We can ignore them or accept them,
And even understand them, too.
But trying to forgive them
Seems more than we can do.

But we hear Your voice within us
Speaking words we know are true:
“What kind of person would you be
If I had not forgiven you?”

“Unforgiveness is an acid
Which cannot be safely stored:
The container is damaged more
Than those on whom it's poured.”

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Morris.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Ways and Means: **SB 473**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Kelly introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1873—

A RESOLUTION congratulating and commending the Rochester Elementary students who placed first in the state-wide Music Memory Major Work Competition

WHEREAS, Two teams of five Rochester Elementary students were selected through a year-long process of learning 16 pieces of classical music; and

WHEREAS, During the preliminary competition, the students listened to a two-second selection of classical music and were then asked to identify the major work, selection and composer of the musical selection played. During the lightening round, the students were required to identify the musical selections after they played for less than two seconds; and

WHEREAS, The fifth and sixth grade team progressed all the way through the preliminary competition. The team then correctly identified all five musical selections in the final lightening round; and

WHEREAS, The fifth and sixth grade students placed first and the team was named champion of the Music Memory Major Work Competition; and

WHEREAS, Members of the championship team include: Captain, Cole King, team members, Damon Carrier, Natalie Ford, Alex Taylor and Emily Swanson; and

WHEREAS, Throughout the process, the Rochester students received the support of their parents, fellow students, music teacher, Anna Reb and principal, Kyle Hicks: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the Rochester Elementary students for their hard work and championship performance. We wish them continued success in the future; and

Be it further resolved: That the Secretary of the Senate shall send seven enrolled copies of this resolution to Senator Kelly.

On emergency motion of Senator Kelly **SR 1873** was adopted unanimously.

Senator Kelly introduced and congratulated the Rochester Elementary students who placed first in the state-wide Music Memory Major Work Competition. The following guests introduced were: Kyle Hicks, Principal of Rochester Elementary School, Anna Reb, Music teacher of Rochester Elementary School, her mother Kathy Reb and her brother Michael Reb; Damon Carrier, student, and his mother Misty Carrier and grandfather Ted Watrous; Natalie Ford, student, and her mother, Mechele Ford and grandmother Scarlet Ford; Cole King, student, and his parents Kyra and Russ King; Emily Swanson, student, and her parents Annie and Steve Swanson; Alex Taylor, student, and her mother Stacy Taylor and grandmother Nancy Taylor. The Senate acknowledged their achievement with a standing ovation.

Senator Kelly introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1874—

A RESOLUTION honoring Mike Mathes as the 2012 Kansas School Superintendents Association Superintendent of the Year.

WHEREAS, Mike Mathes is completing his 35th year as an educator, having served as a teacher, coach, assistant principal, principal and superintendent; and

WHEREAS, Mike has served as Superintendent of the Seaman USD 345 school district for the past ten years and has worked with the state board of education, administration, staff and patrons to maintain and enhance the state-recognized quality of educational offerings by efficiently and effectively transforming the educational structure and focus of the district; and

WHEREAS, Mike's approach to leadership is to always encourage risk-taking with a dose of common sense and planning; and

WHEREAS, Mike has never let the grass grow underneath a promising educational idea; and

WHEREAS, Mike has served his community with distinction in many diverse areas, ranging from the Topeka Parks and Recreation Advisory Board to chair of the Shawnee County Intergovernmental Cooperation Council; and

WHEREAS, Mike is currently serving as President of the Kansas School Superintendents Association and is also a member of numerous professional education organizations; and

WHEREAS, Mike was named 2010 Co-Administrator of the Year by the Kansas School Nurse Organization and an Outstanding Educator by the Rotary Club in 2009; and

WHEREAS, Kansas Commissioner of Education, Dr. Diane DeBacker, has praised Mike for his ability to effectively communicate education issues to our policy makers in the legislature; and

WHEREAS, Mike has received the loving support of his wife, Kathy, son, Jeff, daughter-in-law, Gena and grandson, Carter: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize Mike Mathes for his valuable contributions toward the education of public school children in the state of Kansas, and congratulate him for being named the 2012 Superintendent of the Year by the Kansas School Superintendents Association; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Kelly.

On emergency motion of Senator Kelly **SR 1874** was adopted unanimously.

Senator Kelly introduced and congratulated Mike Mathes for being the 2012 Kansas School Superintendents Association Superintendent of the Year. Also introduced were: Rob Balsters, Deputy Superintendent and Director of Business, Frank Henderson, President of the School Board, Susan Fowler-Hentzler, Vice President of the School Board, Fred Patton, Member of the School Board, his daughter Emily and Jeff Zehnder, Public Relations for the district.

Senator Lynn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1875—

A RESOLUTION congratulating the Olathe Culinary Arts Program at Olathe North High School on winning the National ProStart Invitational culinary competition.

WHEREAS, Team Kansas from the Olathe Culinary Arts Program won first place in the 11th Annual National ProStart Invitational culinary competition in Baltimore, Maryland; and

WHEREAS, The invitational is sponsored by the National Restaurant Association Educational Foundation for a weekend of culinary and restaurant management competitions. The invitational is designed to encourage and inspire the next generation of restaurant industry leaders; and

WHEREAS, Teams participating in the culinary competition must demonstrate their creative abilities through the preparation of a three-course meal in only 60 minutes. Their performance during the practical session is observed and rated by judges from leading colleges and universities; and

WHEREAS, Team Kansas carefully and meticulously planned a three-course meal. The first course appetizer was pink peppercorn and coriander encrusted seared scallops between a vertical avocado and lime marble, topped with micro greens and corn shoots, tomato relish with parmesan crisp and a toasted cumin and blood orange beurre blanc. The second course entrée included a duet of pinenut encrusted lamb, with Israeli couscous topped with a rainbow blend salad, sautéed bouquetiere of baby carrots, parsnips and chateau vegetables with a roasted red pepper balsamic reduction. The third course dessert was a hazelnut chocolate mousse paired with a white chocolate banana bavarian, hazelnut brittle, vanilla tulie and a sugar dipped hazelnut with raspberry coulis with a raspberry and micro mint; and

WHEREAS, Team Kansas placed first in this year's culinary competition after placing second in 2011. The Kansas team previously won first place in 2010; and

WHEREAS, The team Kansas culinary team includes team lead, Kylie Michaels from Olathe North, team members Brandon Ramirez from Olathe East, Erika Carsella from Olathe South, Lauryn Markle from Olathe Northwest and Keagan Kingery from Olathe North. Chef Mike Chrostowski is the culinary team director. Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend team Kansas from the Olathe Culinary Arts Program on winning first place in the culinary competition at the National ProStart Invitational culinary competition. We wish the entire team our best wishes for continued success; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Lynn.

On emergency motion of Senator Lynn **SR 1875** was adopted unanimously.

On motion of Senator Emler, the Senate recessed until 2:30 p.m.

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

MESSAGE FROM THE GOVERNOR

May 7, 2012

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Order No. 12-07 for your information.

Sam Brownback
Governor

The President announced Executive Order No. 12-07, regarding drought warnings for certain counties, replacing Executive Order 11-48 and authorizing and directing all agencies under the jurisdiction of the Governor to implement the appropriate watch or warning level drought response actions, is on file in the office of the Secretary of the Senate and is available for review at any time.

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **H Sub for SB 129; S Sub for HB 2077.**

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **House Substitute for SB 129** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 8 through 36;

By striking all on pages 2 through 31 and inserting:

"Section 1. K.S.A. 2011 Supp. 2-624 is hereby amended to read as follows: 2-624.

(a) The governing body of each extension district shall be composed of four representatives from each county included in the extension district. At the conclusion of the terms of the members first appointed to membership on the governing body of the district, the four members representing each county in an extension district shall be elected in a county-wide election by the qualified electors of the county.

(b) At the conclusion of the terms of the members first appointed to membership on the governing body of the district, each member of the governing body shall hold office for a term of four years and until such member's successor is elected and qualified. Each such term of office shall commence on the date of receipt of certification of election by the member elected and shall continue until the member's successor is elected and qualified.

(c) (1) Except as otherwise provided in this act, an election to elect successors to members of the governing body whose terms are expiring shall be held on the first Tuesday in April in each odd-numbered year.

(2) Elections to choose members of the governing body of an extension district shall be conducted, the returns made and the results ascertained in the manner provided by law for general county elections except as otherwise provided by this act. Not later than 12 noon of the Tuesday, 10 weeks preceding the first Tuesday in April in ~~odd-numbered~~ election years, each person desiring to be a candidate for membership on the governing body, in any election, shall file a declaration of candidacy, accompanied by a filing fee of \$5, with the county election officer of the county represented by the

member of the governing body whose successor is to be elected, as a candidate in such election. The county election officer shall remit such filing fees to the county treasurer for deposit in the county general fund. The county election officer in making up the ballots and in placing the names thereon shall place the names on the ballots in alphabetical order.

(3) The county election officer of each county within the extension district shall appoint election boards as provided by law for other elections and shall designate places for holding the election. The county election officer shall cause to be ascertained the names of all persons within the district who are qualified electors, and shall furnish lists thereof to the judges of the election. Notice of the time and place of holding each election, signed by the county election officer, shall be given in a newspaper published in the county and posted in a conspicuous place in the office of the governing body at least five days before the holding thereof.

(4) All election expenses shall be paid by the extension district. Election officials shall receive the same compensation as provided under the general election laws.

(d) Any vacancy in the membership of the governing body of an extension district shall be filled by appointment by the governing body for the unexpired term of office. Each member so appointed shall be a resident of the county which was represented by the member creating the vacancy.

(e) The governing body of each extension district shall organize annually in July by electing from among its members a chairperson, vice-chairperson, secretary and treasurer.

Sec. 2. K.S.A. 2011 Supp. 24-414 is hereby amended to read as follows: 24-414.

(a) Elections to choose directors shall be conducted, the returns made and the results ascertained in the manner provided by law for general county elections except as otherwise provided by law, and all persons desiring to be voted upon as director, in any election, shall, not later than ~~12:00~~ 12 noon of the ~~Wednesday next following the primary election as such term is defined in subsection (b) of K.S.A. 25-2006, and amendments thereto~~ Tuesday, 10 weeks preceding the first Tuesday in April in election years, file a declaration of candidacy, accompanied by a filing fee of \$5, with the county election officer of the county wherein the district is located, as a candidate in such election, and the election officer in making up the ballots and in placing the names thereon shall place the names on the ballots in alphabetical order, but the returns of all special or bond elections shall be made to the secretary and canvassed by the board of directors. The county election officer shall remit such filing fees to the county treasurer for deposit in the county general fund. The county election officer of the county wherein the drainage district is situated shall appoint election boards as provided by law for other elections and shall designate places for holding the election. The county clerk shall cause to be ascertained the names of all persons within the district who are also qualified electors, and shall furnish lists thereof to the judges of the election.

(b) Notice of the time and place of holding each election, signed by the county election officer, shall be given in a newspaper published in the county and posted in a conspicuous place in the office of the board of directors at least five days before the holding thereof. At all elections and meetings held under the provisions of this act, only persons who are qualified electors shall be entitled to vote. In counties having a population of more than 150,000, at all elections and meetings held under the provisions of this act, only persons who are taxpayers and residents of the district who are

qualified electors shall be entitled to vote. All election expenses shall be paid for out of the general fund of the drainage district. Election officials shall receive the same compensation as provided under the general election laws.

(c) As used in this section, "taxpayer" means any person who owns any real property or tangible property within the district who pays taxes assessed on such property.

Sec. 3. K.S.A. 2011 Supp. 25-2908 is hereby amended to read as follows: 25-2908. (a) Each polling place shall use either: (1) A registration book and a poll book, as defined in K.S.A. 25-2507(a) and K.S.A. 25-2507(b)(1), and amendments thereto; or (2) a registration book, as defined in K.S.A. 25-2507(b)(2), and amendments thereto. The county election officer shall determine which books are used in each county, and which book voters shall sign.

(b) A person desiring to vote shall provide to the election board: (1) The voter's name; (2) if required, the voter's address; (3) the voter's signature on the registration or poll book; and (4) a valid form of identification listed in subsection (h). A signature may be made by mark, initials, typewriter, print, stamp, symbol or any other manner if by placing the signature on the document the person intends the signature to be binding. A signature may be made by another person at the voter's direction if the signature reflects such voter's intention.

(c) A member of the election board shall:

(1) Announce the voter's name in a loud and distinct tone of voice, and, if the name is in the registration books, the member of the election board having the registration record shall repeat the name;

(2) request the voter's signature on the registration or poll book;

(3) provide the required signature at the request of and on behalf of any voter who is unable to personally affix a signature by reason of temporary illness or disability, or lack of proficiency in reading the English language;

(4) request a valid form of identification from the voter. If the member of the election board is satisfied that the voter is the person depicted in the identification and that the identification provided is one of the valid forms of identification listed in subsection (h), the member of the election board shall place such member's initials in the space provided and allow the voter to vote;

(5) give the voter one ballot, on the upper right-hand corner of which shall be written the number corresponding to the voter's number in the registration book or poll book; and

(6) mark the voter's name in the registration book and party affiliation list.

(d) If a voter is unable or refuses to provide current and valid identification, the voter may vote a provisional ballot pursuant to K.S.A. 25-409, and amendments thereto. If the voter's name and address do not match the voter's name and address on the registration book or poll book, the voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto. The voter shall provide a valid form of identification as defined in subsection (h) of this section to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the

ballot shall be counted.

(e) If the name of any person desiring to vote at an election is not in the registration books, an election board member shall print the name and address of the person appearing to vote in the registration book or poll book. The person appearing to vote shall add such person's signature to the registration book or poll book beside such person's printed name, as listed in the registration book or poll book, and the election board judge shall challenge such person's vote pursuant to K.S.A. 25-414, and amendments thereto. During the pendency of a challenge other voters shall be given ballots and be permitted to vote.

(f) A voter who has received an advance voting ballot may vote a provisional ballot on election day at the precinct polling place where the voter resides. If the voter returns the advance voting ballot to a judge or clerk at the precinct polling place, the judge or clerk shall void such advance voting ballot. Any such provisional ballot shall be counted only if the county board of canvassers determines that the provisional ballot was properly cast and the voter has not otherwise voted at such election.

(g) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and define valid forms of identification with greater specificity, however the requirement that a voter must provide a form of identification that complies with the subsection (h) may not be altered.

(h) (1) The following forms of identification shall be valid if the identification contains the name and photograph of the voter and has not expired. Expired documents shall be valid if the bearer of the document is 65 years of age or older:

(A) A driver's license issued by Kansas or by another state or district of the United States;

(B) a state identification card issued by Kansas or by another state or district of the United States;

(C) a concealed carry of handgun license issued by Kansas or a concealed carry of handgun or weapon license issued by another state or district of the United States;

(D) a United States passport;

(E) an employee badge or identification document issued by a municipal, county, state, or federal government office or agency;

(F) a military identification document issued by the United States;

(G) a student identification card issued by an accredited postsecondary institution of education in the state of Kansas; ~~or~~

(H) a public assistance identification card issued by a municipal, county, state, or federal government office or agency; or

(I) an identification card issued by an Indian tribe.

(2) If the person fails to furnish the identification required by this subsection, the person shall be allowed to vote a provisional ballot. The canvassing board shall determine the validity of the ballot pursuant to K.S.A. 25-3002, and amendments thereto.

(i) The following persons are exempt from the photographic identification document requirements of this section:

(1) Persons with a permanent physical disability that makes it impossible for such persons to travel to a county or state office to obtain a qualifying form of identification and have qualified for permanent advance voting status under K.S.A. 25-1124, and amendments thereto;

(2) members of the uniformed service on active duty who, by reason of such active duty, are absent from the county on election day;

(3) members of the merchant marine who, by reason of service in the merchant marine, are absent from the county on election day;

(4) the spouse or dependent of a member referred to in paragraph (2) or (3), who, by reason of the active duty or service of the member, is absent from the county on election day; and

(5) any voter whose religious beliefs prohibit photographic identification. Any person seeking an exemption under this provision must complete and transmit a declaration concerning such religious beliefs to the county election officer or the Kansas secretary of state. The declaration form shall be available on the official website of the Kansas secretary of state.

(j) "Indian tribe" or "tribe" means any Indian tribe, band, nation or other organized group or community of Indians recognized as eligible for the services provided to Indians by the secretary of the interior because of their status as Indians, including any Alaska native village, as defined in 43 U.S.C. § 1602(c).

Sec. 4. K.S.A. 25-4153 is hereby amended to read as follows: 25-4153. (a) The aggregate amount contributed to a candidate and such candidate's candidate committee and to all party committees and political committees and dedicated to such candidate's campaign, by any political committee or any person except a party committee, the candidate or the candidate's spouse, shall not exceed the following:

(1) For the pair of offices of governor and lieutenant governor or for other state officers elected from the state as a whole, \$2,000 for each primary election (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election;

(2) For the office of member of the house of representatives, district judge, district magistrate judge, district attorney, ~~member of the state board of education~~ or a candidate for local office, \$500 for each primary election (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election.

(3) For the office of state senator or member of the state board of education, \$1,000 for each primary election (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election.

(b) For the purposes of this section, the face value of a loan at the end of the period of time allocable to the primary or general election is the amount subject to the limitations of this section. A loan in excess of the limits herein provided may be made during the allocable period if such loan is reduced to the permissible level, when combined with all other contributions from the person making such loan, at the end of such allocable period.

(c) For the purposes of this section, all contributions made by unemancipated children under 18 years of age shall be considered to be contributions made by the parent or parents of such children. The total amount of such contribution shall be attributed to a single custodial parent and 50% of such contribution to each of two parents.

(d) The aggregate amount contributed to a state party committee by a person other than a national party committee or a political committee shall not exceed \$15,000 in each calendar year; and the aggregate amount contributed to any other party committee by a person other than a national party committee or a political committee shall not

exceed \$5,000 in each calendar year.

The aggregate amount contributed by a national party committee to a state party committee shall not exceed \$25,000 in any calendar year, and the aggregate amount contributed to any other party committee by a national party committee shall not exceed \$10,000 in any calendar year.

The aggregate amount contributed to a party committee by a political committee shall not exceed \$5,000 in any calendar year.

(e) Any political funds which have been collected and were not subject to the reporting requirements of this act shall be deemed a person subject to these contribution limitations.

(f) Any political funds which have been collected and were subject to the reporting requirements of the campaign finance act shall not be used in or for the campaign of a candidate for a federal elective office.

(g) The amount contributed by each individual party committee of the same political party other than a national party committee to any candidate for office, for any primary election at which two or more candidates are seeking the nomination of such party shall not exceed the following:

(1) For the pair of offices of governor and lieutenant governor and for each of the other state officers elected from the state as a whole, \$2,000 for each primary election (or in lieu thereof a caucus or convention of a political party);

(2) For the office of member of the house of representatives, district judge, district magistrate judge, district attorney, ~~member of the state board of education~~ or a candidate for local office, \$500 for each primary election (or in lieu thereof a caucus or convention of a political party).

(3) For the office of state senator or member of the state board of education, \$1,000 for each primary election (or in lieu thereof a caucus or convention of a political party).

(h) When a candidate for a specific cycle does not run for office, the contribution limitations of this section shall apply as though the individual had sought office.

(i) No person shall make any contribution or contributions to any candidate or the candidate committee of any candidate in the form of money or currency of the United States which in the aggregate exceeds \$100 for any one primary or general election, and no candidate or candidate committee of any candidate shall accept any contribution or contributions in the form of money or currency of the United States which in the aggregate exceeds \$100 from any one person for any one primary or general election.

Sec. 5. K.S.A. 2011 Supp. 65-2418 is hereby amended to read as follows: 65-2418.

(a) (1) The secretary shall fix and charge by rules and regulations the fees to be paid for certified copies or abstracts of certificates or for search of the files for birth, death, fetal death, marriage or divorce records when no certified copy or abstract is made. Except as otherwise provided in this section, the secretary shall remit all moneys received by or for the secretary from fees, charges or penalties, under the uniform vital statistics act, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the civil registration and health statistics fee fund created by K.S.A. 2011 Supp. 65-2418e, and amendments thereto.

(2) The secretary shall not charge any fee for a certified copy of a certificate or abstract or for a search of the files or records if the certificate, abstract or search is

requested by a person who exhibits correspondence from the United States department of veterans affairs or the Kansas commission on veterans affairs which indicates that the person is applying for benefits from the United States department of veterans affairs and that such person needs the requested information to obtain such benefits, except that, for a second or subsequent certified copy of a certificate, abstract or search of the files requested by the person, the usual fee shall be charged. The secretary may provide by rules and regulations for exemptions from such fees.

(3) The secretary shall not charge or accept any fee for a certified copy of a birth certificate if the certificate is requested by any person who is 17 years of age or older for purposes of voting if the applicant lacks the identification required by K.S.A. 25-2908(h), and amendments thereto, or meeting to meet the voter registration requirements of K.S.A. 25-2309, and amendments thereto—~~such person. For voter registration purposes, an applicant for registration~~ shall swear under oath: (1) That such person plans to register to vote in Kansas; and (2) that such person does not possess any of the documents that constitute evidence of United States citizenship under K.S.A. 25-2309(l), and amendments thereto. The affidavit shall specifically list the documents that constitute evidence of United States citizenship under K.S.A. 25-2309(l), and amendments thereto. The secretary shall adopt rules and regulations in order to implement the provisions of this subsection.

(4) Upon receipt of any such remittance of a fee for a certified copy of a birth certificate or abstract, \$3 of each such fee for the first copy of a birth certificate or abstract and \$1 of each such fee for each additional copy of the same birth certificate or abstract requested at the same time shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the permanent families account of the family and children investment fund created by K.S.A. 38-1808, and amendments thereto. The balance of the money received for a fee for a certified copy of a birth certificate or abstract shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the civil registration and health statistics fee fund created under this act.

(5) Upon receipt of any such remittance of a fee for a certified copy of a death certificate or abstract, \$4 of each such fee for the first certified copy of a death certificate or abstract and \$2 of each such fee for each additional copy of the same death certificate or abstract requested at the same time shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the district coroners fund created by K.S.A. 22a-245, and amendments thereto. The balance of the money received for a fee for a certified copy of a death certificate or abstract shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the civil registration and health statistics fee fund created by K.S.A. 2011 Supp. 65-2418e, and amendments thereto.

(b) Subject to K.S.A. 65-2415, and amendments thereto, the national office of vital statistics may be furnished copies or data it requires for national statistics. The state

shall be reimbursed for the cost of furnishing the data. The data shall not be used for other than statistical purposes by the national office of vital statistics unless so authorized by the state registrar of vital statistics.

Sec. 6. K.S.A. 25-4153 and K.S.A. 2011 Supp. 2-624, 24-414, 25-2908 and 65-2418 are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, by striking all in lines 1 through 5 and inserting:

"AN ACT concerning elections and campaign finance; amending K.S.A. 25-4153 and K.S.A. 2011 Supp. 2-624, 24-414, 25-2908 and 65-2418 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

SCOTT SCHWAB

MARIO GOICO

ANN E. MAH

Conferees on part of House

TERRIE HUNTINGTON

VICKI SCHMIDT

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

Senator Huntington moved the Senate adopt the Conference Committee Report on **H Sub for SB 129**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **S Sub for HB 2077** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed as Senate Substitute for House Bill No. 2077 as follows:

On page 4, in line 36, after the comma by inserting "a veteran or service-disabled veteran small business"; following line 39, by inserting:

"(d) (1) With respect to any state or local economic development or incentive program, the client shall have access to such program and the client shall not be adversely affected or disqualified because the client:

(A) Has entered into a professional employer agreement; or

(B) uses the services of a professional employer organization.

(2) If a state or local economic development or incentive program has any

employee-related requirement necessary to qualify for participation in such program, the employees of the client shall be deemed to be employees for the purpose of satisfying such requirement.";

And your committee on conference recommends the adoption of this report.

RUTH TEICHMAN

TY MASTERSON

ALLEN SCHMIDT

Conferees on part of Senate

GENE SUELLENTROP

MARVIN KLEEB

MIKE SLATTERY

Conferees on part of House

Senator Masterson moved the Senate adopt the Conference Committee Report on **S Sub for HB 2077**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

CONFIRMATION OF APPOINTMENTS

In accordance with Senate Rule 56, the following appointments, submitted by the Governor and the Speaker of the House to the senate for confirmation, were considered.

Senator Emler moved the following appointments be confirmed as recommended by the Confirmation Oversight Committee:

By the Governor:

On the appointment to the:

Kansas Bioscience Authority, Member:

Leon Borck, term expires March 15, 2016.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

On the appointment to the:

State Board of Indigents Defense Services, Member:

Andrew Wimmer, term expires January 15, 2014.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not

Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

By the Speaker of the House:

On the appointment to the:

Kansas Bioscience Authority, Member:

Earl McVicker, term expires March 15, 2015.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The appointment was confirmed.

REPORT ON ENGROSSED BILLS

SB 356 reported correctly engrossed May 8, 2012.

REPORT ON ENROLLED BILLS

SB 14, SB 262 reported correctly enrolled, properly signed and presented to the Governor on May 8, 2012.

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Wednesday, May 9, 2012.

Journal of the Senate

SIXTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, May 9, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with forty senators present.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

It occurred to me recently that the Senate has in place a way to clear up every problem we have encountered. Time and again I have heard a Senator address the chair and say, "I move that an emergency be declared, the rules suspended..." and whatever is before the body is immediately passed unanimously!

Lord, I move that an emergency be declared, the rules suspended and
All disagreements be ended
All Senators be befriended
All hard feelings be mended
No bills will be amended
That both parties be commended
That all strange motions be defended
No more will Sine Die be extended
No longer will a Senator be offended
All bills will be comprehended
No late sessions will be recommended
That all committee meetings will be suspended.

Lord, once again I appeal to Your sense of humor which I have relied on all these thirty-one years, I thank You for your patience.

And I am still praying in the Name of Your Son, Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

COMMUNICATIONS FROM STATE OFFICERS

KANSAS HUMAN RIGHTS COMMISSION

May 8, 2012

In compliance with KSA 44-1004(13), William V. Minner, Executive Director, submitted the Annual Report for the Fiscal Year 2011, July 1, 2010 – June 30, 2011.

The President announced the above report is on file in the office of the Secretary of the Senate and is available for review at any time.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report to agree to disagree on **Senate Substitute for HB 2117**, and has appointed Representatives Carlson, Kleebe and Dillmore as second conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2729**, requests a conference and has appointed Representative Powell, Kerschen and Williams as conferees on the part of the House.

The House adopts the Conference Committee report on **Senate Substitute for Substitute HB 2004**.

The House adopts the Conference Committee report on **HB 2684**.

The House concurs in Senate Amendments to **HB 2534** and requests return of the bill.

The House adopts the Conference Committee report on **SB 83**.

Announcing passage of **Substitute HB 2768**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Substitute HB 2768 was thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Morris, Reitz, Abrams, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, Love, Marshall, Owens, V. Schmidt, Teichman, Umbarger, Vratil and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1876—

A RESOLUTION congratulating and commending
Coach Bill Snyder for being named the 2011
Associated Press Big 12 Coach of the Year.

WHEREAS, Kansas State University head coach Bill Snyder was named the 2011 Associated Press Big 12 Coach of the Year after leading the Wildcats to a 10-2 record in the regular season and a number 8 ranking in the final regular season BCS standings, and helping the Wildcats earn their first Cotton Bowl invitation since 2001; and

WHEREAS, Coach Snyder was selected on 16 of the 17 ballots turned in by media members who regularly cover the league; and

WHEREAS, For his efforts in 2011, Coach Snyder was named the Woody Hayes National Coach of the Year, as well as picking up national coaching honors from Sporting News, Rivals.com and CBSSports.com, and the Big 12 Coach of the Year by the Associated Press and Big 12 Coaches; and

WHEREAS, Coach Snyder is currently the 11th-winningest active coach among Football Bowl Subdivision (FBS) schools; and

WHEREAS, Coach Snyder was named the 32nd head football coach at Kansas State University on November 30, 1988, and again as the 34th coach on November 24, 2008.

He has amassed a 159-82-1 record during his 20-year tenure with the Wildcats, including an 89-64-1 mark in Big 8 and Big 12 games, and currently ranks fourth among active coaches with 150 or more wins at FBS schools since 1990; and

WHEREAS, As a two-time national Coach of the Year selection and three-time Big 12 Coach of the Year pick, Coach Snyder's 159 victories are more than triple the second place coach on K-State's all-time coaching victories list. He has led the program to 13 bowl games, including 11 straight from 1993-2003 and back-to-back appearances in 2010 and 2011: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year. We thank him for his hard work and dedication to Kansas State University, and we extend our best wishes for his continued success and happiness in the future; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Morris.

On emergency motion of Senator Reitz **SR 1876** was adopted unanimously.

Senator Reitz introduced and congratulated Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year. Also in attendance was Coach Bill Snyder's wife, Sharon. The Senate acknowledged his achievement with a standing ovation.

Senators Kultala and Holland introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1877—

A RESOLUTION congratulating and commending the
Leavenworth High School Girls' Powerlifting Team.

WHEREAS, For the second year in a row, the Leavenworth High School Girls' Powerlifting Team claimed the Natural Athlete Strength Association High School Powerlifting 2012 National Championship. All members of the team performed with the highest level of excellence throughout the 2012 season and each Leavenworth High School Pioneer on the team deserves recognition for her vital contribution to the winning effort; and

WHEREAS, The squad took home national titles in Unequipped Powerlifting (a competition comprised of squat, bench press and deadlift), Junior/Senior Unequipped Powerlifting, and Power Press (made of a total of power clean and bench press). The Freshman/Sophomore girls' team also took home a runner-up award in their division; and

WHEREAS, The Leavenworth High School Girls' Powerlifting Team showed their dominance of the meet by having 13 girls compete, with 12 of the team's lifters achieving second place or higher in all events entered; and

WHEREAS, In the 114-pound weight class, freshman Hannah Overbey won a national championship in Unequipped Powerlifting for the Freshman/Sophomore division, an Overall Best Lifter award and 2nd place in Power Press. Teammate Maggie Lee repeated as national champion in both the Power Clean/Bench Press and

Unequipped Powerlifting events. Maggie Lee was also deemed the Overall Best Lifter in Power Press; and

WHEREAS, In the 123-pound weight class, senior Lauren Patelli led the way in Power Press, an event contested by all high school weight classes for females, recording an American record 65 kg (143 lb) clean and 45 kg (99 lb) bench press. Patelli also took 2nd place in Junior/Senior Powerlifting. Tabitha Larkin took 1st place in Junior/Senior Powerlifting and 3rd place in Power Press. Larkin also posted an American record squat with a 97.5 kg (214.5 lb) effort; and

WHEREAS, Sophomore Laura Payne took 2nd place in Power Press to fill the medal stand with Pioneer blue in that event, and also took 1st place in Freshman/Sophomore Unequipped Powerlifting. In the 132-pound weight class, senior Janay Johnson finished her Leavenworth powerlifting career by repeating as national champion in both events, hoisting for American records in every lift and earning Overall Best Lifter for Power Press and Outstanding Lifter for all classes. The two awards make for a total of seven Best Lifter trophies earned by Johnson during the 2012 calendar year, a feat that would be difficult to match by any competitive lifter of any age; and

WHEREAS, In the 148-pound weight class, junior Lacie Thornton repeated as national champion in both events, followed by sophomore Amelia Cribb in Power Press, who also took 2nd place in Freshman/Sophomore Powerlifting. Thornton also broke an American record in Power Press on the strength of her personal record of 65 kg (143 lb) clean and 52.5 kg (115.5 lb) bench press. The 165-pound weight class saw Alyssa Rivera return to Oklahoma City after missing out on the medal stand in 2011 to turn in a 2nd place performance in Unequipped Powerlifting; and

WHEREAS, In the 181-pound weight class, Hunter Anne Postier came in 2nd place for Unequipped Powerlifting and Overall Best Lifter in Powerlifting. Postier also posted American records in Power Press, in clean 80 kg (176 lb) and bench press 62.5 kg (137.5 lb); and

WHEREAS, Freshman Jasmine Swanagan took 4th in Power Press, followed by senior Maddy Minchew to once again saturate the medal stand in Leavenworth's royal blue. Swanagan also took 2nd place in Freshman/Sophomore Powerlifting, while Minchew took a Junior/Senior 4th place. Emily Ruble competed for the Pioneers in the 198-pound weight class, taking home national championships in both events once again; and

WHEREAS, The Leavenworth High School Girls' Powerlifting Team has brought great pride to their school, school district, community, friends and families in demonstrating self-discipline, efficiency and tenacity throughout the 2012 season; and

WHEREAS, The amazing accomplishments of the Leavenworth High School Girls' Powerlifting Team could not have been achieved without the guidance and skills of Coach Daniel Capps: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we hereby congratulate and commend the Leavenworth High School Girls' Powerlifting Team upon winning the 2012 Natural Athlete Strength Association High School Powerlifting National Championship and extend best wishes to the squad, coaches and everyone involved with the fine powerlifting program as they celebrate their exceptional season and prepare for continued success in the future; and

Be it further resolved: That the Secretary of the Senate shall send 10 enrolled copies of this resolution to Senator Kultala.

On emergency motion of Senator Kultala **SR 1877** was adopted unanimously.

Senator Kultala introduced and congratulated the Leavenworth High School Girls' Powerlifting Team for being named the Natural Athlete Strength Association High School Powerlifting 2012 National Championship. The Powerlifting team is as follows: Hannah Overbey, Maggie Lee, Lauren Patelli, Tabitha Larkin, Janay Johnson, Lacie Thornton, Hunter Anne Postier and Emily Ruble. Also in attendance were Daniel Capps, Coach and Shawn Terry, Athletic Director. The Senate acknowledged their achievement with a standing ovation.

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **SB 83; H Sub for SB 341; Sub HB 2689.**

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Kelsey moved the Senate concur in House amendments to **H Sub for SB 341.**

H Sub for SB 341, AN ACT concerning governmental organization; relating to consolidation; amending K.S.A. 12-3901, 12-3902, 12-3903, 12-3904, 12-3909 and 19-205 and repealing the existing sections.

On roll call, the vote was: Yeas 15; Nays 18; Present and Passing 7; Absent or Not Voting 0.

Yeas: Abrams, Apple, Donovan, Haley, Hensley, Kelsey, Masterson, Merrick, Olson, Ostmeier, Petersen, Pyle, A. Schmidt, Taddiken, Umbarger.

Nays: Bruce, Brungardt, Emler, Faust-Goudeau, Huntington, Kelly, Kultala, Longbine, Lynn, Marshall, McGinn, Morris, Owens, Pilcher-Cook, Reitz, V. Schmidt, Vratil, Wagle.

Present and Passing: Francisco, Holland, King, Love, Schodorf, Steineger, Teichman.

The motion to concur failed and **H Sub for SB 341** remains in conference.

EXPLANATION OF VOTE

MR. PRESIDENT: Local control of cities, counties and other political subdivisions is always the best alternative to the State control. However, it is uncertain how this legislation got to the Senate Floor for a vote in the final hours without proper vetting. In addition questions were not answered during short floor debate regarding the effect passage would have on current law. For those reasons, I vote NAY. – JULIA LYNN

Senator Schodorf requests the record to show she concurs with the "Explanation of Vote" offered by Senator Lynn on **H Sub for SB 341.**

On motion of Senator Emler, the Senate recessed until 11:10 a.m.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 83** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee of the Whole amendments, as follows:

On page 1, by striking lines 9 through 33;

By striking all on pages 2 through 5 and inserting:

"Section 1. K.S.A. 60-3306 is hereby amended to read as follows: 60-3306. ~~(a)~~ (a) A product seller shall not be subject to liability in a product liability claim arising from an alleged defect in a product, if the product seller establishes that: ~~(a)(1)~~ (1) Such seller had no knowledge of the defect;

~~(b)~~ (2) such seller in the performance of any duties the seller performed, or was required to perform, could not have discovered the defect while exercising reasonable care;

~~(c)~~ (3) such seller was not a manufacturer of the defective product or product component;

~~(d)~~ (4) the manufacturer of the defective product or product component is subject to service of process either under the laws of the state of Kansas or the domicile of the person making the product liability claim; and

~~(e)~~ (5) any judgment against the manufacturer obtained by the person making the product liability claim would be reasonably certain of being satisfied.

(b) A product seller that is a retail seller of used products shall not be subject to liability claim arising from an alleged defect in a used product sold by the retail seller, if the retail seller establishes that:

(1) Such seller is exempt from federal income taxation pursuant to section 501(c)(3) of the internal revenue code of 1986;

(2) the product liability claim is for strict liability in tort; or

(3)(A) Such seller resold the product after the product was used by a consumer or other product user;

(B) the product was sold in substantially the same condition as it was when it was acquired for resale;

(C) the manufacturer of the defective product or product component is subject to service of process either under the laws of the state of Kansas or the domicile of the person making the product liability claim; and

(D) any judgment against the manufacturer obtained by the person making the product liability claim would be reasonably certain of being satisfied.

Sec. 2. K.S.A. 60-3306 is hereby repealed.

Sec. 3. The act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, by striking all in lines 1 through 6 and inserting:

"AN ACT concerning the Kansas product liability act; relating to a product liability claim arising from an alleged defect in a used product; amending K.S.A. 60-3306 and repealing the existing section.";

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

Senator Owens moved the Senate adopt the Conference Committee Report on **SB 83**.
On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Substitute for HB 2689** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 2, in line 4, by striking ", which may include all premises which are in close proximity"; in line 5, by striking "and are under the control of the applicant or licensee"; following line 7, by inserting:

"(c) The term "designated areas" for purposes of this section shall mean an area identified in the license application, which may include suites, that has controlled access and is separated from the general admission by a barrier.

(d) The provisions of this section shall take effect and be in force from and after July 1, 2012.";

On page 3, following line 37, by inserting:

"(h) The provisions of this section shall take effect and be in force from and after July 1, 2012.";

On page 4, by striking all in lines 19 through 23;

And by redesignating paragraphs accordingly;

Also on page 4, following line 34, by inserting:

"(c) The provisions of this section shall take effect and be in force from and after July 1, 2012."; in line 35, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 7, in line 28, before "K.S.A." by inserting "From and after July 1, 2012,"; in line 34, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 8, in line 12, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 9, in line 3, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 10, in line 2, before "K.S.A." by inserting "From and after July 1, 2012,"; in line 42, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 11, by striking all in lines 39 through 43;

By striking all on pages 12 and 13;

On page 14, by striking all in lines 1 through 25 and inserting the following:

"Sec. 11. K.S.A. 2011 Supp. 41-308a is hereby amended to read as follows: 41-

308a. (a) A farm winery license shall allow:

(1) The manufacture of domestic table wine and domestic fortified wine in a quantity not exceeding 100,000 gallons per year and the storage thereof;

(2) the sale of wine, manufactured by the licensee, to licensed wine distributors, retailers, clubs, drinking establishments, holders of temporary permits as authorized by K.S.A. 41-2645, and amendments thereto, and caterers;

(3) the sale, on the licensed premises and at special events monitored and regulated by the division of alcoholic beverage control in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

(4) the serving free of charge on the licensed premises and at special events, monitored and regulated by the division of alcoholic beverage control, of samples of wine manufactured by the licensee or imported under subsection ~~(f)~~ (e), if the licensed premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments;

(5) the sale of wine manufactured by the licensee for consumption on the licensed premises, provided, the licensed premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments. Wine sold pursuant to this paragraph shall not be subject to the provisions of the club and drinking establishment act, K.S.A. 41-2601 *et seq.*, and amendments thereto, and no drinking establishment license shall be required to make such sales;

~~(5)~~ (6) if the licensee is also licensed as a club or drinking establishment, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act;

~~(6)~~ (7) if the licensee is also licensed as a caterer, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the unlicensed premises as authorized by the club and drinking establishment act;

~~(7)~~ (8) the sale and shipping, in the original unopened container, to consumers outside this state of wine manufactured by the licensee, provided that the licensee complies with applicable laws and rules and regulations of the jurisdiction to which the wine is shipped; and

~~(8)~~ (9) the sale and shipping of wine within this state pursuant to a permit issued pursuant to K.S.A. 2011 Supp. 41-350, and amendments thereto.

(b) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a farm winery licensee, the director may issue not to exceed three winery outlet licenses to the farm winery licensee. A winery outlet license shall allow:

(1) The sale, on the licensed premises and at special events monitored and regulated by the division of alcoholic beverage control in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

(2) the serving on the licensed premises of samples of wine manufactured by the licensee or imported under subsection ~~(f)~~ (e), if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments; and

(3) the manufacture of domestic table wine and domestic fortified wine and the storage thereof; provided, that the aggregate quantity of wine produced by the farm

winery licensee, including all winery outlets, shall not exceed 100,000 gallons per year.

(c) Not less than 60% of the products utilized in the manufacture of domestic table wine and domestic fortified wine by a farm winery shall be grown in Kansas except when a lesser proportion is authorized by the director based upon the director's findings and judgment. The label of domestic wine and domestic fortified wine shall indicate that a majority of the products utilized in the manufacture of the wine at such winery were grown in Kansas.

(d) A farm winery or winery outlet may sell domestic wine and domestic fortified wine in the original unopened container to consumers for consumption off the licensed premises at any time between 6 a.m. and 12 midnight on any day except Sunday and between 12 noon and 6 p.m. on Sunday. If authorized by subsection (a), a farm winery may serve samples of ~~domestic wine, domestic fortified wine and wine~~ manufactured by the licensee and wine imported under subsection (e) and serve and sell domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises at any time when a club or drinking establishment is authorized to serve and sell alcoholic liquor. If authorized by subsection (b), a winery outlet may serve samples of domestic wine, domestic fortified wine and wine imported under subsection (e) at any time when the winery outlet is authorized to sell domestic wine and domestic fortified wine.

(e) The director may issue to the Kansas state fair or any *bona fide* group of grape growers or wine makers a permit to import into this state small quantities of wines. Such wine shall be used only for *bona fide* educational and scientific tasting programs and shall not be resold. Such wine shall not be subject to the tax imposed by K.S.A. 41-501, and amendments thereto. The permit shall identify specifically the brand and type of wine to be imported, the quantity to be imported, the tasting programs for which the wine is to be used and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of wine pursuant to this subsection and the conduct of tasting programs for which such wine is imported.

(f) A farm winery license or winery outlet license shall apply only to the premises described in the application and in the license issued and only one location shall be described in the license.

(g) No farm winery or winery outlet shall:

(1) Employ any person under the age of 18 years in connection with the manufacture, sale or serving of any alcoholic liquor;

(2) permit any employee of the licensee who is under the age of 21 years to work on the licensed premises at any time when not under the on-premise supervision of either the licensee or an employee of the licensee who is 21 years of age or over;

(3) employ any person under 21 years of age in connection with mixing or dispensing alcoholic liquor; or

(4) employ any person in connection with the manufacture or sale of alcoholic liquor if the person has been convicted of a felony.

(h) Whenever a farm winery or winery outlet licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and order forfeiture of all fees paid for the license, after a hearing before the director for that purpose in accordance with the provisions of the Kansas administrative procedure act.

(i) This section shall be part of and supplemental to the Kansas liquor control act.

Sec. 12. From and after July 1, 2012, K.S.A. 2011 Supp. 41-308a, as amended by

section 11 of this act, is hereby amended to read as follows: 41-308a. (a) A farm winery license shall allow:

(1) The manufacture of domestic table wine and domestic fortified wine in a quantity not exceeding 100,000 gallons per year and the storage thereof;

(2) the sale of wine, manufactured by the licensee, to licensed wine distributors, retailers, public venues, clubs, drinking establishments, holders of temporary permits as authorized by K.S.A. 41-2645, and amendments thereto, and caterers;

(3) the sale, on the licensed premises and at special events monitored and regulated by the division of alcoholic beverage control in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

(4) the serving free of charge on the licensed premises and at special events, monitored and regulated by the division of alcoholic beverage control, of samples of wine manufactured by the licensee or imported under subsection (e), if the licensed premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments;

(5) the sale of wine manufactured by the licensee for consumption on the licensed premises, provided, the licensed premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments. Wine sold pursuant to this paragraph shall not be subject to the provisions of the club and drinking establishment act, K.S.A. 41-2601 *et seq.*, and amendments thereto, and no drinking establishment license shall be required to make such sales;

(6) if the licensee is also licensed as a club or drinking establishment, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act;

(7) if the licensee is also licensed as a caterer, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the unlicensed premises as authorized by the club and drinking establishment act;

(8) the sale and shipping, in the original unopened container, to consumers outside this state of wine manufactured by the licensee, provided that the licensee complies with applicable laws and rules and regulations of the jurisdiction to which the wine is shipped; and

(9) the sale and shipping of wine within this state pursuant to a permit issued pursuant to K.S.A. 2011 Supp. 41-350, and amendments thereto.

(b) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a farm winery licensee, the director may issue not to exceed three winery outlet licenses to the farm winery licensee. A winery outlet license shall allow:

(1) The sale, on the licensed premises and at special events monitored and regulated by the division of alcoholic beverage control in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

(2) the serving on the licensed premises of samples of wine manufactured by the licensee or imported under subsection (e), if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments; and

(3) the manufacture of domestic table wine and domestic fortified wine and the storage thereof; provided, that the aggregate quantity of wine produced by the farm

winery licensee, including all winery outlets, shall not exceed 100,000 gallons per year.

(c) Not less than ~~60%~~ 30% of the products utilized in the manufacture of domestic table wine and domestic fortified wine by a farm winery shall be grown in Kansas except when a lesser proportion is authorized by the director based upon the director's findings and judgment. ~~The label of domestic wine and domestic fortified wine shall indicate that a majority of the products utilized in the manufacture of the wine at such winery were grown in Kansas. The production requirement of this subsection shall be determined based on the annual production of domestic table wine and domestic fortified wine by the farm winery.~~

(d) A farm winery or winery outlet may sell domestic wine and domestic fortified wine in the original unopened container to consumers for consumption off the licensed premises at any time between 6 a.m. and 12 midnight on any day except Sunday and between 12 noon and 6 p.m. on Sunday. If authorized by subsection (a), a farm winery may serve samples of wine manufactured by the licensee and wine imported under subsection (e) and serve and sell domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises at any time when a club or drinking establishment is authorized to serve and sell alcoholic liquor. If authorized by subsection (b), a winery outlet may serve samples of domestic wine, domestic fortified wine and wine imported under subsection (e) at any time when the winery outlet is authorized to sell domestic wine and domestic fortified wine.

(e) The director may issue to the Kansas state fair or any *bona fide* group of grape growers or wine makers a permit to import into this state small quantities of wines. Such wine shall be used only for *bona fide* educational and scientific tasting programs and shall not be resold. Such wine shall not be subject to the tax imposed by K.S.A. 41-501, and amendments thereto. The permit shall identify specifically the brand and type of wine to be imported, the quantity to be imported, the tasting programs for which the wine is to be used and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of wine pursuant to this subsection and the conduct of tasting programs for which such wine is imported.

(f) A farm winery license or winery outlet license shall apply only to the premises described in the application and in the license issued and only one location shall be described in the license.

(g) No farm winery or winery outlet shall:

(1) Employ any person under the age of 18 years in connection with the manufacture, sale or serving of any alcoholic liquor;

(2) permit any employee of the licensee who is under the age of 21 years to work on the licensed premises at any time when not under the on-premise supervision of either the licensee or an employee of the licensee who is 21 years of age or over;

(3) employ any person under 21 years of age in connection with mixing or dispensing alcoholic liquor; or

(4) employ any person in connection with the manufacture or sale of alcoholic liquor if the person has been convicted of a felony.

(h) Whenever a farm winery or winery outlet licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and order forfeiture of all fees paid for the license, after a hearing before the director for that purpose in accordance with the provisions of the Kansas administrative procedure act.

(i) This section shall be part of and supplemental to the Kansas liquor control act.;"

Also on page 14, in line 26, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 16, in line 24, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 18, in line 33, by striking "other than citizenship and residence requirements, provided, that"; by striking all in line 34; in line 35, by striking "citizenship and residence requirements";

On page 19, in line 32, after "license" by inserting ", microdistillery license";

On page 20, following line 39, by inserting:

"Sec. 15. From and after July 1, 2012, K.S.A. 2011 Supp. 41-313 is hereby amended to read as follows: 41-313. (a) No corporation, either organized under the laws of this state, any other state or a foreign country, shall be issued a manufacturer's, distributor's, microbrewery, microdistillery or farm winery license unless the corporation has first procured a certificate of authority from the secretary of state to do business in this state as provided by law, appointed a citizen of the United States, and resident of Kansas, as its agent and filed with the director a duly authenticated copy of a duly executed power of attorney, authorizing the agent to accept service of process from the director and the courts of this state and to exercise full authority of the corporation and full authority, control and responsibility for the conduct of all business and transactions of the corporation within the state relative to alcoholic liquor and the business licensed. The agent must be satisfactory to and approved by the director with respect to the agent's character. The agent shall at all times be maintained by the corporation.

In addition, any corporation organized under the laws of any other state or foreign country, as a condition precedent to the issuance to it of any license, shall file with the secretary of state of the state of Kansas, a duly authorized and executed power of attorney, authorizing the secretary of state to accept service of process from the director and the courts of this state and to accept service of any notice or order provided for in this act, and all such acts by the secretary of state shall be fully binding upon the corporation.

(b) Every nonresident applicant on applying for a license or permit under this act, and as a condition precedent to obtaining such license or permit, shall file with the secretary of state of this state its written consent, irrevocable, that any action or garnishment proceeding may be commenced against such applicant in the proper court of any county in this state in which the cause of action shall arise or in which the plaintiff may reside by the service of process on the resident agent specified in subsection (a), and stipulating and agreeing that such service shall be taken and held in all courts to be as valid and binding as if due service had been made upon the applicant. The written consent shall state that the courts of this state have jurisdiction over the person of such applicant and are the proper and convenient forum for such action and shall waive the right to request a change of jurisdiction or venue to a court outside this state and that all actions arising under this act and commenced by the applicant shall be brought in this state's courts as the proper and convenient forum. Such consent shall be executed by the applicant and if a corporation, by the president and secretary of the corporate applicant, and shall be accompanied by a duly certified copy of the order or resolution of the board of directors, trustees or managers authorizing the president and secretary to execute the same.";

Also on page 20, in line 40, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 21, in line 3, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 22, in line 23, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 23, in line 2, before "K.S.A." by inserting "From and after July 1, 2012,"; following line 20, by inserting:

"Sec. 20. From and after July 1, 2012, K.S.A. 2011 Supp. 41-501 is hereby amended to read as follows: 41-501. (a) As used in this section and K.S.A. 41-501a, and amendments thereto:

(1) "Gallon" means wine gallon.

(2) "Federal area" means any lands or premises which are located within the exterior boundaries of this state and which are held or acquired by or for the use of the United States or any department, establishment or agency of the United States.

(3) "Malt product" means malt syrup, malt extract, liquid malt or wort.

(b) (1) For the purpose of raising revenue a tax is imposed upon the manufacturing, using, selling, storing or purchasing alcoholic liquor, cereal malt beverage or malt products in this state or a federal area at a rate of \$.18 per gallon on beer and cereal malt beverage; \$.20 per gallon on all wort or liquid malt; \$.10 per pound on all malt syrup or malt extract; \$.30 per gallon on wine containing 14% or less alcohol by volume; \$.75 per gallon on wine containing more than 14% alcohol by volume; and \$2.50 per gallon on alcohol and spirits.

(2) The tax imposed by this section shall be paid only once and shall be paid by the person in this state or federal area who first manufactures, uses, sells, stores, purchases or receives the alcoholic liquor or cereal malt beverage. The tax shall be collected and paid to the director as provided in this act. If the alcoholic liquor or cereal malt beverage is manufactured and sold in this state or a federal area, the tax shall be paid by the manufacturer, microbrewery, microdistillery or farm winery producing it. If the alcoholic liquor or cereal malt beverage is imported into this state by a distributor for the purpose of sale at wholesale in this state or a federal area, the tax shall be paid by the distributor, and in no event shall such tax be paid by the manufacturer unless the alcoholic liquor or cereal malt beverage is manufactured in this state. If not to exceed one gallon, or metric equivalent, per person of alcoholic liquor has been purchased by a private citizen outside the borders of the United States and is brought into this state by the private citizen in such person's personal possession for such person's own personal use and not for sale or resale, such import is lawful and no tax payment shall be due thereon.

(c) Manufacturers, microbreweries, microdistilleries, farm wineries or distributors at wholesale of alcoholic liquor or cereal malt beverage shall be exempt from the payment of the gallonage tax imposed on alcoholic liquor and cereal malt beverage, upon satisfactory proof, including bills of lading furnished to the director by affidavit or otherwise as the director requires, that the liquor or cereal malt beverage was manufactured in this state but was shipped out of the state for sale and consumption outside the state.

(d) Wines manufactured or imported solely and exclusively for sacramental purposes and uses shall not be subject to the tax provided for by this section.

(e) The tax provided for by this section is not imposed upon:

(1) Any alcohol or wine, whether manufactured in or imported into this state, when sold to a nonbeverage user licensed by the state, for use in the manufacture of any of the following when they are unfit for beverage purposes: Patent and proprietary medicines and medicinal, antiseptic and toilet preparations; flavoring extracts and syrups and food products; scientific, industrial and chemical products; or scientific, chemical, experimental or mechanical purposes; or

(2) the privilege of engaging in any business of interstate commerce or otherwise, which business may not be made the subject of taxation by this state under the constitution and statutes of the United States.

(f) The tax imposed by this section shall be in addition to all other taxes imposed by the state of Kansas or by any municipal corporation or political subdivision thereof.

(g) Retail sales of alcoholic liquor, sales of beer to consumers by microbreweries and sales of wine to consumers by farm wineries shall not be subject to the tax imposed by the Kansas retailers' sales tax act but shall be subject to the enforcement tax provided for in this act.

(h) Notwithstanding any ordinance to the contrary, no city shall impose an occupation or privilege tax on the business of any person, firm or corporation licensed as a manufacturer, distributor, microbrewery, microdistillery, farm winery, retailer or nonbeverage user under this act and doing business within the boundaries of the city except as specifically authorized by K.S.A. 41-310, and amendments thereto.

(i) The director shall collect the taxes imposed by this section and shall account for and remit all moneys collected from the tax to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and the state treasurer shall credit $\frac{1}{10}$ of the moneys collected from taxes imposed upon alcohol and spirits under subsection (b)(1) to the community alcoholism and intoxication programs fund created by K.S.A. 41-1126, and amendments thereto, and shall credit the balance of the moneys collected to the state general fund.

(j) If any alcoholic liquor manufactured in or imported into this state is sold to a licensed manufacturer or distributor of this state to be used solely as an ingredient in the manufacture of any beverage for human consumption, the tax imposed upon the manufacturer or distributor shall be reduced by the amount of the taxes which have been paid under this section as to the alcoholic liquor so used.

(k) The tax provided for by this section is not imposed upon alcohol or wine used by any school or college for scientific, chemical, experimental or mechanical purposes or by hospitals, sanatoria or other institutions caring for the sick. Any school, college, hospital, sanatorium or other institution caring for the sick may import alcohol or wine for scientific, chemical, experimental, mechanical or medicinal purposes by making application to the director for a permit to import it and receiving such a permit. Application for the permit shall be on a form prescribed and furnished by the director, and a separate permit shall be required for each purchase of alcohol or wine. A fee of \$2 shall accompany each application. All permits shall be issued in triplicate to the applicant and shall be under the seal of the office of the director. Two copies of the permit shall be forwarded by the applicant to the microbrewery, microdistillery, farm winery, manufacturer or distributor from which the alcohol or wine is purchased, and the microbrewery, microdistillery, farm winery, manufacturer or distributor shall return to the office of the director one copy of the permit with its shipping affidavit and

invoice. Within 10 days after receipt of any alcohol or wine, the school, college, hospital or sanatorium ordering it shall file a report in the office of the director upon forms furnished by the director, showing the amount of alcohol or wine received, the place where it is to be stored, from whom it was received, the purpose for which it is to be used and such other information as required by the director. Any school, college, hospital, sanatorium or institution caring for the sick, which complies with the provisions of this subsection, shall not be required to have any other license to purchase alcohol or wine from a microbrewery, microdistillery, farm winery, manufacturer or distributor.

Sec. 21. From and after July 1, 2012, K.S.A. 41-601 is hereby amended to read as follows: 41-601. Every manufacturer, distributor, microbrewery which sells any beer to a beer distributor at wholesale, microdistillery which sells any spirits to a spirits distributor at wholesale and farm winery which sells any wine to a distributor at wholesale shall between the 1st and 15th day of each calendar month, make return under oath to the director of all alcoholic liquor manufactured and sold by the manufacturer, distributor, microbrewery, microdistillery or farm winery in the course of business during the preceding calendar month. In the case of a distributor, the return shall also show: (a) The total amount of liquor purchased by the distributor during the preceding calendar month, the names of the distillers or distributors from whom purchased, the quantity of each brand and the price paid therefor; and (b) the names and locations of the retailers to whom alcoholic liquor was sold by the distributor during the preceding calendar month, the quantity of each brand and the price charged therefor. The return shall be made upon forms prescribed and furnished by the director and shall contain such other information as the director reasonably requires.

Sec. 22. From and after July 1, 2012, K.S.A. 41-602 is hereby amended to read as follows: 41-602. It is the duty of each manufacturer, distributor, microbrewery which sells any beer to a beer distributor, microdistillery which sells any spirits to a spirits distributor and farm winery which sells any wine to a distributor to keep complete and accurate records of all sales of liquor, wine or beer and complete and accurate records of all alcoholic liquors produced, manufactured, compounded or imported. The director in the director's discretion, may prescribe reasonable and uniform methods for keeping records by manufacturers, distributors, microbreweries, microdistilleries and farm wineries as contemplated by K.S.A. 41-401 through 41-409, and amendments thereto.”;

Also on page 23, in line 21, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 24, by striking all in lines 37 through 43;

By striking all on pages 25 and 26;

On page 27, by striking all in lines 1 through 32 and inserting the following:

"Sec. 24. From and after July 1, 2012, K.S.A. 2011 Supp. 41-710 is hereby amended to read as follows: 41-710. (a) No retailer's license shall be issued for premises unless such premises comply with all applicable zoning regulations.

(b) No microbrewery license, microdistillery license or farm winery license shall be issued for premises which are zoned for any purpose except agricultural, commercial or business purposes.

(c) No retailer's, microbrewery, microdistillery or farm winery license shall be issued for premises which:

(1) Are located within 200 feet of any public or parochial school or college or church, except that if any such school, college or church is established within 200 feet of any licensed premises after the premises have been licensed, the premises shall be an eligible location for retail licensing; or

(2) do not conform to all applicable building regulations.

Sec. 25. From and after July 1, 2012, K.S.A. 2011 Supp. 41-714 is hereby amended to read as follows: 41-714. (a) Any advertising of a farm winery, microdistillery or microbrewery shall be subject to approval by the director prior to its dissemination.

(b) The secretary of revenue may adopt, in accordance with K.S.A. 41-210, and amendments thereto, rules and regulations necessary to regulate and control the advertising, in any form, and display of alcoholic liquor.

Sec. 26. From and after July 1, 2012, K.S.A. 41-717 is hereby amended to read as follows: 41-717. (a) (1) Except as provided by subsection (a)(2), no person shall sell or furnish at retail and no microbrewery, microdistillery or farm winery shall sell to any consumer any alcoholic liquor on credit; on a passbook; on order on a store; in exchange for any goods, wares or merchandise; or in payment for any services rendered. If any person extends credit in violation of this subsection, the debt attempted to be created shall not be recoverable at law.

(2) A licensed retailer may sell alcoholic liquor and nonalcoholic malt beverage to a consumer, a licensed microbrewery may sell domestic beer to a consumer, a licensed microdistillery may sell domestic spirits to a consumer and a licensed farm winery may sell domestic wine to a consumer on credit pursuant to a credit card which entitles the user to purchase goods or services from at least 100 persons not related to the issuer of the credit card.

(b) No microbrewery, microdistillery, farm winery or retailer of alcoholic liquor shall accept a check for payment for alcoholic liquors sold by the winery or retailer to a consumer, other than the personal check of the person making the purchase.

Sec. 27. From and after July 1, 2012, K.S.A. 41-718 is hereby amended to read as follows: 41-718. (a) No person except a manufacturer, distributor, microbrewery, microdistillery, farm winery or wholesaler shall fill or refill, in whole or in part, any original package of alcoholic liquor with the same or any other kind or quality of alcoholic liquor.

(b) No person shall have in the person's possession for sale at retail any bottles, casks or other containers containing alcoholic liquor, except in original packages.

Sec. 28. From and after July 1, 2012, K.S.A. 2011 Supp. 41-719 is hereby amended to read as follows: 41-719. (a) (1) Except as otherwise provided herein and in K.S.A. 8-1599, and amendments thereto, no person shall drink or consume alcoholic liquor on the public streets, alleys, roads or highways or inside vehicles while on the public streets, alleys, roads or highways.

(2) Alcoholic liquor may be consumed at a special event held on public streets, alleys, roads, sidewalks or highways when a temporary permit has been issued pursuant to K.S.A. 41-2645, and amendments thereto, for such special event. Such special event must be approved, by ordinance or resolution, by the local governing body of any city, county or township where such special event is being held. No alcoholic liquor may be consumed inside vehicles while on public streets, alleys, roads or highways at any such special event.

(3) No person shall remove any alcoholic liquor from inside the boundaries of a

special event as designated by the governing body of any city, county or township. The boundaries of such special event shall be clearly marked by signs, a posted map or other means which reasonably identify the area in which alcoholic liquor may be possessed or consumed at such special event.

(4) No person shall possess or consume alcoholic liquor inside the premises licensed as a special event that was not sold or provided by the licensee holding the temporary permit for such special event.

(b) No person shall drink or consume alcoholic liquor on private property except:

(1) On premises where the sale of liquor by the individual drink is authorized by the club and drinking establishment act;

(2) upon private property by a person occupying such property as an owner or lessee of an owner and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(3) in a lodging room of any hotel, motel or boarding house by the person occupying such room and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(4) in a private dining room of a hotel, motel or restaurant, if the dining room is rented or made available on a special occasion to an individual or organization for a private party and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place; or

(5) on the premises of a manufacturer, microbrewery, microdistillery or farm winery, if authorized by K.S.A. 41-305, 41-308a ~~or~~ 41-308b or section 2, and amendments thereto.

(c) No person shall drink or consume alcoholic liquor on public property except:

(1) On real property leased by a city to others under the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, if such real property is actually being used for hotel or motel purposes or purposes incidental thereto.

(2) In any state-owned or operated building or structure, and on the surrounding premises, which is furnished to and occupied by any state officer or employee as a residence.

(3) On premises licensed as a club or drinking establishment and located on property owned or operated by an airport authority created pursuant to chapter 27 of the Kansas Statutes Annotated, and amendments thereto, or established by a city.

(4) On the state fair grounds on the day of any race held thereon pursuant to the Kansas parimutuel racing act.

(5) On the state fairgrounds, if: (A) The alcoholic liquor is domestic beer or wine or wine imported under subsection (e) of K.S.A. 41-308a, and amendments thereto, and is consumed only for purposes of judging competitions; (B) the alcoholic liquor is wine or beer and is sold and consumed during the days of the Kansas state fair on premises leased by the state fair board to a person who holds a temporary permit issued pursuant to K.S.A. 41-2645, and amendments thereto, authorizing the sale and serving of such wine or beer, or both; or (C) the alcoholic liquor is consumed on nonfair days in conjunction with *bona fide* scheduled events involving not less than 75 invited guests

and the state fair board, in its discretion, authorizes the consumption of the alcoholic liquor, subject to any conditions or restrictions the board may require.

(6) In the state historical museum provided for by K.S.A. 76-2036, and amendments thereto, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(7) On the premises of any state-owned historic site under the jurisdiction and supervision of the state historical society, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(8) In a lake resort within the meaning of K.S.A. 32-867, and amendments thereto, on state-owned or leased property.

(9) In the Hiram Price Dillon house or on its surrounding premises, subject to limitations established in policies adopted by the legislative coordinating council, as provided by K.S.A. 75-3682, and amendments thereto.

(10) On the premises of any Kansas national guard regional training center or armory, and any building on such premises, as authorized by rules and regulations of the adjutant general and upon approval of the Kansas military board.

(11) On property exempted from this subsection (c) pursuant to subsection (d), (e), (f), (g) or (h).

(d) Any city may exempt, by ordinance, from the provisions of subsection (c) specified property the title of which is vested in such city.

(e) The board of county commissioners of any county may exempt, by resolution, from the provisions of subsection (c) specified property the title of which is vested in such county.

(f) The state board of regents may exempt from the provisions of subsection (c) the Sternberg museum on the campus of Fort Hays state university, or other specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(g) The board of regents of Washburn university may exempt from the provisions of subsection (c) the Mulvane art center and the Bradbury Thompson alumni center on the campus of Washburn university, and other specified property the title of which is vested in such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(h) The board of trustees of a community college may exempt from the provisions of subsection (c) specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(i) Violation of any provision of this section is a misdemeanor punishable by a fine of not less than \$50 or more than \$200 or by imprisonment for not more than six months, or both.

(j) For the purposes of this section, "special event" means a picnic, bazaar, festival or other similar community gathering, which has been approved by the local governing body of any city, county or township.

Sec. 29. From and after January 1, 2013, K.S.A. 2011 Supp. 41-719, as amended by section 28 of this act, is hereby amended to read as follows: 41-719. (a) (1) Except as otherwise provided herein and in K.S.A. 8-1599, and amendments thereto, no person

shall drink or consume alcoholic liquor on the public streets, alleys, roads or highways or inside vehicles while on the public streets, alleys, roads or highways.

(2) Alcoholic liquor may be consumed at a special event held on public streets, alleys, roads, sidewalks or highways when a temporary permit has been issued pursuant to K.S.A 41-2645, and amendments thereto, for such special event. Such special event must be approved, by ordinance or resolution, by the local governing body of any city, county or township where such special event is being held. No alcoholic liquor may be consumed inside vehicles while on public streets, alleys, roads or highways at any such special event.

(3) No person shall remove any alcoholic liquor from inside the boundaries of a special event as designated by the governing body of any city, county or township. The boundaries of such special event shall be clearly marked by signs, a posted map or other means which reasonably identify the area in which alcoholic liquor may be possessed or consumed at such special event.

(4) No person shall possess or consume alcoholic liquor inside the premises licensed as a special event that was not sold or provided by the licensee holding the temporary permit for such special event.

(b) No person shall drink or consume alcoholic liquor on private property except:

(1) On premises where the sale of liquor by the individual drink is authorized by the club and drinking establishment act;

(2) upon private property by a person occupying such property as an owner or lessee of an owner and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(3) in a lodging room of any hotel, motel or boarding house by the person occupying such room and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(4) in a private dining room of a hotel, motel or restaurant, if the dining room is rented or made available on a special occasion to an individual or organization for a private party and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place; or

(5) on the premises of a manufacturer, microbrewery, microdistillery or farm winery, if authorized by K.S.A. 41-305, 41-308a, 41-308b or section 2, and amendments thereto.

(c) No person shall drink or consume alcoholic liquor on public property except:

(1) On real property leased by a city to others under the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, if such real property is actually being used for hotel or motel purposes or purposes incidental thereto.

(2) In any state-owned or operated building or structure, and on the surrounding premises, which is furnished to and occupied by any state officer or employee as a residence.

(3) On premises licensed as a club or drinking establishment and located on property owned or operated by an airport authority created pursuant to chapter 27 of the Kansas Statutes Annotated, and amendments thereto, or established by a city.

(4) On the state fair grounds on the day of any race held thereon pursuant to the Kansas parimutuel racing act.

(5) On the state fairgrounds, if: (A) The alcoholic liquor is domestic beer or wine or wine imported under subsection (e) of K.S.A. 41-308a, and amendments thereto, and is consumed only for purposes of judging competitions; (B) the alcoholic liquor is wine or beer and is sold and consumed during the days of the Kansas state fair on premises leased by the state fair board to a person who holds a temporary permit issued pursuant to K.S.A. 41-2645, and amendments thereto, authorizing the sale and serving of such wine or beer, or both; or (C) the alcoholic liquor is consumed on nonfair days in conjunction with *bona fide* scheduled events involving not less than 75 invited guests and the state fair board, in its discretion, authorizes the consumption of the alcoholic liquor, subject to any conditions or restrictions the board may require.

(6) In the state historical museum provided for by K.S.A. 76-2036, and amendments thereto, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(7) On the premises of any state-owned historic site under the jurisdiction and supervision of the state historical society, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(8) In a lake resort within the meaning of K.S.A. 32-867, and amendments thereto, on state-owned or leased property.

(9) In the Hiram Price Dillon house or on its surrounding premises, subject to limitations established in policies adopted by the legislative coordinating council, as provided by K.S.A. 75-3682, and amendments thereto.

(10) On the premises of any Kansas national guard regional training center or armory, and any building on such premises, as authorized by rules and regulations of the adjutant general and upon approval of the Kansas military board.

(11) On the premises of any land or waters owned or managed by the department of wildlife, parks and tourism, except as otherwise prohibited by rules and regulations of the department adopted by the secretary pursuant to K.S.A. 32-805, and amendments thereto.

(12) On property exempted from this subsection (c) pursuant to subsection (d), (e), (f), (g) or (h).

(d) Any city may exempt, by ordinance, from the provisions of subsection (c) specified property the title of which is vested in such city.

(e) The board of county commissioners of any county may exempt, by resolution, from the provisions of subsection (c) specified property the title of which is vested in such county.

(f) The state board of regents may exempt from the provisions of subsection (c) the Sternberg museum on the campus of Fort Hays state university, or other specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(g) The board of regents of Washburn university may exempt from the provisions of subsection (c) the Mulvane art center and the Bradbury Thompson alumni center on the campus of Washburn university, and other specified property the title of which is vested in such board and which is not used for classroom instruction, where alcoholic

liquor may be consumed in accordance with policies adopted by such board.

(h) The board of trustees of a community college may exempt from the provisions of subsection (c) specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(i) Violation of any provision of this section is a misdemeanor punishable by a fine of not less than \$50 or more than \$200 or by imprisonment for not more than six months, or both.

(j) For the purposes of this section, "special event" means a picnic, bazaar, festival or other similar community gathering, which has been approved by the local governing body of any city, county or township.

Sec. 30. From and after July 1, 2012, K.S.A. 41-803 is hereby amended to read as follows: 41-803. (a) It shall be unlawful for any person to own, maintain, operate or conduct, either directly or indirectly, an open saloon.

(b) As used in this section, "open saloon" means any place, public or private, where alcoholic liquor is sold or offered or kept for sale by the drink or in any quantity of less than 100 milliliters (3.4 fluid ounces) or sold or offered or kept for sale for consumption on the premises where sold, but does not include any premises where the sale of liquor is authorized by the club and drinking establishment act or, on and after January 1, 1988, any manufacturer, microbrewery, microdistillery or farm winery, if authorized by K.S.A. ~~41-305, 41-308a or K.S.A., 41-308b~~ or section 2, and amendments thereto.

(c) Any violation of the provisions of this section is a misdemeanor punishable by a fine of not more than \$500 and by imprisonment for not more than 90 days.

Sec. 31. From and after July 1, 2012, K.S.A. 41-901 is hereby amended to read as follows: 41-901. (a) No person shall manufacture, import for distribution as a distributor at wholesale or distribute or sell alcoholic liquor or cereal malt beverage at any place within the state without having first obtained a valid license therefor under the provisions of this act or under K.S.A. 41-2702, and amendments thereto. No person shall obtain a license to carry on the business authorized by the license as agent for another, obtain a license by fraud or make any false statement or otherwise violate any of the provisions of this act in obtaining any license hereunder. No person having obtained a license hereunder shall violate any of the provisions of this act with respect to the manufacture, possession, distribution or sale of alcoholic liquor or cereal malt beverage; or with respect to the maintenance of the licensed premises.

(b) Violation of subsection (a) shall be punishable as follows, except where other penalties are specifically provided by law:

- (1) For a first offense, by a fine of not more than \$500; and
- (2) for a second or subsequent offense, by a fine of not more than \$1,000 or by imprisonment for not more than six months, or both.

(c) Each day any person engages in business as a manufacturer, distributor, microbrewery, microdistillery, farm winery or retailer in violation of the provisions of this act shall constitute a separate offense.

(d) Any license obtained to carry on the business as agent for another or any license obtained by fraud or by false statements shall be revoked by the director. When a license has been revoked for obtaining a license to carry on the business authorized by the license as agent for another, or obtained a license by fraud or by any false statement, all alcoholic liquor in the possession of the person who procured the license shall be

forfeited and sold and the proceeds of the sale shall be paid to the county treasurer of the county where the alcoholic liquor was located. During the pendency of any appeal from any order revoking a license, the director may obtain an order from the district court of the county where the alcoholic liquor is located, restraining the sale or disposal of the alcoholic liquor. When an order revoking any license is issued by the director, the director shall forthwith forward by registered mail a certified copy of the order revoking the license under the seal of the director to the county attorney of the county where the alcoholic liquor is located.

Within 15 days after the order of revocation becomes final, the county attorney shall institute, against the person who procured the license, a civil action under the code of civil procedure in the district court of the county in the name of the state of Kansas on the relation of the county attorney to forfeit all alcoholic liquor. Summons shall be served as provided by the code of civil procedure upon the person who procured the license. Upon the return day of the summons issued or as soon after as convenient to the court, an order shall be entered by the court forfeiting the alcoholic liquor to the state of Kansas and ordering it to be sold by the sheriff of the county in which the forfeiture occurred. The order shall fix the time and place of sale and the method and manner in which the sale shall be held, together with notice of the sale as the court directs. After payment of all costs of the action, including a reasonable fee for the county attorney, the balance remaining shall be paid to the state treasurer pursuant to K.S.A. 20-2801, and amendments thereto.

Sec. 32. From and after July 1, 2012, K.S.A. 41-1101 is hereby amended to read as follows: 41-1101. (a) No distributor licensed under this act shall purchase any alcoholic liquor from any manufacturer, owner of alcoholic liquor at the time it becomes a marketable product, exclusive agent of such manufacturer or owner, microbrewery, microdistillery, farm winery or distributor of alcoholic liquor bottled in a foreign country either within or without this state, unless the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor files with the director a written statement sworn to by the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor or, in case of a corporation, one of its principal officers, agreeing to sell any of the brands or kinds of alcoholic liquor manufactured or distributed by the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor to any distributor licensed in this state and having a franchise to distribute the alcoholic liquor pursuant to K.S.A. 41-410, and amendments thereto, and to make such sales to all such licensed distributors in this state at the same current price and without discrimination. Each manufacturer, owner, exclusive agent, microbrewery, microdistillery or farm winery shall provide to each distributor written notice not less than 45 days before any change in the current price of any spirits or wine which such manufacturer, owner, exclusive agent, microbrewery, microdistillery or farm winery sells to such distributor. If any manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor making the agreement violates the agreement by refusing to sell such alcoholic liquor to any such franchised licensed distributor in this state or discriminates in current prices among such franchised licensed distributors making or attempting to make purchases of alcoholic liquor from the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor, the director shall notify, by registered mail, each such franchised licensed distributor in this state of the violation. Thereupon, it

shall be unlawful for a franchised licensed distributor in this state to purchase any alcoholic liquor from the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor. If thereafter such a franchised licensed distributor purchases any alcoholic liquor from the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor, such franchised distributor's license shall be revoked by the director. If any manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor of alcoholic liquor bottled in a foreign country, making any agreement hereunder, does not have a sufficient supply of alcoholic liquor of any of the brands or kinds which the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor manufactures or distributes to supply the demands of all licensed distributors having a franchise to distribute such alcoholic liquor, the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor may ration such alcoholic liquor and apportion the available supply among such franchised licensed distributors purchasing or attempting to purchase it, in accordance with a plan which shall be subject to the approval of the director.

(b) No retailer licensed under this act shall purchase any alcoholic liquor from any distributor licensed under this act unless the distributor files with the director a written statement sworn to by the distributor, or in case of a corporation by one of its principal officers, agreeing to sell any of the brands or kinds of alcoholic liquor distributed by the distributor and to provide service in connection therewith to any licensed retailer whose licensed premises are located within the geographic territory of the distributor's franchise for the alcoholic liquor, unless written approval to do otherwise is obtained from the director, and to make such sales to all such licensed retailers at the same current bottle, sleeve and case price and without discrimination. For purposes of this subsection the "same current bottle, sleeve and case price" for spirits and wine means a price effective for a specified period as designated by the distributor on or before the first day of each month. If any distributor making the agreement violates the agreement by refusing to sell or provide service to any such licensed retailer in this state without written approval of the director or discriminates in current prices among such licensed retailers making or attempting to make purchases of alcoholic liquor from the distributor, the director may revoke the license of the distributor. If any licensed distributor making any agreement hereunder does not have a sufficient supply of alcoholic liquor of any of the brands or kinds which the distributor distributes to supply the demands of all such licensed retailers, the distributor may ration such alcoholic liquor and apportion the available supply among such licensed retailers purchasing or attempting to purchase the same, in accordance with a plan which shall be subject to the approval of the director.

(c) No club or drinking establishment licensed in this state shall purchase any wine or beer from any distributor licensed under this act unless the distributor files with the director a written statement sworn to by the distributor, or in case of a corporation by one of its principal officers, agreeing to sell any of the brands or kinds of wine or beer distributed by the distributor to those clubs and drinking establishments to which the distributor is authorized to sell such wine or beer and to which the distributor desires to sell such wine or beer, unless written approval to do otherwise is obtained from the director and to make such sales to all such licensed clubs or drinking establishments at the same current bottle and case price and without discrimination. If any distributor

making the agreement violates the agreement by refusing to sell to any such licensed club or drinking establishment in this state without written approval of the director or discriminates in current prices among such licensed clubs or drinking establishments making or attempting to make purchases of wine or beer from the distributor, the director may revoke the license of the distributor. If any licensed distributor making any agreement hereunder does not have a sufficient supply of wine or beer of any of the brands or kinds which the distributor distributes to supply the demands of all such licensed clubs or drinking establishments, the distributor may ration such wine or beer and apportion the available supply among such licensed clubs or drinking establishments purchasing or attempting to purchase the same, in accordance with a plan which shall be subject to the approval of the director.

For the purposes of this subsection, a delivery charge shall not be considered a part of the price of wine or beer sold by a distributor.

(d) No retailer licensed under K.S.A. 41-2701 *et seq.*, and amendments thereto, shall purchase any cereal malt beverage from any distributor licensed under this act unless the distributor files with the director a written statement sworn to by the distributor, or in case of a corporation by one of its principal officers, agreeing to sell any of the brands or kinds of cereal malt beverage distributed by the distributor to those retailers to which the distributor is authorized to sell such cereal malt beverage, unless written approval to do otherwise is obtained from the director, and to make such sales to all such licensed retailers at the same current price and without discrimination. If any distributor making the agreement violates the agreement by refusing to sell to any such licensed retailer in this state without written approval of the director or discriminates in current prices among such licensed retailers making or attempting to make purchases of cereal malt beverage from the distributor, the director may revoke the license of the distributor. If any licensed distributor making any agreement hereunder does not have a sufficient supply of cereal malt beverage of any of the brands or kinds which the distributor distributes to supply the demands of all such licensed retailers, the distributor may ration such cereal malt beverage and apportion the available supply among such licensed retailers purchasing or attempting to purchase the same, in accordance with a plan which shall be subject to the approval of the director.

(e) No distributor shall sell alcoholic liquor or cereal malt beverage to a retailer licensed under the Kansas liquor control act, to a club, drinking establishment or caterer licensed under the club and drinking establishment act or to a retailer licensed under K.S.A. 41-2702, and amendments thereto, at a discount for multiple case lots.;

Also on page 27, in line 33, before "K.S.A." by inserting "From and after July 1, 2012,,";

On page 29, in line 42, before "K.S.A." by inserting "From and after July 1, 2012,,";

On page 30, by striking all in lines 8 through 37; in line 38, before "K.S.A." by inserting "From and after July 1, 2012,,";

On page 31, in line 1, before "K.S.A." by inserting "From and after July 1, 2012,,"; in line 17, before "K.S.A." by inserting "From and after July 1, 2012,,"; in line 30, before "K.S.A." by inserting "From and after July 1, 2012,,";

On page 32, in line 38, by striking "less"; in line 39, by striking "than \$200"; and inserting "more than \$1,000";

On page 33, following line 13, by inserting:

"Sec. 39. From and after July 1, 2012, K.S.A. 2011 Supp. 41-2623 is hereby

amended to read as follows: 41-2623. (a) No license shall be issued under the provisions of this act to:

(1) Any person described in subsection (a)(1), (2), (4), (5), (6), (7), (8), (9), (12) or (13) of K.S.A. 41-311, and amendments thereto, except that the provisions of subsection (a)(7) of such section shall not apply to nor prohibit the issuance of a license for a class A club to an officer of a post home of a congressionally chartered service or fraternal organization, or a benevolent association or society thereof.

(2) A person who has had the person's license revoked for cause under the provisions of this act.

(3) A person who has not been a resident of this state for a period of at least one year immediately preceding the date of application.

(4) A person who has a beneficial interest in the manufacture, preparation or wholesaling or the retail sale of alcoholic liquors or a beneficial interest in any other club, drinking establishment or caterer licensed hereunder, except that:

(A) A license for premises located in a hotel may be granted to a person who has a beneficial interest in one or more other clubs or drinking establishments licensed hereunder if such other clubs or establishments are located in hotels.

(B) A license for a club or drinking establishment which is a restaurant may be issued to a person who has a beneficial interest in other clubs or drinking establishments which are restaurants.

(C) A caterer's license may be issued to a person who has a beneficial interest in a club or drinking establishment and a license for a club or drinking establishment may be issued to a person who has a beneficial interest in a caterer.

(D) A license for a class A club may be granted to an organization of which an officer, director or board member is a distributor or retailer licensed under the liquor control act if such distributor or retailer sells no alcoholic liquor to such club.

(E) Any person who has a beneficial interest in a microbrewery, microdistillery or farm winery licensed pursuant to the Kansas liquor control act may be issued any or all of the following: (1) Class B club license; (2) drinking establishment license; and (3) caterer's license.

(5) A copartnership, unless all of the copartners are qualified to obtain a license.

(6) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation would be ineligible to receive a license hereunder for any reason other than citizenship and residence requirements.

(7) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation, has been an officer, manager or director, or a stockholder owning in the aggregate more than 5% of the common or preferred stock, of a corporation which:

(A) Has had a license revoked under the provisions of the club and drinking establishment act; or

(B) has been convicted of a violation of the club and drinking establishment act or the cereal malt beverage laws of this state.

(8) A corporation organized under the laws of any state other than this state.

(9) A trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) of K.S.A. 41-311, and amendments thereto, shall not apply in determining whether a

beneficiary would be eligible for a license.

(b) No club or drinking establishment license shall be issued under the provisions of the club and drinking establishment act to:

(1) A person who does not own the premises for which a license is sought, or does not, at the time the application is submitted, have a written lease thereon, except that an applicant seeking a license for a premises which is owned by a city or county, or is a stadium, arena, convention center, theater, museum, amphitheater or other similar premises may submit an executed agreement to provide alcoholic beverage services at the premises listed in the application in lieu of a lease.

(2) A person who is not a resident of the county in which the premises sought to be licensed are located.";

Also on page 33, in line 14, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 34, in line 20, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 35, in line 42, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 38, in line 11, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 39, following line 8, by inserting:

"Sec. 44. From and after July 1, 2012, K.S.A. 2011 Supp. 75-5133 is hereby amended to read as follows: 75-5133. (a) Except as otherwise more specifically provided by law, all information received by the secretary of revenue, the director of taxation or the director of alcoholic beverage control from returns, reports, license applications or registration documents made or filed under the provisions of any law imposing any sales, use or other excise tax administered by the secretary of revenue, the director of taxation, or the director of alcoholic beverage control, or from any investigation conducted under such provisions, shall be confidential, and it shall be unlawful for any officer or employee of the department of revenue to divulge any such information except in accordance with other provisions of law respecting the enforcement and collection of such tax, in accordance with proper judicial order or as provided in K.S.A. 74-2424, and amendments thereto.

(b) The secretary of revenue or the secretary's designee may:

(1) Publish statistics, so classified as to prevent identification of particular reports or returns and the items thereof;

(2) allow the inspection of returns by the attorney general or the attorney general's designee;

(3) provide the post auditor access to all such excise tax reports or returns in accordance with and subject to the provisions of subsection (g) of K.S.A. 46-1106, and amendments thereto;

(4) disclose taxpayer information from excise tax returns to persons or entities contracting with the secretary of revenue where the secretary has determined disclosure of such information is essential for completion of the contract and has taken appropriate steps to preserve confidentiality;

(5) provide information from returns and reports filed under article 42 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, to county appraisers as is necessary to insure proper valuations of property. Information from such returns and reports may also be exchanged with any other state agency administering and collecting conservation or other taxes and fees imposed on or measured by mineral production;

(6) provide, upon request by a city or county clerk or treasurer or finance officer of any city or county receiving distributions from a local excise tax, monthly reports identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted by each retailer during the preceding month, and identifying each business location maintained by the retailer and such retailer's sales or use tax registration or account number;

(7) provide information from returns and applications for registration filed pursuant to K.S.A. 12-187, and amendments thereto, and K.S.A. 79-3601, and amendments thereto, to a city or county treasurer or clerk or finance officer to explain the basis of statistics contained in reports provided by subsection (b)(6);

(8) disclose the following oil and gas production statistics received by the department of revenue in accordance with K.S.A. 79-4216 *et seq.*, and amendments thereto: Volumes of production by well name, well number, operator's name and identification number assigned by the state corporation commission, lease name, leasehold property description, county of production or zone of production, name of purchaser and purchaser's tax identification number assigned by the department of revenue, name of transporter, field code number or lease code, tax period, exempt production volumes by well name or lease, or any combination of this information;

(9) release or publish liquor brand registration information provided by suppliers, farm wineries, microdistilleries and microbreweries in accordance with the liquor control act. The information to be released is limited to: Item number, universal numeric code, type status, product description, alcohol percentage, selling units, unit size, unit of measurement, supplier number, supplier name, distributor number and distributor name;

(10) release or publish liquor license information provided by liquor licensees, distributors, suppliers, farm wineries, microdistilleries and microbreweries in accordance with the liquor control act. The information to be released is limited to: County name, owner, business name, address, license type, license number, license expiration date and the process agent contact information;

(11) release or publish cigarette and tobacco license information obtained from cigarette and tobacco licensees in accordance with the Kansas cigarette and tobacco products act. The information to be released is limited to: County name, owner, business name, address, license type and license number;

(12) provide environmental surcharge or solvent fee, or both, information from returns and applications for registration filed pursuant to K.S.A. 65-34,150 and 65-34,151, and amendments thereto, to the secretary of health and environment or the secretary's designee for the sole purpose of ensuring that retailers collect the environmental surcharge tax or solvent fee, or both;

(13) provide water protection fee information from returns and applications for registration filed pursuant to K.S.A. 82a-954, and amendments thereto, to the secretary of the state board of agriculture or the secretary's designee and the secretary of the Kansas water office or the secretary's designee for the sole purpose of verifying revenues deposited to the state water plan fund;

(14) provide to the secretary of commerce copies of applications for project exemption certificates sought by any taxpayer under the enterprise zone sales tax exemption pursuant to subsection (cc) of K.S.A. 79-3606, and amendments thereto;

(15) disclose information received pursuant to the Kansas cigarette and tobacco act and subject to the confidentiality provisions of this act to any criminal justice agency, as defined in subsection (c) of K.S.A. 22-4701, and amendments thereto, or to any law enforcement officer, as defined in K.S.A. 2011 Supp. 21-5111, and amendments thereto, on behalf of a criminal justice agency, when requested in writing in conjunction with a pending investigation;

(16) provide to retailers tax exemption information for the sole purpose of verifying the authenticity of tax exemption numbers issued by the department; and

(17) provide information concerning remittance by sellers, as defined in K.S.A. 2011 Supp. 12-5363, and amendments thereto, of prepaid wireless 911 fees from returns to the local collection point administrator, as defined in K.S.A. 2011 Supp. 12-5363, and amendments thereto, for purposes of verifying seller compliance with collection and remittance of such fees.

(c) Any person receiving any information under the provisions of subsection (b) shall be subject to the confidentiality provisions of subsection (a) and to the penalty provisions of subsection (d).

(d) Any violation of this section shall be a class A, nonperson misdemeanor, and if the offender is an officer or employee of this state, such officer or employee shall be dismissed from office. Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute any violation of this section if the offender is a city or county clerk or treasurer or finance officer of a city or county.";

Also on page 39, in line 9, before "K.S.A." by inserting "From and after July 1, 2012,"; in line 13, after "retailers" by inserting ", microbreweries, microdistilleries"; in line 19, after "microbreweries" by inserting ", microdistilleries"; in line 23, after "microbreweries" by inserting ", microdistilleries"; in line 25, before "K.S.A." by inserting "From and after July 1, 2012,"; in line 27, after "microbrewery" by inserting ", microdistillery"; in line 30, after the comma by inserting "microdistillery,"; in line 34, before "K.S.A." by inserting "From and after July 1, 2012,"; in line 37, after the comma by inserting "every microdistillery selling spirits to consumers,";

On page 40, following line 7, by inserting:

"Sec. 48. From and after July 1, 2012, K.S.A. 79-4104 is hereby amended to read as follows: 79-4104. Whenever the director of alcoholic beverage control issues a retailer's, distributor's, microbrewery, microdistillery or farm winery license, the director of alcoholic beverage control shall promptly notify the director of taxation of its issuance. The notice shall include the name of the licensee and, in the case of a retailer, microbrewery, microdistillery or farm winery, the address of the licensed premises. Whenever the director of alcoholic beverage control revokes or suspends any retailer's, distributor's, microbrewery, microdistillery or farm winery license expires, the director of alcoholic beverage control shall likewise notify the director of taxation.";

Also on page 40, in line 8, before "K.S.A." by inserting "From and after July 1, 2012,"; in line 22, before "K.S.A." by inserting "From and after July 1, 2012,"; in line 39, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 42, in line 31, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 45, in line 36, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 46, in line 7, before "K.S.A." by inserting "From and after July 1, 2012,"; in line 29, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 47, in line 3, after "41-719" by inserting ", as amended by section 28 of this act,"; by striking all in lines 4 through 11 and inserting the following:

"Sec. 57. From and after July 1, 2012, K.S.A. 41-304, 41-306, 41-306a, 41-307, 41-308, 41-316, 41-320, 41-333, 41-334, 41-335, 41-336, 41-337, 41-338, 41-339, 41-340, 41-341, 41-601, 41-602, 41-701, 41-717, 41-718, 41-803, 41-901, 41-1101, 41-2608, 41-2612, 41-2613, 41-2614, 41-2640, 41-2722, 79-4101, 79-4102, 79-4103, 79-4104, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08 and K.S.A. 2011 Supp. 41-102, 41-305, 41-308a, as amended by section 11 of this act, 41-310, 41-311, 41-313, 41-317, 41-319, 41-501, 41-710, 41-714, 41-719, 41-2601, 41-2622, 41-2623, 41-2629, 41-2645, 75-5133 and 79-41a03 are hereby repealed.

Sec. 58. K.S.A. 2011 Supp. 41-308a is hereby repealed.";

And by renumbering sections accordingly;

Also on page 47, in line 13, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking all after "amending"; by striking all in lines 2 through 7; in line 8, by striking and 79-41a03" and inserting "K.S.A. 41-304, 41-306, 41-306a, 41-307, 41-308, 41-316, 41-320, 41-601, 41-602, 41-701, 41-717, 41-718, 41-803, 41-901, 41-1101, 41-2608, 41-2612, 41-2613, 41-2614, 41-2640, 41-2722, 79-4101, 79-4102, 79-4103, 79-4104, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08 and K.S.A. 2011 Supp. 41-102, 41-305, 41-308a, 41-308a, as amended by section 11 of this act, 41-310, 41-311, 41-313, 41-317, 41-319, 41-501, 41-710, 41-714, 41-719, 41-719, as amended by section 28 of this act, 41-2601, 41-2622, 41-2623, 41-2629, 41-2645, 75-5133 and 79-41a03";

And your committee on conference recommends the adoption of this report.

PETE BRUNGARDT

ROGER REITZ

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

STEVEN R. BRUNK

JOE PATTON

JUDITH LOGANBILL

Conferees on part of House

Senator Brungardt moved the Senate adopt the Conference Committee Report on **Sub HB 2689**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

REPORT ON ENGROSSED BILLS

H Sub for SB 129 reported correctly engrossed May 9, 2012.

REPORT ON ENROLLED BILLS

SR 1872, SR 1873, SR 1874, SR 1875 reported correctly enrolled and properly signed on May 9, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **HB 2650**, as amended by House Committee of the Whole, be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2650," as follows:

"SENATE Substitute for HOUSE BILL No. 2650

By Committee on Ways and Means"

"AN ACT concerning geographic information, systems and services; establishing the Kansas geographic information systems policy board and the office of state geographic information systems officer."; and the substitute bill be passed.

On motion of Senator Emler, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

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

CHANGE OF REFERENCE

The President withdrew **Sub HB 2069, HB 2087, HB 2396** from the Committee on **Judiciary**, and referred the bills to the Committee on **Reapportionment**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2792, HB 2793**.

Announcing passage of **SB 356**.

Also, passage of **SB 313, as amended by House Substitute for SB 313; SB 314**, as amended.

The House concurs in Senate amendments to **Senate Substitute for Senate Substitute for HB 2249**.

The House concurs in Senate amendments to **HB 2562**, and requests return of the bill.

The House adopts the Conference Committee report on **H Sub SB 79**.

The House concurs on **S Sub for HB 2117**.

ORIGINAL MOTION

Pursuant to Senate Rule 75, President Morris determined **SB 313**, as amended by the House to be materially changed.

President Morris referred the bill to the Committee on **Federal and State Affairs**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2792, HB 2793 were thereupon introduced and read by title.

ORIGINAL MOTIONS

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **S Sub for HB 2117**.

CONFERENCE COMMITTEE REPORT

Senator Donovan opened discussion on the conference committee report on **S Sub for HB 2117**.

Senator Vratil called for point of order.

Pursuant to Rule 17, the Chair ruled Senator King out of order.

Senator King challenged the ruling of the chair.

On roll call, the vote was: Yeas 23; Nays 15; Present and Passing 0; Absent or Not Voting 2.

Yeas: Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Bruce, Donovan, Love, Lynn, Marshall, Merrick, Olson, Ostmeier, Pilcher-Cook, Pyle, Steineger, Taddiken, Wagle.

Absent or Not Voting: Masterson, Petersen.

The ruling of the chair was sustained.

Pursuant to Joint Rule 3(b), no further action was taken by the senate.

EXPLANATION OF VOTE

MR. PRESIDENT: The practice of the Kansas Senate has always been to make a motion to adopt a conference committee report after debate on said report has concluded. For the first time I can recall, a Senator was held to be out of order for debating a bill without a motion being made.

I consider this ruling to be an insult against the Senate in general and the Senator in question, specifically. I vote no, because this ruling was wrong and violated the well established rules of the Kansas Senate. – TERRY BRUCE

Senators Abrams, Apple, Donovan, Lynn, Masterson, Merrick, Olson, Pilcher-Cook, Pyle and Wagle request the record to show they concur with the “Explanation of Vote” offered by Senator Bruce on **S Sub for HB 2117**.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote aye to uphold the decision of the chair during the discussion of the conference committee report on **S Sub for HB 2117**.

According to Rule 17 of the *Rules of the Kansas Senate*, which governs all Senate procedures, “a question of order may be raised at any time and when a Senator shall be called to order the Senator shall stop speaking until the presiding officer has determined whether the Senator was in order. Every question of order shall be decided by the presiding officer, subject to an appeal to the Senate by any member.”

No motion had been made to adopt the conference committee report, and debate requires an order of business.

For this reason, I felt it was appropriate and timely for the presiding officer to call the Senator from Montgomery out of order. To ensure decorum and fairness, we must adhere to the rules that govern our body. – MARCI FRANCISCO

Senators Faust-Goudeau, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Owens, Reitz, A. Schmidt, Schodorf, Teichman and Vratil request the record to show they concur with the “Explanation of Vote” offered by Senator Francisco on **S Sub for HB 2117**.

EXPLANATION OF VOTE

MR. PRESIDENT: There's an old saying about rules and that they are made to be broken. Today I witnessed this as we debated in the Kansas Senate. Breaking rules can be about manipulation, about moving an agenda, stopping an opponent or simply getting what you want. Today the tradition of decorum in the Kansas Senate has been stained with an unprecedented motion by the Chair to violate rule 15 and shut down debate. This action closed the people's ears to the opportunity to learn about the biggest tax cut in our history. Our constituents deserve better. What happened today in this hallowed chamber is a permanent scar on the sanctity of the Kansas Senate. – JULIA LYNN

Senator Merrick requests the record to show he concurs with the “Explanation of Vote” offered by Senator Lynn on **S Sub for HB 2117**.

EXPLANATION OF VOTE

MR. PRESIDENT: I was looking forward to a debate on tax cuts – income, sales and property tax cuts – that would help every resident in Kansas. But this motion has shut us down. Since 2001, the Kansas Legislature has increased taxes time and time again. We kept digging a hole that the Legislature would then insist on more tax increases. Kansas has the highest income tax rate in the region. This bill would have changed that. This bill would have given us a new start to grow businesses, produce jobs, help individuals, including senior citizens to live in their homes. This is a great disappointment. The Senate leadership has purposefully interrupted normal procedures and shut down debate on the Senate floor for no credible reason. – MARY PILCHER-COOK

EXPLANATION OF VOTE

MR. PRESIDENT: I vote no on the ruling of the President cutting off debate on the Conference Committee Report on **S Sub for HB 2117**.

The President cited Senate rule 17 in his determination to stop the Senator from Montgomery in the explanation of the conference report.

However, the President ignored Senate rule 15 which states no senator shall be interrupted except for a question. Since no question was asked it was improper to interrupt the Senator from Montgomery. – MARK TADDIKEN

Senators Abrams, Apple, Bruce, Love, Lynn, Marshall, Merrick, Olson and Ostmeyer request the record to show they concur with the "Explanation of Vote" offered by Senator Taddiken on **S Sub for HB 2117**.

EXPLANATION OF VOTE

MR. PRESIDENT: I have served the people of Kansas as an elected official for 22 years. I am proud of the fact that during my tenure the legislature has been governed by elected leaders who believe it is the right of every citizen to be heard. More important, they believe the legislative process should be an open process where debate is unlimited. The leaders I have served with have chosen to allow a thorough vetting of every issue. Each chamber has adopted rules of order based on either Mason's or Robert's Rules of Order to maintain decorum and fairness.

Today, debate was interrupted and shut down on one of the most important pro-growth tax packages we have ever considered. The Senate Rules by which we operate were violated. Elected State Senators were forced into silence.

This is a sad day for Kansas and for the legislative process. – SUSAN WAGLE

Senators Lynn and Merrick request the record to show they concur with the "Explanation of Vote" offered by Senator Wagle on **S Sub for HB 2117**.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** begs leave to submit the following report:

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

By the Governor:

Member, Kansas Bioscience Authority: K.S.A. 74-99b04

Dale A. Rodman, to fill a term expiring on March 15, 2016

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Thursday, May 10, 2012.

Journal of the Senate

SIXTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, May 10, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-eight senators present.
Senators Steineger and Wagle were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

When things are looking dreary
And the light is hard to see,
While others turn to deep despair,
Help me turn to Thee.

When everything I undertake
Is a catastrophe,
When others drain the bottle
Help me turn to Thee.

When people I had trusted
Turned their backs on me,
Don't let me turn to bitterness,
Help me turn to Thee.

When trying to negotiate
And no one can agree,
While others lose their temper,
Help me turn to Thee.

When I'm trying to solve a problem
And I cannot find the key,
Keep me from frustration,
Help me turn to Thee.

When the walls are closing in
And I'm struggling to get free,
While others push the panic button,
Help me turn to Thee.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Financial Institutions and Insurance: **HB 2793**.

Ways and Means: **HB 2768**, **HB 2792**.

MESSAGE FROM THE HOUSE

The House concurs in Senate amendments to **Senate Substitute for HB 2117** and requests return of the bill.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator V. Schmidt introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1878—

A RESOLUTION recognizing the efforts of John and Sara Ratzenberger and the LUNGEvity Foundation for increasing awareness about lung cancer.

WHEREAS, John and Sara Ratzenberger are active members of their Topeka community. In 2010, Sara was diagnosed with stage IV non-small cell lung cancer, when she was only 31 years old. Sara has always lived a very healthy lifestyle as a runner and non-smoker. The cancer diagnosis was made after nearly six months of misdiagnosis and lack of diagnosis during a surgery to remove the lower lobe of her right lung. It became apparent to both John and Sara Ratzenberger that the stigma of lung cancer as strictly a "smoker's disease" prevented proper and timely screening for Sara; and

WHEREAS, John and Sara Ratzenberger have become heavily involved in advocacy for lung cancer patients, and they are fighting to address the stigma of lung cancer as a type of cancer that only afflicts people that smoke; and

WHEREAS, The LUNGEvity Foundation strives to have a meaningful impact on improving lung cancer survival rates, ensure a higher quality of life for lung cancer patients and provide a community for those impacted by lung cancer. The organization was founded in 2001 by seven lung cancer survivors, and tens of thousands of others affected by lung cancer have joined in the years since; and

WHEREAS, The LUNGEvity Foundation is the largest private funder of lung cancer research in the United States and granted \$2 million to outstanding researchers in 2011. The LUNGEvity Foundation works with top lung cancer experts to identify and fund promising and innovative research into the early detection and targeted treatment of lung cancer; and

WHEREAS, Lung cancer is the leading cause of cancer death for both men and women in Kansas, the United States and the world, this year killing more Americans than breast, prostate, colon, liver and kidney cancers combined; and

WHEREAS, In the United States in 2011, an estimated 221,130 people were diagnosed with lung cancer and an estimated 156,940 people died from lung cancer, accounting for 28% of all cancer deaths; and

WHEREAS, While tobacco accounts for 87% of lung cancer deaths, there are 16,000

to 24,000 Americans that die of lung cancer every year even though they were non-smokers; and

WHEREAS, If lung cancer in "never smokers" (defined by researchers as people who have smoked fewer than 100 cigarettes in their lifetime) had its own category separate from lung cancer in smokers, it would rank among the top 10 fatal cancers in the United States. Approximately 55% of all new lung cancer diagnoses are among people who have never smoked or are former smokers; and

WHEREAS, Two-thirds of nonsmokers now battling lung cancer are women, despite the fact that women in the general population smoke less than men and would probably represent the majority of any group of nonsmokers, including those with cancer; and

WHEREAS, Lung cancer in people that have never smoked is an important public health issue, and further exploration of its incidence patterns, etiology, and biology is needed. Increased awareness and coordination among all stakeholders, including federal and state governments, providers, patient groups, medical researchers, community leaders and organizations, the public and businesses, is critical to promote the prevention, diagnosis and treatment of lung cancer; and

WHEREAS, With lung cancer persisting as the leading cause of cancer mortality in the United States, research into the epidemiology of lung cancer in never-smokers should be an important public health priority: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the efforts of John and Sara Ratzenberger and the LUNGeVity Foundation for increasing awareness about lung cancer as a disease that afflicts both smokers and nonsmokers alike, advocating on behalf of lung cancer patients and survivors and taking action to raise awareness about lung cancer nationwide; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator V. Schmidt.

On emergency motion of Senator V. Schmidt **SR 1878** was adopted unanimously.

Senator V. Schmidt introduced and recognized the efforts of John and Sara Ratzenberger and the LUNGeVity Foundation for increasing awareness about lung cancer. Also introduced were: Sara's parents, Ron and Mary Ann Youngers, Todd Thompson, friend, Robin Holthaus, Cotton O'Neil Cancer Center Clinical Manager and friend, Linda Reynolds, friend of Senator V. Schmidt and Chris Masoner, American Cancer Society. The Senate acknowledged the guests with a standing ovation.

On motion of Senator Emler, the Senate recessed until 10:40 a.m..

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

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **Senate Substitute for HB 2313**.

The House adopts the Conference Committee report on **Senate Substitute for HB 2596**.

The House adopts the Conference Committee report on **HB 2757**.

The House concurs in Senate amendments to **HB 2324**.

The House adopts the Conference Committee report on **SB 207**.

The House adopts the Conference Committee report on **SB 300**.

Announcing passage of **SB 17, as amended by House Substitute for SB 17; SB 39, as amended by House Substitute for Substitute SB 39**.

ORIGINAL MOTION

Pursuant to Senate Rule 75, President Morris determined **H Sub for SB 17**, as amended by the House to be materially changed. President Morris referred the bill to the Committee on **Federal and State Affairs**.

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **SB 211**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator V. Schmidt moved the Senate concur in House amendments to **SB 211**.

SB 211, AN ACT concerning pharmacists; relating to dispensing prescriptions; amending K.S.A. 2011 Supp. 65-1637 and repealing the existing section.

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

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil.

Absent or Not Voting: Steineger, Wagle.

The Senate concurred.

On motion of Senator Owens the Senate nonconcurrred in the House amendments to **H Sub for Sub SB 39** and requested a conference committee be appointed.

The President appointed Senators Owens, King and Haley as a conference committee on the part of the Senate.

On motion of Senator Ostmeyer the Senate nonconcurrred in the House amendments to **SB 314** and requested a conference committee be appointed.

The President appointed Senators Ostmeyer, McGinn and Francisco as a conference committee on the part of the Senate.

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **SB 207, SB 300; S Sub for Sub HB 2318**.

CONFERENCE COMMITTEE REPORTS

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 207** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee

amendments, as follows:

On page 1, in line 5, before "Section" by inserting "New"; following line 15, by inserting:

"New Sec. 2. (a) The governing body of any school district the boundaries of which are located entirely within the corporate limits of a city that previously established a recreation system and the governing body of the city within which such school district is located may take joint action to initiate the conversion of the existing recreation system to a city recreation system by adopting a joint ordinance and resolution proposing to change the existing school district recreation system to a city recreation system and authorizing publication of a notice of intent to do so. Such notice of intent shall be published once each week for two consecutive weeks in the official city newspaper, and, if within 30 days after the last publication of the notice a petition is signed by at least 5% of the qualified voters of the city requesting an election upon such question, an election shall be called and held thereon. Such election shall be called and held in the manner provided by the general bond law, and the cost of the election shall be borne equally by the school district and the city. If no protest or no sufficient protest is filed or if an election is held and the proposition carries by a majority of those voting thereon, the governing bodies of the school district and the city, by joint resolution and ordinance, may provide for the conversion of the existing school district recreation system to a city recreation system effective as of the next succeeding July 1 subsequent to the publication of the notice of intent or the date of the election, whichever is later.

(b) The mill levy rate for a recreation commission established under subsection (a) shall not be subject to the one mill levy limitation for a new recreation system established in K.S.A. 12-1927, and amendments thereto.

(c) Any conversion of an existing school district recreation system to a city recreation system under subsection (a) shall provide for the transfer of the assets of the existing school district recreation system to the city recreation system, the assumption of the liabilities of the existing school district recreation system by the city recreation system and thereafter maintain and continue the operations of the city recreation system.

(d) In connection with the conversion of a school district recreation system to a city recreation system under subsection (a), the members of the school district recreation commission shall serve the balance of their respective terms in office as members of the city recreation commission and, upon the expiration thereof, the members of the city recreation commission shall be appointed by the governing body of the city.

Sec. 3. K.S.A. 79-2024 is hereby amended to read as follows: 79-2024. Notwithstanding any other provision of law to the contrary, the county treasurer of every county may accept partial payment of delinquent real property tax or personal property tax in accordance with payment guidelines established therefor by the county treasurer. Nothing in this section shall be construed to modify any consequences of untimely payment.

Sec. 4. K.S.A. 2011 Supp. 12-1750 is hereby amended to read as follows: 12-1750. As used in this act:

- (a) "Structure" means any building, wall or other structure.
- (b) "Enforcing officer" means the building inspector or other officer designated by ordinance and charged with the administration of the provisions of this act.
- (c) "Abandoned property" means;

(1) Any residential real estate for which taxes are delinquent for the preceding two years and which has been unoccupied continuously by persons legally in possession for the preceding 90 days; or

(2) commercial real estate for which the taxes are delinquent for the preceding two years and which has a blighting influence on surrounding properties. "Commercial real estate" means any real estate for which the present use is other than one to four residential units or for agricultural purposes.

(d) "Blighting influence" means conditions in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents of the municipality or which have an adverse impact on properties in the area. Such conditions may include, but are not limited to, the following: Defects increasing the hazards of fire, accident, or other calamities; air pollution; light or sanitary facilities; dilapidation; disrepair; structural defects; uncleanness; dead and dying trees, limbs or other unsightly natural growth or unsightly appearances that constitute a blight to adjoining property, the neighborhood or the city; walls, sidings or exteriors of a quality and appearance not commensurate with the character of the properties in the neighborhood; unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof; vermin infestation; inadequate drainage; or any violation of health, fire, building or zoning regulations.

~~(d)~~(e) "Organization" means any nonprofit corporation organized under the laws of this state and which has among its purposes the improvement of housing.

~~(e)~~(f) "Rehabilitation" means the process of improving the property into compliance with applicable fire, housing and building codes.

~~(f)~~(g) "Parties in interest" means any owner or owners of record, judgment creditor, tax purchaser or other party having any legal or equitable title or interest in the property.

~~(g)~~(h) "Last known address" includes the address where the property is located, or the address as listed in the tax records.

Sec. 5. K.S.A. 79-2024 and 79-2102 and K.S.A. 2011 Supp. 12-1750 are hereby repealed.";

Also on page 1, in line 17, by striking "January 1, 2013, and";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 1 and 2 and inserting:

"AN ACT concerning certain municipalities relating to taxation and other matters; amending K.S.A. 79-2024 and K.S.A. 2011 Supp. 12-1750 and repealing the existing sections; also repealing K.S.A. 79-2102."

And your committee on conference recommends the adoption of this report.

STEVE HUEBERT

JOE SEIWERT

ANN E. MAH

Conferees on part of House

ROGER P. REITZ

DICK KELSEY

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

Senator Reitz moved the Senate adopt the Conference Committee Report on **SB 207**.

On roll call, the vote was: Yeas 29; Nays 9; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Lynn, Marshall, Masterson, Merrick, Morris, Ostmeyer, Pilcher-Cook, Reitz, A. Schmidt, Taddiken, Teichman, Umbarger, Vratil.

Nays: Haley, Love, McGinn, Olson, Owens, Petersen, Pyle, V. Schmidt, Schodorf.

Absent or Not Voting: Steineger, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 300** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 30, following line 39, by inserting:

"New Sec. 7. (a) On and after January 1, 2013, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one ducks unlimited license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by ducks unlimited or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The board of directors of ducks unlimited may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be used to support ducks unlimited. Any motor vehicle owner or lessee annually may apply to ducks unlimited for the use of such logo. Upon annual application and payment to either: (1) Ducks unlimited in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, ducks unlimited shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by ducks unlimited. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

any other person.

(e) The director of vehicles may transfer ducks unlimited license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant either provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the logo use royalty payment as established by ducks unlimited. If such logo use authorization statement is not presented at the time of registration or faxed by ducks unlimited, or the annual logo use royalty payment is not made to the county treasurer at the time of registration, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) Ducks unlimited shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call ducks unlimited for information concerning the application process or the status of their license plate application.

(h) Ducks unlimited, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the ducks unlimited license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number and vehicle type to ducks unlimited and the state treasurer.

(j) Annual logo use royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the ducks unlimited royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the ducks unlimited royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the ducks unlimited royalty fund to the appropriate designee of ducks unlimited of Kansas shall be made on a monthly basis.

New Sec. 8. On and after January 1, 2013, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one masonic lodge license plate for each such passenger vehicle or truck. In addition to the license plate, a person issued such license plate may request a decal of various masonic designations, such as previous offices held in the organization and organizational affiliations, as determined by the grand lodge of Kansas. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments

thereto, and either the payment to the county treasurer of the logo use royalty payment established by the grand lodge of ancient free and accepted masons of Kansas or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The grand lodge of ancient free and accepted masons of Kansas may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be divided to support the Kansas masonic library and museum and other charities through Kansas freemasons charities, inc. Any motor vehicle owner or lessee annually may apply to the grand lodge of ancient free and accepted masons of Kansas for use of such logo. Upon annual application and payment to either: (1) The grand lodge of ancient free and accepted masons of Kansas in an amount of not less than \$25 or more than \$100 as a logo use royalty payment for each license plate to be issued, the grand lodge of ancient free and accepted masons of Kansas shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of the registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the grand lodge of ancient free and accepted masons of Kansas. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(e) The director of vehicles may transfer Masonic lodge license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be annually, upon payment of the fee prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant either provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the logo use royalty payment as established by the grand lodge of ancient free and accepted masons of Kansas. If such logo use authorization statement is not presented at the time of registration or faxed by the masonic lodge, or the annual logo use royalty payment is not made to a county treasurer at the time of registration, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The grand lodge of ancient free and accepted masons of Kansas shall:

- (1) Pay the initial cost of silk-screening plates authorized by this section; and
- (2) provide to all county treasurers a toll-free telephone number where applicants can call the grand lodge of Kansas for information concerning the application process or the status of their license plate application.

(h) The grand lodge of ancient free and accepted masons of Kansas, with the approval of the director of vehicles and subject to availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) A fee of \$2 shall be paid for each decal issued under this section. Such decals shall be affixed to the license plate in the location required by the director of vehicles.

(j) As a condition of receiving the Masonic lodge license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number and vehicle type to the masonic lodge and the state treasurer.

(k) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the Masonic lodge royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the Masonic lodge royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the Masonic lodge royalty fund to the appropriate designee of the grand lodge of ancient and free accepted masons of Kansas shall be made on a monthly basis.

Sec. 9. On and after January 1, 2013, K.S.A. 2011 Supp. 8-1,141 is hereby amended to read as follows: 8-1,141. (a) Any new distinctive license plate authorized for issuance on and after July 1, 1994, shall be subject to the personalized license plate fee prescribed by subsection (c) of K.S.A. 8-132, and amendments thereto. This section shall not apply to any distinctive license plate authorized prior to July 1, 1994.

(b) The director of vehicles shall not issue any new distinctive license plate authorized for issuance on and after July 1, 1995, unless there is a guarantee of an initial issuance of at least 500 license plates.

(c) The provisions of this section shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,145, or K.S.A. 2011 Supp. 8-177d, 8-1,163 or 8-1,166, and amendments thereto.

(d) The provisions of subsection (a), shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148, and amendments thereto, or K.S.A. 2011 Supp. 8-1,153, 8-1,158 or 8-1,161, and amendments thereto.

(e) The provisions of subsection (f) shall not apply to distinctive license plates issued under the provisions of K.S.A. 2011 Supp. 8-1,160, and amendments thereto, except that the division shall delay the manufacturing and issuance of such distinctive license plate until the division has received not less than 1,000 orders for such plate, including payment of the personalized license plate fee required under subsection (a). Upon certification by the director of vehicles to the director of accounts and reports that not less than 1,000 paid orders for such plate have been received, the director of accounts and reports shall transfer \$40,000 from the state highway fund to the distinctive license plate fund.

(f) (1) Any person or organization sponsoring any distinctive license plate authorized by the legislature on and after July 1, 2004, shall submit to the division of vehicles a nonrefundable amount not to exceed \$20,000, to defray the division's cost for

developing such distinctive license plate.

(2) All moneys received under this subsection shall be remitted by the secretary of revenue to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the distinctive license plate fund which is hereby created in the state treasury. All moneys credited to the distinctive license plate fund shall be used by the department of revenue only for the purpose associated with the development of distinctive license plates. All expenditures from the distinctive license plate application fee fund shall be made in accordance with appropriation acts, upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the department of revenue.

(g) (1) Except for educational institution license plates issued under K.S.A. 8-1,142, and amendments thereto, the director of vehicles shall discontinue the issuance of any distinctive license plate authorized prior to July 1, 2004, and which is subject to the provisions of subsection (b) if:

(A) Less than 500 license plates, including annual renewals, are issued for that distinctive license plate by July 1, 2006; and

(B) less than 250 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period after July 1, 2006.

(2) The director of vehicles shall discontinue the issuance of any distinctive license plate authorized on and after July 1, 2004, if:

(A) Less than 500 plates, including annual renewals, are issued for that distinctive license plate by the end of the second year of sales; and

(B) less than 250 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period.

(h) An application for any distinctive license plate issued after December 31, 2012, and the corresponding royalty fee may be collected either by the county treasurer or the entity benefiting from the issuance of the distinctive license plate. Annual royalty payments collected by the county treasurers shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of a segregated royalty fund which shall be administered by the state treasurer. All expenditures from the royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the royalty fund shall be made to the entity benefiting from the issuance of the distinctive license plate on a monthly basis.

Sec. 10. On and after January 1, 2013, K.S.A. 2011 Supp. 8-1,142 is hereby amended to read as follows: 8-1,142. (a) As used in this section, "educational institution" means:

(1) Any state educational institution under the control and supervision of the state board of regents;

(2) any municipal university;

(3) any not-for-profit independent institution of higher education which is accredited by the north central association of colleges and secondary schools accrediting agency based on its requirements as of April 1, 1985, is operated independently and not controlled or administered by the state or any agency or

subdivision thereof, maintains open enrollment and the main campus or principal place of operation of which is located in Kansas;

(4) any community college organized and operating under the laws of this state; and

(5) Haskell Indian Nations university.

(b) Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of not more than 20,000 pounds who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one educational institution license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, plus the payment of an additional fee of \$5 for each plate, and either the payment to the county treasurer of the logo use royalty payment established by the alumni association or foundation or the presentation of the annual emblem use authorization statement provided for in subsection (c).

(c) Any educational institution may authorize through its officially recognized alumni association or foundation the use of such institution's official emblems to be affixed on license plates as provided by this section. Any royalty payment ~~to such alumni association or foundation~~ derived from this section, except reasonable administrative costs, shall be used for recognition of academic achievement or excellence subject to the approval of the chancellor or president of the educational institution. Any motor vehicle owner or lessee may annually apply to the alumni association or foundation for the use of the institution's emblems. Upon annual application and payment to either: (1) The alumni association or foundation in an amount of not less than \$25 nor more than \$100 as an emblem use royalty payment for each educational institution license plate to be issued, the alumni association or foundation shall issue to the motor vehicle owner or lessee, without further charge, an emblem use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(d) Any applicant for an educational institution license plate may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for the educational institution license plates shall provide either the annual emblem use authorization statement provided for in subsection (c) or pay to the county treasurer the logo use royalty payment established by the alumni association or foundation. Application for registration of a passenger vehicle or truck and issuance of the license plates under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(f) The director of vehicles may transfer educational institution license plates from a leased vehicle to a purchased vehicle.

(g) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (b), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual

emblem use authorization statement provided in subsection (c) or the payment of the annual emblem use royalty payment established by the alumni association or foundation. If such emblem use authorization statement is not presented at the time of registration or faxed by the alumni association or foundations, or the annual emblem use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the educational institution license plates to the county treasurer of such person's residence.

~~(g)~~(h) The director of vehicles shall not issue any educational institution license plates for any educational institution, unless such educational institution's alumni association or foundation guarantees the initial issuance of at least 500 license plates.

~~(h)~~(i) The director of vehicles shall discontinue the issuance of an educational institution's license plate authorized under this section if:

(1) Less than 500 educational institution license plates, including annual renewals, are issued for an educational institution by the end of the second year of sales; and

(2) less than 250 educational institution license plates, including annual renewals, are issued for an educational institution during any subsequent two-year period.

~~(i)~~(j) Each educational institution's alumni association or foundation shall:

(1) Pay the initial cost of silk-screening for such educational license plates; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the alumni association or foundation for information concerning the application process or the status of their license plate application.

~~(j)~~(k) Each educational institution's alumni association or foundation, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a license plate to be issued under the provisions of this section.

(l) As a condition of receiving the educational institution license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, emblem use royalty payment amount, plate number and vehicle type to the relevant educational institution and the state treasurer.

(m) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. In the case of an educational institution that is a state educational institution as defined by K.S.A. 76-711, and amendments thereto, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the appropriate account of the restricted fees fund of such state educational institution. In the case of an educational institution which is not a state educational institution as defined by K.S.A. 76-711, and amendments thereto, upon receipt of each such remittance, the state treasurer shall remit the entire amount to the educational institutions emblem royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the educational institutions emblem royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the educational institutions emblem royalty fund to the respective educational institutions shall be made on a monthly basis.

Sec. 11. On and after January 1, 2013, K.S.A. 8-1,148 is hereby amended to read as follows: 8-1,148 (a) ~~On and after July 1, 1999~~; Any owner or lessee of one or more

passenger vehicles or trucks registered for a gross weight of not more than 20,000 pounds who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one children's trust fund license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the cabinet or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) ~~The advisory committee on children and families~~ Kansas children's cabinet established in K.S.A. 38-1901, and amendments thereto, may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment ~~to such committee~~ derived from this section shall be credited to the family and children trust account of the family and children investment fund, established in K.S.A. 38-1808, and amendments thereto, and, shall be used in accordance with the provisions of paragraph (2) of subsection (c) of K.S.A. 38-1808, and amendments thereto. Any motor vehicle owner or lessee may annually apply to the ~~committee~~ cabinet for the use of such logo. Upon annual application and payment to either: (1) The committee cabinet in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each children's trust fund plate to be issued, the ~~committee~~ cabinet shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a children's trust fund license plate may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of motor vehicles, and any applicant for the children's trust fund license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the cabinet. Application for registration of a passenger or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(e) The director of vehicles may transfer children's trust fund license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual logo use royalty payment established by the cabinet. If such logo use authorization statement is not presented at the time of registration or faxed by the cabinet, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the children's trust fund license plate to the county treasurer of such person's residence.

~~(f)~~(g) The ~~advisory committee on children and families~~ Kansas children's cabinet shall:

(1) Pay the initial cost of silk-screening for such children's trust fund license plates; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the children's trust fund for information concerning the application process or the status of their license plate application.

~~(g)~~(h) The ~~advisory committee on children and families~~ Kansas children's cabinet, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the children's trust fund license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number, school district and vehicle type to the Kansas children's cabinet.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the family and children trust account of the family and children investment fund, established by K.S.A. 38-1808, and amendments thereto.

Sec. 12. On and after January 1, 2013, K.S.A. 8-1,150 is hereby amended to read as follows: 8-1,150. (a) Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Kansas foundation for agriculture in the classroom license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by Kansas foundation for agriculture in the classroom or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The board of directors of the Kansas foundation for agriculture in the classroom may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be ~~paid to the foundation and shall be~~ used in accordance with the by-laws of the foundation to further the mission of the foundation. Any motor vehicle owner or lessee annually may apply to the board for the use of such logo. Upon annual application and payment to either: (1) The board in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, the board shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall either provide the annual logo use authorization

statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the board. Application for registration of a passenger vehicle, truck or motorcycle and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(e) The director of vehicles may transfer Kansas foundation for agriculture in the classroom license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual logo use royalty payment established by the board. If such logo use authorization statement is not presented at the time of registration or faxed by the board, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(f)(g)~~ The board of directors of the Kansas foundation for agriculture in the classroom shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the board for information concerning the application process or the status of their license plate application.

~~(g)(h)~~ The board of directors of the Kansas foundation for agriculture in the classroom, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the Kansas foundation for agriculture in the classroom license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number and vehicle type to the Kansas foundation for agriculture in the classroom.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the agriculture in the classroom royalty fund which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the agriculture in the classroom royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the agriculture in the classroom royalty fund to the Kansas foundation for agriculture in the classroom shall be made on a monthly basis.

Sec. 13. On and after January 1, 2013, K.S.A. 8-1,151 is hereby amended to read as follows: 8-1,151. (a) ~~On and after January 1, 2002~~, Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Ancient Arabic Order, Nobles of the Mystic Shrine of North America (Shriners) license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the temple or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The shrine temple to which the person is a member in good standing may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be ~~paid to the shrine temple and shall be~~ used to support the shriners hospitals for children. Any motor vehicle owner or lessee annually may apply to the shrine temple for the use of such logo. Upon annual application and payment to either: (1) The shrine temple in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, the shrine temple shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the temple. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(e) The director of vehicles may transfer shriners license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual logo use royalty payment established by the temple. If such logo use authorization statement is not presented at the time of registration or faxed by the temple, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(f)~~(g) The shrine temples of Kansas shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this

section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the shrine temples for information concerning the application process or the status of their license plate application.

~~(g)~~(h) The shrine temples of Kansas, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the shriner's license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number and vehicle type to the designated shrine temple of Kansas and the state treasurer.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the shriner's royalty fund which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the shriner's royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the shriner's royalty fund to the appropriate designee of the designated shrine temples of Kansas shall be made on a monthly basis.

Sec. 14. On and after January 1, 2013, K.S.A. 2011 Supp. 8-1,153 is hereby amended to read as follows: 8-1,153. (a) ~~On and after January 1, 2005~~, Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one helping schools license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the board or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The state board of education may authorize the use of the logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the helping schools license plate program fund. Any motor vehicle owner or lessee annually may apply to the state board of education for the use of such logo. Upon annual application and payment to either: (1) The board in an amount of \$40 as a logo use royalty payment for each license plate to be issued, the board shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make

application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the board. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director. The school district to receive the royalty payment shall be designated by the applicant on such forms.

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

(e) The director of vehicles may transfer helping schools license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual logo use royalty payment established by the board. If such logo use authorization statement is not presented at the time of registration or faxed by the board, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(~~f~~)(g) The helping schools license plate shall not be developed by the division until the state board of education has collected sufficient logo use royalty payments under subsection (b), to comply with the provisions of paragraph (1) of subsection (e) of K.S.A. 8-1,141, and amendments thereto.

(~~e~~)(h) The state board of education, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the helping schools license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number, school district and vehicle type to the state board of education and the state treasurer.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the helping schools license plate program fund.

Sec. 15. On and after January 1, 2013, K.S.A. 2011 Supp. 8-1,158 is hereby amended to read as follows: 8-1,158. (a) ~~On and after January 1, 2008,~~ Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one breast cancer research and outreach license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of

the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the university of Kansas or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The university of Kansas cancer center may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be ~~paid to the university of Kansas cancer center and shall be used to support a statewide coordinator for the midwest cancer alliance that serves as a liaison between the university of Kansas cancer center, hospitals, physicians and clinics across the state of Kansas. This statewide coordination includes the provision of assistance to the university of Kansas cancer center statewide medical director in working to ensure that breast cancer patients in communities across Kansas are aware of what prevention and early detection protocols, treatment choices and clinical studies are available to them. Any motor vehicle owner or lessee annually may apply to the university of Kansas cancer center for use of such logo. Upon annual application and payment to either: (1) The university of Kansas cancer center in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each such license plate to be issued, the university of Kansas cancer center shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.~~

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the university of Kansas. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(e) The director of vehicles may transfer breast cancer research and outreach license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment established by the university of Kansas. If such statement is not presented at the time of registration or faxed by the university of Kansas, or the annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(f)~~(g) The university of Kansas cancer center shall provide to all county treasurers a toll-free telephone number where applicants can call the university of Kansas cancer center for information concerning the application process or the status of such

applicant's license plate application.

(h) As a condition of receiving the breast cancer research and outreach license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the university of Kansas cancer center and the state treasurer.

(i) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the breast cancer research royalty fund, which is hereby created in the state treasury and shall be administered by the university of Kansas medical center. All expenditures from the breast cancer research royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or the chancellor's designee.

Sec. 16. On and after January 1, 2013, K.S.A. 2011 Supp. 8-1,161 is hereby amended to read as follows: 8-1,161. (a) ~~On and after January 1, 2010~~; Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of not more than 20,000 pounds who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one support Kansas arts license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the commission or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The Kansas arts commission, created under K.S.A. 74-5202, and amendments thereto, may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment ~~to such commission~~ derived from this section shall be credited to the Kansas arts commission special gifts fund and, shall be used in accordance with the provisions of K.S.A. 74-5204, and amendments thereto. Any motor vehicle owner or lessee may annually apply to the commission for the use of such logo. Upon annual application and payment to either: (1) The commission in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, the commission shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a support Kansas arts license plate may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of motor vehicles, and any applicant for the support Kansas arts license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the commission. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon

forms furnished by the director.

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

(e) The director of vehicles may transfer support Kansas arts license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual logo use royalty payment established by the commission. If such logo use authorization statement is not presented at the time of registration or faxed by the commission, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the support Kansas arts license plate to the county treasurer of such person's residence.

~~(f)~~(g) The Kansas arts commission shall:

(1) Pay the initial cost of silk-screening for such support Kansas arts license plates; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the Kansas arts commission for information concerning the application process or the status of their license plate application.

~~(g)~~(h) The Kansas arts commission, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the support Kansas arts license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the Kansas arts commission.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas arts commission special gifts fund.

Sec. 17. On and after January 1, 2013, K.S.A. 2011 Supp. 8-1,162 is hereby amended to read as follows: 8-1,162. (a) ~~On and after January 1, 2012;~~ Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Boy Scouts of America license plate for each such passenger vehicle or truck. In addition to the license plate, a person issued such a license plate may request a decal for the order of the arrow, wood badge, God and country award and eagle scout for each license plate. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the council or the presentation of the annual logo use authorization statement provided for

in subsection (b).

(b) A Boy Scouts of America council may authorize the use of their logo to be affixed on license plates or any decal as provided by this section. Any royalty payment received pursuant to this section ~~shall be paid to the Boy Scouts of America and~~ shall be used to support the Boy Scouts of America. Any motor vehicle owner or lessee annually may apply to the Boy Scouts of America for the use of such logo. Upon annual application and payment to either: (1) The Boy Scouts of America in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate and decal to be issued, the Boy Scouts of America shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the council. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(e) The director of vehicles may transfer Boy Scouts of America license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual logo use royalty payment established by the council. If such logo use authorization statement is not presented at the time of registration or faxed by the Boy Scouts of America, or the annual use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(f)~~(g) The Boy Scouts of America councils shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the Boy Scouts of America councils for information concerning the application process or the status of their license plate application.

~~(g)~~(h) The Boy Scouts of America councils, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate and decals to be issued under the provisions of this section.

~~(h)~~(i) A fee of \$2 shall be paid for each decal issued under this section. Such decals shall be affixed to the license plate in the location required by the director.

(j) As a condition of receiving the Boy Scouts of America license plate and any

subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, decal types used, plate number and vehicle type to the designated Kansas Boy Scouts of America council and the state treasurer.

(k) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the Boy Scouts of America royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the Boy Scouts of America royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the Boy Scouts of America royalty fund to the designated Boy Scouts of America council shall be made on a monthly basis.

Sec. 18. On and after January 1, 2013, K.S.A. 2011 Supp. 8-1,164 is hereby amended to read as follows: 8-1,164. (a) ~~On and after January 1, 2012~~, Any owner or lessee of one or more passenger vehicles, trucks registered for a gross weight of 20,000 pounds or less or motorcycles, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one I'm pet friendly license plate for each such passenger vehicle, truck or motorcycle. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the college of veterinary medicine at Kansas state university or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The college of veterinary medicine at Kansas state university may authorize the use of their I'm pet friendly logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be ~~paid to the college of veterinary medicine at Kansas state university and shall be~~ used to support education regarding the spaying and neutering of dogs and cats in Kansas and veterinary student externships at animal shelters in Kansas. Any motor vehicle owner or lessee annually may apply to the college of veterinary medicine at Kansas state university for the use of such logo. Upon annual application and payment to either: (1) The college of veterinary medicine at Kansas state university in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, the college of veterinary medicine at Kansas state university shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the college. Application for registration of a passenger

vehicle, truck or motorcycle and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(e) The director of vehicles may transfer I'm pet friendly license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual logo use royalty payment established by the college. If such logo use authorization statement is not presented at the time of registration or faxed by the college, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(f)~~(g) The college of veterinary medicine at Kansas state university shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all the county treasurers a toll-free number where applicants can call the college of veterinary medicine at Kansas state university for information concerning the application process or the status of their license plate application.

~~(g)~~(h) The college of veterinary medicine at Kansas state university, with approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the I'm pet friendly license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the college of veterinary medicine at Kansas state university.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the appropriate account of the restricted fees fund of the Kansas state university veterinary medical center.

Sec. 19. On and after January 1, 2013, K.S.A. 8-1,148, 8-1,150 and 8-1,151 and K.S.A. 2011 Supp. 8-1,141, 8-1,142, 8-1,153, 8-1,158, 8-1,161, 8-1,162 and 8-1,164 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "to" by inserting "distinctive license plates;"; in line 2, by striking "extending the thirty-day registration to sixty days;"; in line 3, after "8-127" by inserting ", 8-1,148, 8-1,150 and 8-1,151"; in line 4, before the first "and" by inserting ", 8-1,141, 8-1,142, 8-1,153, 8-1,158, 8-1,161, 8-1,162 and 8-1,164,";

And your committee on conference recommends the adoption of this report.

GARY HAYZLETT
 WILLIAM R. PRESCOTT
 VINCENT WETTA
Conferees on part of House

DWAYNE UMBARGER
 BOB MARSHALL
 KELLY KULTALA
Conferees on part of Senate

Senator Umbarger moved the Senate adopt the Conference Committee Report on **SB 300**.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil.

Nays: Emler, Huntington.

Absent or Not Voting: Steineger, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Senate Substitute for Substitute HB 2318** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee of the Whole amendments, as follows:

On page 10, following line 13, by inserting:

""Drug paraphernalia" shall not include any products, chemicals or materials described in subsection (a) of K.S.A. 2011 Supp. 21-5709, and amendments thereto.";

On page 13, in line 15, following "(4)" by inserting ", (d)(5)";

On page 16, in line 34, following "(4)" by inserting ", (d)(5)";

On page 17, following line 21, by inserting:

"Sec. 11. K.S.A. 2011 Supp. 21-5707 is hereby amended to read as follows: 21-5707.

(a) It shall be unlawful for any person to knowingly or intentionally use any communication facility:

(1) In committing, causing, or facilitating the commission of any felony under K.S.A. 2011 Supp. 21-5703, 21-5705 or ~~21-36a06~~ 21-5706, and amendments thereto; or

(2) in any attempt to commit, any conspiracy to commit, or any criminal solicitation of any felony under K.S.A. 2011 Supp. ~~21-36a03, 21-36a05~~ 21-5703, ~~21-5705~~ or 21-5706, and amendments thereto. Each separate use of a communication facility may be charged as a separate offense under this subsection.

(b) Violation of subsection (a) is a nondrug severity level 8, nonperson felony.

(c) As used in this section, "communication facility" means any and all public and private instrumentalities used or useful in the transmission of writing, signs, signals, pictures or sounds of all kinds and includes telephone, wire, radio, computer, computer networks, beepers, pagers and all other means of communication.";

On page 26, by striking all in lines 9 through 43;

On page 27, by striking all in lines 1 through 24;

On page 37, by striking all in lines 5 through 43;

By striking all on pages 38 through 44;

On page 45, by striking all in lines 1 through 37 and inserting:

"Sec. 29. K.S.A. 2011 Supp. 21-6604, as amended by section 1 of 2012 House Bill No. 2465, is hereby amended to read as follows: 21-6604. (a) Whenever any person has been found guilty of a crime, the court may adjudge any of the following:

(1) Commit the defendant to the custody of the secretary of corrections if the current crime of conviction is a felony and the sentence presumes imprisonment, or the sentence imposed is a dispositional departure to imprisonment; or, if confinement is for a misdemeanor, to jail for the term provided by law;

(2) impose the fine applicable to the offense and may impose the provisions of subsection (q);

(3) release the defendant on probation if the current crime of conviction and criminal history fall within a presumptive nonprison category or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate. In felony cases except for violations of K.S.A. 8-1567, and amendments thereto, the court may include confinement in a county jail not to exceed 60 days, which need not be served consecutively, as a condition of an original probation sentence and up to 60 days in a county jail upon each revocation of the probation sentence, or community corrections placement;

(4) assign the defendant to a community correctional services program as provided in K.S.A. 75-5291, and amendments thereto, or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate, including orders requiring full or partial restitution;

(5) assign the defendant to a conservation camp for a period not to exceed six months as a condition of probation followed by a six-month period of follow-up through adult intensive supervision by a community correctional services program, if the offender successfully completes the conservation camp program;

(6) assign the defendant to a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto;

(7) order the defendant to attend and satisfactorily complete an alcohol or drug education or training program as provided by subsection (c) of K.S.A. 2011 Supp. 21-6602, and amendments thereto;

(8) order the defendant to repay the amount of any reward paid by any crime stoppers chapter, individual, corporation or public entity which materially aided in the apprehension or conviction of the defendant; repay the amount of any costs and expenses incurred by any law enforcement agency in the apprehension of the defendant, if one of the current crimes of conviction of the defendant includes escape from custody or aggravated escape from custody, as defined in K.S.A. 2011 Supp. 21-5911, and amendments thereto; repay expenses incurred by a fire district, fire department or fire company responding to a fire which has been determined to be arson or aggravated

arson as defined in K.S.A. 2011 Supp. 21-5812, and amendments thereto, if the defendant is convicted of such crime; repay the amount of any public funds utilized by a law enforcement agency to purchase controlled substances from the defendant during the investigation which leads to the defendant's conviction; or repay the amount of any medical costs and expenses incurred by any law enforcement agency or county. Such repayment of the amount of any such costs and expenses incurred by a county, law enforcement agency, fire district, fire department or fire company or any public funds utilized by a law enforcement agency shall be deposited and credited to the same fund from which the public funds were credited to prior to use by the county, law enforcement agency, fire district, fire department or fire company;

(9) order the defendant to pay the administrative fee authorized by K.S.A. 22-4529, and amendments thereto, unless waived by the court;

(10) order the defendant to pay a domestic violence special program fee authorized by K.S.A. 20-369, and amendments thereto;

(11) if the defendant is convicted of a misdemeanor or convicted of a felony subsection in subsection (i) of K.S.A. 2011 Supp. 21-6804, and amendments thereto, assign the defendant to work release program, other than a program at a correctional institution under the control of the secretary of corrections as defined in K.S.A. 75-5202, and amendments thereto, provided such work release program requires such defendant to return to confinement at the end of each day in the work release program. On a second conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program must serve a total of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. On a third or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program must serve a total of 240 hours of confinement. Such 240 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day;

(12) order the defendant to pay the full amount of unpaid costs associated with the conditions of release of the appearance bond under K.S.A. 22-2802, and amendments thereto;

(13) impose any appropriate combination of (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (12); or

(14) suspend imposition of sentence in misdemeanor cases.

(b) (1) In addition to or in lieu of any of the above, the court shall order the defendant to pay restitution, which shall include, but not be limited to, damage or loss caused by the defendant's crime, unless the court finds compelling circumstances which would render a plan of restitution unworkable. In regard to a violation of K.S.A. 2011 Supp. 21-6107, and amendments thereto, such damage or loss shall include, but not be limited to, attorney fees and costs incurred to repair the credit history or rating of the person whose personal identification documents were obtained and used in violation of such section, and to satisfy a debt, lien or other obligation incurred by the person whose personal identification documents were obtained and used in violation of such section. If the court finds a plan of restitution unworkable, the court shall state on the record in detail the reasons therefor.

(2) If the court orders restitution, the restitution shall be a judgment against the

defendant which may be collected by the court by garnishment or other execution as on judgments in civil cases. If, after 60 days from the date restitution is ordered by the court, a defendant is found to be in noncompliance with the plan established by the court for payment of restitution, and the victim to whom restitution is ordered paid has not initiated proceedings in accordance with K.S.A. 60-4301 *et seq.*, and amendments thereto, the court shall assign an agent procured by the attorney general pursuant to K.S.A. 75-719, and amendments thereto, to collect the restitution on behalf of the victim. The chief judge of each judicial district may assign such cases to an appropriate division of the court for the conduct of civil collection proceedings.

(c) In addition to or in lieu of any of the above, the court shall order the defendant to submit to and complete an alcohol and drug evaluation, and pay a fee therefor, when required by subsection (d) of K.S.A. 2011 Supp. 21-6602, and amendments thereto.

(d) In addition to any of the above, the court shall order the defendant to reimburse the county general fund for all or a part of the expenditures by the county to provide counsel and other defense services to the defendant. Any such reimbursement to the county shall be paid only after any order for restitution has been paid in full. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

(e) In releasing a defendant on probation, the court shall direct that the defendant be under the supervision of a court services officer. If the court commits the defendant to the custody of the secretary of corrections or to jail, the court may specify in its order the amount of restitution to be paid and the person to whom it shall be paid if restitution is later ordered as a condition of parole, conditional release or postrelease supervision.

(f) (1) When a new felony is committed while the offender is incarcerated and serving a sentence for a felony, or while the offender is on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony, a new sentence shall be imposed pursuant to the consecutive sentencing requirements of K.S.A. 2011 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(2) When a new felony is committed while the offender is incarcerated in a juvenile correctional facility pursuant to K.S.A. 38-1671, prior to its repeal, or K.S.A. 2011 Supp. 38-2373, and amendments thereto, for an offense, which if committed by an adult would constitute the commission of a felony, upon conviction, the court shall sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure. The conviction shall operate as a full and complete discharge from any obligations, except for an order of restitution, imposed on the offender arising from the offense for which the offender was

committed to a juvenile correctional facility.

(3) When a new felony is committed while the offender is on release for a felony pursuant to the provisions of article 28 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto, or similar provisions of the laws of another jurisdiction, a new sentence may be imposed pursuant to the consecutive sentencing requirements of K.S.A. 2011 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(g) Prior to imposing a dispositional departure for a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes or, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 4-E or 4-F of the sentencing ~~guideline~~ guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and whose offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto, prior to revocation of a nonprison sanction of a defendant whose offense is classified in grid blocks 4-E or 4-F of the sentencing ~~guideline~~ guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and whose offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto, or prior to revocation of a nonprison sanction of a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid or grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes or, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, the court shall consider placement of the defendant in the Labette correctional conservation camp, conservation camps established by the secretary of corrections pursuant to K.S.A. 75-52,127, and amendment thereto, or a community intermediate sanction center. Pursuant to this ~~paragraph~~ subsection the defendant shall not be sentenced to imprisonment if space is available in a conservation camp or a community intermediate sanction center and the defendant meets all of the conservation camp's or a community intermediate sanction center's placement criteria unless the court states on the record the reasons for not placing the defendant in a conservation camp or a community intermediate sanction center.

(h) ~~The court~~ In committing a defendant to the custody of the secretary of corrections, the court shall fix a term of confinement within the limits provided by law. In those cases where the law does not fix a term of confinement for the crime for which the defendant was convicted, the court shall fix the term of such confinement.

(i) In addition to any of the above, the court shall order the defendant to reimburse the state general fund for all or a part of the expenditures by the state board of indigents'

defense services to provide counsel and other defense services to the defendant. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment. The amount of attorney fees to be included in the court order for reimbursement shall be the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less.

(j) This section shall not deprive the court of any authority conferred by any other Kansas statute to decree a forfeiture of property, suspend or cancel a license, remove a person from office or impose any other civil penalty as a result of conviction of crime.

(k) An application for or acceptance of probation or assignment to a community correctional services program shall not constitute an acquiescence in the judgment for purpose of appeal, and any convicted person may appeal from such conviction, as provided by law, without regard to whether such person has applied for probation, suspended sentence or assignment to a community correctional services program.

(l) The secretary of corrections is authorized to make direct placement to the Labette correctional conservation camp or a conservation camp established by the secretary pursuant to K.S.A. 75-52,127, and amendments thereto, of an inmate sentenced to the secretary's custody if the inmate:

(1) Has been sentenced to the secretary for a probation revocation, as a departure from the presumptive nonimprisonment grid block of either sentencing grid, for an offense which is classified in grid blocks 5-H, 5-I; or 6-G of the sentencing guidelines grid for nondrug crimes ~~or~~ in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, or for an offense which is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and such offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto; and

(2) otherwise meets admission criteria of the camp.

If the inmate successfully completes a conservation camp program, the secretary of corrections shall report such completion to the sentencing court and the county or district attorney. The inmate shall then be assigned by the court to six months of follow-up supervision conducted by the appropriate community corrections services program. The court may also order that supervision continue thereafter for the length of time authorized by K.S.A. 2011 Supp. 21-6608, and amendments thereto.

(m) When it is provided by law that a person shall be sentenced pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, the provisions of this section shall not apply.

(n) Except as provided by subsection (f) of K.S.A. 2011 Supp. 21-6805, and

amendments thereto, in addition to any of the above, for felony violations of K.S.A. 2011 Supp. 21-5706, and amendments thereto, the court shall require the defendant who meets the requirements established in K.S.A. 2011 Supp. 21-6824, and amendments thereto, to participate in a certified drug abuse treatment program, as provided in K.S.A. 2011 Supp. 75-52,144, and amendments thereto, including, but not limited to, an approved after-care plan. If the defendant fails to participate in or has a pattern of intentional conduct that demonstrates the ~~offender's~~ defendant's refusal to comply with or participate in the treatment program, as established by judicial finding, the defendant shall be subject to revocation of probation and the defendant shall serve the underlying prison sentence as established in K.S.A. 2011 Supp. 21-6805, and amendments thereto. For those offenders who are convicted on or after July 1, 2003, upon completion of the underlying prison sentence, the ~~defendant~~ offender shall not be subject to a period of postrelease supervision. The amount of time spent participating in such program shall not be credited as service on the underlying prison sentence.

(o) (1) Except as provided in paragraph (3), in addition to any other penalty or disposition imposed by law, upon a conviction for unlawful possession of a controlled substance or controlled substance analog in violation of K.S.A. 2011 Supp. 21-5706, and amendments thereto, in which the trier of fact makes a finding that the unlawful possession occurred while transporting the controlled substance or controlled substance analog in any vehicle upon a highway or street, the offender's driver's license or privilege to operate a motor vehicle on the streets and highways of this state shall be suspended for one year.

(2) Upon suspension of a license pursuant to this subsection, the court shall require the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(3) (A) In lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of any person as provided in paragraph (1), the judge of the court in which such person was convicted may enter an order which places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of more than one year.

(B) Upon entering an order restricting a person's license hereunder, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order

to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator, of such person's state of residence. Such judge shall furnish to any person whose driver's license has had conditions imposed on it under this paragraph a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this paragraph.

(C) Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this paragraph, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(4) As used in this subsection, "highway" and "street" ~~means~~ mean the same as in K.S.A. 8-1424 and 8-1473, and amendments thereto.

(p) In addition to any of the above, for any criminal offense that includes the domestic violence designation pursuant to K.S.A. 2011 Supp. 22-4616, and amendments thereto, the court shall require the defendant to undergo a domestic violence offender assessment and follow all recommendations unless otherwise ordered by the court or the department of corrections. The court may order a domestic violence offender assessment and any other evaluation prior to sentencing if the assessment or evaluation would assist the court in determining an appropriate sentence. The entity completing the assessment or evaluation shall provide the assessment or evaluation and recommendations to the court and the court shall provide the domestic violence offender assessment and any other evaluation to any entity responsible for supervising such defendant. A defendant ordered to undergo a domestic violence offender assessment shall be required to pay for the assessment and, unless otherwise ordered by the court or the department of corrections, for completion of all recommendations.

(q) In imposing a fine, the court may authorize the payment thereof in installments. In lieu of payment of any fine imposed, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed by the later of one year after the fine is imposed or one year after release from imprisonment or jail, or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance shall become due on that date. If conditional reduction of any fine is rescinded by the court for any reason, then pursuant to the court's order the person may be ordered to perform community service by one year after the date of such ~~recession~~ rescission or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date. All credits for community service shall be subject to review and approval by

the court.

(r) In addition to any other penalty or disposition imposed by law, for any defendant sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2011 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the court shall order that the defendant be electronically monitored upon release from imprisonment for the duration of the defendant's natural life and that the defendant shall reimburse the state for all or part of the cost of such monitoring as determined by the prisoner review board.":

On page 48, by striking all in lines 11 through 43;

By striking all on pages 49 through 54;

On page 55, by striking all in lines 1 through 18 and inserting:

"Sec. 32. K.S.A. 2011 Supp. 21-6614, as amended by section 3 of 2012 Senate Bill No. 322, is hereby amended to read as follows: 21-6614. (a) (1) Except as provided in subsections (b), (c), (d) and (e), any person convicted in this state of a traffic infraction, cigarette or tobacco infraction, misdemeanor or a class D or E felony, or for crimes committed on or after July 1, 1993, nondrug crimes ranked in severity levels 6 through 10 ~~or~~ or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity level 4 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity level 5 of the drug grid may petition the convicting court for the expungement of such conviction or related arrest records if three or more years have elapsed since the person: (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence.

(2) Except as provided in subsections (b), (c), (d) and (e), any person who has fulfilled the terms of a diversion agreement may petition the district court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Except as provided in subsections (c), (d) and (e), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed, the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a class A, B or C felony, or for crimes committed on or after July 1, 1993, if convicted of an off-grid felony or any nondrug crime ranked in severity levels 1 through 5 ~~or~~ or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity levels 1 through 3 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity levels 1 through 4 of the drug grid, or:

(1) Vehicular homicide, as defined in K.S.A. 21-3405, prior to its repeal, or K.S.A. 2011 Supp. 21-5406, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(4) violating the provisions of the fifth clause of K.S.A. 8-142, and amendments thereto, relating to fraudulent applications or violating the provisions of a law of another state which is in substantial conformity with that statute;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603, prior to its repeal, or 8-1604, and amendments thereto, or required by a law of another state which is in substantial conformity with those statutes;

(7) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(c) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed, the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a violation of K.S.A. 8-1567, and amendments thereto, including any diversion for such violation.

(d) There shall be no expungement of convictions for the following offenses or of convictions for an attempt to commit any of the following offenses:

(1) Rape as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2011 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child or aggravated indecent liberties with a child as defined in K.S.A. 21-3503 or 21-3504, prior to their repeal, or K.S.A. 2011 Supp. 21-5506, and amendments thereto;

(3) criminal sodomy as defined in subsection (a)(2) or (a)(3) of K.S.A. 21-3505, prior to its repeal, or subsection (a)(3) or (a)(4) of K.S.A. 2011 Supp. 21-5504, and amendments thereto;

(4) aggravated criminal sodomy as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2011 Supp. 21-5504, and amendments thereto;

(5) indecent solicitation of a child or aggravated indecent solicitation of a child as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2011 Supp. 21-5508, and amendments thereto;

(6) sexual exploitation of a child as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2011 Supp. 21-5510, and amendments thereto;

(7) aggravated incest as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2011 Supp. 21-5604, and amendments thereto;

(8) endangering a child or aggravated endangering a child as defined in K.S.A. 21-3608 or 21-3608a, prior to their repeal, or K.S.A. 2011 Supp. 21-5601, and amendments thereto;

(9) abuse of a child as defined in K.S.A. 21-3609, prior to its repeal, or K.S.A. 2011 Supp. 21-5602, and amendments thereto;

(10) capital murder as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2011 Supp. 21-5401, and amendments thereto;

(11) murder in the first degree as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2011 Supp. 21-5402, and amendments thereto;

(12) murder in the second degree as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2011 Supp. 21-5403, and amendments thereto;

(13) voluntary manslaughter as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2011 Supp. 21-5404, and amendments thereto;

(14) involuntary manslaughter as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2011 Supp. 21-5405, and amendments thereto;

(15) sexual battery as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2011 Supp. 21-5505, and amendments thereto, when the victim was less than 18 years of age at the time the crime was committed;

(16) aggravated sexual battery as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2011 Supp. 21-5505, and amendments thereto;

(17) a violation of K.S.A. 8-2,144, and amendments thereto, including any diversion for such violation; or

(18) any conviction for any offense in effect at any time prior to July 1, 2011, that is comparable to any offense as provided in this subsection.

(e) Notwithstanding any other law to the contrary, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in the Kansas offender registration act.

(f) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecutor and the arresting law enforcement agency. The petition shall state the:

(A) Defendant's full name;

(B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;

(C) defendant's sex, race and date of birth;

(D) crime for which the defendant was arrested, convicted or diverted;

(E) date of the defendant's arrest, conviction or diversion; and

(F) identity of the convicting court, arresting law enforcement authority or diverting authority.

(2) Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$100. On and after the effective date of this act April 12, 2012, through June 30, 2013, the supreme court may impose a charge, not to exceed \$19 per case, to fund the costs of non-judicial personnel. The charge established in this section shall be the only fee collected or moneys in the nature of a fee collected for the case. Such charge shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

(3) All petitions for expungement shall be docketed in the original criminal action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the ~~Kansas parole~~ prisoner review board.

(g) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement; and

(3) the expungement is consistent with the public welfare.

(h) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 2011 Supp. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; or

(K) for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2011 Supp. 75-7c01 *et seq.*, and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed;

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged; and

(5) upon commitment to the custody of the secretary of corrections, any previously expunged record in the possession of the secretary of corrections may be reinstated and the expungement disregarded, and the record continued for the purpose of the new commitment.

(i) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime, is placed on parole, postrelease supervision or probation, is assigned to a community correctional services program, is granted a suspended sentence or is released on conditional release, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(j) Subject to the disclosures required pursuant to subsection (h), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such crime, but the expungement of a felony conviction does not relieve an individual of complying with any state or federal law relating to the use or possession of firearms by persons convicted of a felony.

(k) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

(1) The person whose record was expunged;

(2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;

(3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;

(4) the secretary of social and rehabilitation services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services of any person whose record has been expunged;

(5) a person entitled to such information pursuant to the terms of the expungement order;

(6) a prosecutor, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;

(7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;

(8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act: (A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and (B) their officers, directors, employees, owners, agents and contractors;

(11) the Kansas sentencing commission;

(12) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-gaming compact;

(13) the Kansas securities commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(14) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 *et seq.*, and amendments thereto;

(15) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto;

(16) the attorney general and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act; or

(17) the Kansas bureau of investigation for the purposes of:

(A) Completing a person's criminal history record information within the central repository, in accordance with K.S.A. 22-4701 *et seq.*, and amendments thereto; or

(B) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(l) The provisions of subsection (k)(17) shall apply to records created prior to, on and after July 1, 2011.;

By striking all on page 57 and inserting:

SENTENCING RANGE - DRUG OFFENSES

Category →	A	B	C	D	E	F	G	H	I
Severity Level 1	3 + Felones	2 Person Felones	1 Person & 1 Nonperson Felones	1 Person Felony	3 + Nonperson Felones	2 Nonperson Felones	1 Nonperson Felony	2+ Misdemeanors	1 Misdemeanor No Record
I	204 194 185	196 186 176	187 178 169	179 170 161	170 162 154	167 158 150	162 154 146	161 150 142	154 146 138
II	144 136 130	137 130 122	130 123 117	124 117 111	116 111 105	113 108 101	110 104 99	108 100 96	103 98 92
III	83 78 74	77 73 68	72 68 65	68 64 60	62 59 55	59 56 52	57 54 51	54 51 49	51 49 46
IV	51 49 46	47 44 41	42 40 37	36 34 32	32 30 28	30 28 26	28 26 24	26 24 22	24 22 20
V	42 40 37	36 34 32	32 30 28	30 28 26	28 26 24	26 24 22	24 22 20	22 20 18	20 18 16

LEGEND
Presumptive Probation
Presumptive Imprisonment

On page 58, in line 28, by striking "4-C, 4-D,"; in line 29, by striking "or 4-I" and inserting ", 4-I, 5-C or 5-D";

On page 67, following line 37, by inserting:

"(i) The court may order an offender who otherwise does not meet the requirements of subsection (c) to undergo one additional drug abuse assessment while such offender is on probation. Such offender may be ordered to undergo drug abuse treatment pursuant to subsection (a) if such offender is determined to meet the requirements of subsection (c). The cost of such assessment shall be paid by such offender.";

On page 74, by striking all in lines 28 through 43;

By striking all on pages 75 through 83;

On page 84, by striking all in lines 1 through 25 and inserting:

"Sec. 43. K.S.A. 2011 Supp. 22-3717, as amended by section 2 of House Substitute for Substitute for Senate Bill No. 159, is hereby amended to read as follows: 22-3717. (a) Except as otherwise provided by this section; K.S.A. 1993 Supp. 21-4628, prior to its repeal; K.S.A. 21-4635 through 21-4638, prior to their repeal; K.S.A. 21-4624, prior to its repeal; K.S.A. 21-4642, prior to its repeal; K.S.A. 2011 Supp. 21-6617, 21-6620, 21-6623, 21-6624, 21-6625 and 21-6626, and amendments thereto; and K.S.A. 8-1567, and amendments thereto; an inmate, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2011 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving the entire minimum sentence imposed by the court, less good time credits.

(b) (1) Except as provided by K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2011 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for the crime of capital murder, or an inmate sentenced for the crime of murder in the first degree based upon a finding of premeditated murder, committed on or after July 1, 1994, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits.

(2) Except as provided by subsection (b)(1) or (b)(4), K.S.A. 1993 Supp. 21-4628, prior to its repeal, K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2011 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1993, but prior to July 1, 1999, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits and an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1999, shall be eligible for parole after serving 20 years of confinement without deduction of any good time credits.

(3) Except as provided by K.S.A. 1993 Supp. 21-4628, prior to its repeal, an inmate sentenced for a class A felony committed before July 1, 1993, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2011 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits.

(4) An inmate sentenced to imprisonment for a violation of subsection (a) of K.S.A. 21-3402, prior to its repeal, committed on or after July 1, 1996, but prior to July 1, 1999, shall be eligible for parole after serving 10 years of confinement without deduction of any good time credits.

(5) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its

repeal, or K.S.A. 2011 Supp. 21-6627, and amendments thereto, committed on or after July 1, 2006, shall be eligible for parole after serving the mandatory term of imprisonment without deduction of any good time credits.

(c) (1) Except as provided in subsection (e), if an inmate is sentenced to imprisonment for more than one crime and the sentences run consecutively, the inmate shall be eligible for parole after serving the total of:

(A) The aggregate minimum sentences, as determined pursuant to K.S.A. 21-4608, prior to its repeal, or K.S.A. 2011 Supp. 21-6606, and amendments thereto, less good time credits for those crimes which are not class A felonies; and

(B) an additional 15 years, without deduction of good time credits, for each crime which is a class A felony.

(2) If an inmate is sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2011 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the inmate shall be eligible for parole after serving the mandatory term of imprisonment.

(d) (1) Persons sentenced for crimes, other than off-grid crimes, committed on or after July 1, 1993, or persons subject to subparagraph (G), will not be eligible for parole, but will be released to a mandatory period of postrelease supervision upon completion of the prison portion of their sentence as follows:

(A) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity ~~level~~ levels 1 through 4 crimes ~~and~~ and drug severity levels 1 and 2 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity levels 1, 2 and 3 crimes committed on or after July 1, 2012, must serve 36 months, plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2011 Supp. 21-6821, and amendments thereto, on postrelease supervision.

(B) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 5 and 6 crimes ~~and~~ and drug severity level 3 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 4 crimes committed on or after July 1, 2012, must serve 24 months, plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2011 Supp. 21-6821, and amendments thereto, on postrelease supervision.

(C) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity ~~level~~ levels 7 through 10 crimes ~~and~~ and drug severity level 4 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 5 crimes committed on or after July 1, 2012, must serve 12 months, plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2011 Supp. 21-6821, and amendments thereto, on postrelease supervision.

(D) (i) The sentencing judge shall impose the postrelease supervision period provided in subparagraph (d)(1)(A), (d)(1)(B) or (d)(1)(C), unless the judge finds substantial and compelling reasons to impose a departure based upon a finding that the current crime of conviction was sexually motivated. In that event, departure may be imposed to extend the postrelease supervision to a period of up to 60 months.

(ii) If the sentencing judge departs from the presumptive postrelease supervision period, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure. Departures in this section are subject to appeal

pursuant to K.S.A. 21-4721, prior to its repeal, or K.S.A. 2011 Supp. 21-6820, and amendments thereto.

(iii) In determining whether substantial and compelling reasons exist, the court shall consider:

- (a) Written briefs or oral arguments submitted by either the defendant or the state;
- (b) any evidence received during the proceeding;
- (c) the presentence report, the victim's impact statement and any psychological evaluation as ordered by the court pursuant to subsection (e) of K.S.A. 21-4714, prior to its repeal, or subsection (e) of K.S.A. 2011 Supp. 21-6813, and amendments thereto; and
- (d) any other evidence the court finds trustworthy and reliable.

(iv) The sentencing judge may order that a psychological evaluation be prepared and the recommended programming be completed by the offender. The department of corrections or the prisoner review board shall ensure that court ordered sex offender treatment be carried out.

(v) In carrying out the provisions of subparagraph (d)(1)(D), the court shall refer to K.S.A. 21-4718, prior to its repeal, or K.S.A. 2011 Supp. 21-6817, and amendments thereto.

(vi) Upon petition, the prisoner review board may provide for early discharge from the postrelease supervision period upon completion of court ordered programs and completion of the presumptive postrelease supervision period, as determined by the crime of conviction, pursuant to subparagraph (d)(1)(A), (d)(1)(B) or (d)(1)(C). Early discharge from postrelease supervision is at the discretion of the board.

(vii) Persons convicted of crimes deemed sexually violent or sexually motivated, shall be registered according to the offender registration act, K.S.A. 22-4901 through 22-4910, and amendments thereto.

(viii) Persons convicted of K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2011 Supp. 21-5508, and amendments thereto, shall be required to participate in a treatment program for sex offenders during the postrelease supervision period.

(E) The period of postrelease supervision provided in subparagraphs (A) and (B) may be reduced by up to 12 months and the period of postrelease supervision provided in subparagraph (C) may be reduced by up to six months based on the offender's compliance with conditions of supervision and overall performance while on postrelease supervision. The reduction in the supervision period shall be on an earned basis pursuant to rules and regulations adopted by the secretary of corrections.

(F) In cases where sentences for crimes from more than one severity level have been imposed, the offender shall serve the longest period of postrelease supervision as provided by this section available for any crime upon which sentence was imposed irrespective of the severity level of the crime. Supervision periods will not aggregate.

(G) Except as provided in subsection (u), persons convicted of a sexually violent crime committed on or after July 1, 2006, and who are released from prison, shall be released to a mandatory period of postrelease supervision for the duration of the person's natural life.

(2) As used in this ~~section~~ subsection, "sexually violent crime" means:

(A) Rape, K.S.A. 21-3502, prior to its repeal, or K.S.A. 2011 Supp. 21-5503, and amendments thereto;

(B) indecent liberties with a child, K.S.A. 21-3503, prior to its repeal, or subsection

(a) of K.S.A. 2011 Supp. 21-5506, and amendments thereto;

(C) aggravated indecent liberties with a child, K.S.A. 21-3504, prior to its repeal, or subsection (b) of K.S.A. 2011 Supp. 21-5506, and amendments thereto;

(D) criminal sodomy, subsection (a)(2) and (a)(3) of K.S.A. 21-3505, prior to its repeal, or subsection (a)(3) and (a)(4) of K.S.A. 2011 Supp. 21-5504, and amendments thereto;

(E) aggravated criminal sodomy, K.S.A. 21-3506, prior to its repeal, or subsection (b) of K.S.A. 2011 Supp. 21-5504, and amendments thereto;

(F) indecent solicitation of a child, K.S.A. 21-3510, prior to its repeal, or subsection (a) of K.S.A. 2011 Supp. 21-5508, and amendments thereto;

(G) aggravated indecent solicitation of a child, K.S.A. 21-3511, prior to its repeal, or subsection (b) of K.S.A. 2011 Supp. 21-5508, and amendments thereto;

(H) sexual exploitation of a child, K.S.A. 21-3516, prior to its repeal, or K.S.A. 2011 Supp. 21-5510, and amendments thereto;

(I) aggravated sexual battery, K.S.A. 21-3518, prior to its repeal, or subsection (b) of K.S.A. 2011 Supp. 21-5505, and amendments thereto;

(J) aggravated incest, K.S.A. 21-3603, prior to its repeal, or subsection (b) of K.S.A. 2011 Supp. 21-5604, and amendments thereto; or

(K) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2011 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of a sexually violent crime as defined in this section.

(3) As used in this subsection. "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(e) If an inmate is sentenced to imprisonment for a crime committed while on parole or conditional release, the inmate shall be eligible for parole as provided by subsection (c), except that the prisoner review board may postpone the inmate's parole eligibility date by assessing a penalty not exceeding the period of time which could have been assessed if the inmate's parole or conditional release had been violated for reasons other than conviction of a crime.

(f) If a person is sentenced to prison for a crime committed on or after July 1, 1993, while on probation, parole, conditional release or in a community corrections program, for a crime committed prior to July 1, 1993, and the person is not eligible for retroactive application of the sentencing guidelines and amendments thereto pursuant to K.S.A. 21-4724, prior to its repeal, the new sentence shall not be aggregated with the old sentence, but shall begin when the person is paroled or reaches the conditional release date on the old sentence. If the offender was past the offender's conditional release date at the time the new offense was committed, the new sentence shall not be aggregated with the old sentence but shall begin when the person is ordered released by the prisoner review board or reaches the maximum sentence expiration date on the old sentence, whichever is earlier. The new sentence shall then be served as otherwise provided by law. The period of postrelease supervision shall be based on the new sentence, except that those offenders whose old sentence is a term of imprisonment for life, imposed pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, or an indeterminate sentence with a maximum term of life imprisonment, for which there is no conditional release or maximum sentence expiration date, shall remain on postrelease supervision for life or until discharged from supervision by the prisoner review board.

(g) Subject to the provisions of this section, the prisoner review board may release on parole those persons confined in institutions who are eligible for parole when: (1) The board believes that the inmate should be released for hospitalization, ~~for~~ deportation or to answer the warrant or other process of a court and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate; or (2) the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement, and the board believes that the inmate is able and willing to fulfill the obligations of a law abiding citizen and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate. Parole shall not be granted as an award of clemency and shall not be considered a reduction of sentence or a pardon.

(h) The prisoner review board shall hold a parole hearing at least the month prior to the month an inmate will be eligible for parole under subsections (a), (b) and (c). At least ~~the~~ one month preceding the parole hearing, the county or district attorney of the county where the inmate was convicted shall give written notice of the time and place of the public comment sessions for the inmate to any victim of the inmate's crime who is alive and whose address is known to the county or district attorney or, if the victim is deceased, to the victim's family if the family's address is known to the county or district attorney. Except as otherwise provided, failure to notify pursuant to this section shall not be a reason to postpone a parole hearing. In the case of any inmate convicted of an off-grid felony or a class A felony, the secretary of corrections shall give written notice of the time and place of the public comment session for such inmate at least one month preceding the public comment session to any victim of such inmate's crime or the victim's family pursuant to K.S.A. 74-7338, and amendments thereto. If notification is not given to such victim or such victim's family in the case of any inmate convicted of an off-grid felony or a class A felony, the board shall postpone a decision on parole of the inmate to a time at least 30 days after notification is given as provided in this section. Nothing in this section shall create a cause of action against the state or an employee of the state acting within the scope of the employee's employment as a result of the failure to notify pursuant to this section. If granted parole, the inmate may be released on parole on the date specified by the board, but not earlier than the date the inmate is eligible for parole under subsections (a), (b) and (c). At each parole hearing and, if parole is not granted, at such intervals thereafter as it determines appropriate, the board shall consider: (1) Whether the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement; and (2) all pertinent information regarding such inmate, including, but not limited to, the circumstances of the offense of the inmate; the presentence report; the previous social history and criminal record of the inmate; the conduct, employment, and attitude of the inmate in prison; the reports of such physical and mental examinations as have been made, including, but not limited to, risk factors revealed by any risk assessment of the inmate; comments of the victim and the victim's family including in person comments, contemporaneous comments and prerecorded comments made by any technological means; comments of the public; official comments; any recommendation by the staff of the facility where the inmate is incarcerated; proportionality of the time the inmate has served to the sentence a person

would receive under the Kansas sentencing guidelines for the conduct that resulted in the inmate's incarceration; and capacity of state correctional institutions.

(i) In those cases involving inmates sentenced for a crime committed after July 1, 1993, the prisoner review board will review the inmates proposed release plan. The board may schedule a hearing if they desire. The board may impose any condition they deem necessary to insure public safety, aid in the reintegration of the inmate into the community, or items not completed under the agreement entered into under K.S.A. 75-5210a, and amendments thereto. The board may not advance or delay an inmate's release date. Every inmate while on postrelease supervision shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary.

(j) (1) Before ordering the parole of any inmate, the prisoner review board shall have the inmate appear either in person or via a video conferencing format and shall interview the inmate unless impractical because of the inmate's physical or mental condition or absence from the institution. Every inmate while on parole shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary. Whenever the board formally considers placing an inmate on parole and no agreement has been entered into with the inmate under K.S.A. 75-5210a, and amendments thereto, the board shall notify the inmate in writing of the reasons for not granting parole. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the inmate has not satisfactorily completed the programs specified in the agreement, or any revision of such agreement, the board shall notify the inmate in writing of the specific programs the inmate must satisfactorily complete before parole will be granted. If parole is not granted only because of a failure to satisfactorily complete such programs, the board shall grant parole upon the secretary's certification that the inmate has successfully completed such programs. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by such agreement, or any revision thereof, the board shall not require further program participation. However, if the board determines that other pertinent information regarding the inmate warrants the inmate's not being released on parole, the board shall state in writing the reasons for not granting the parole. If parole is denied for an inmate sentenced for a crime other than a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than one year after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next three years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to three years but any such deferral by the board shall require the board to state the basis for its findings. If parole is denied for an inmate sentenced for a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than three years after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next 10 years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to 10 years but any such deferral shall require the board to state the basis for its findings.

(2) Inmates sentenced for a class A or class B felony who have not had a board hearing in the five years prior to July 1, 2010, shall have such inmates' cases reviewed by the board on or before July 1, 2012. Such review shall begin with the inmates with

the oldest deferral date and progress to the most recent. Such review shall be done utilizing existing resources unless the board determines that such resources are insufficient. If the board determines that such resources are insufficient, then the provisions of this paragraph are subject to appropriations therefor.

(k) (1) Parolees and persons on postrelease supervision shall be assigned, upon release, to the appropriate level of supervision pursuant to the criteria established by the secretary of corrections.

(2) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to search or seizure by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment.

(3) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to search or seizure by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity. Any law enforcement officer who conducts such a search shall submit a written report to the appropriate parole officer no later than the close of the next business day after such search. The written report shall include the facts leading to such search, the scope of such search and any findings resulting from such search.

(l) The prisoner review board shall ~~adopt~~ promulgate rules and regulations in accordance with K.S.A. 77-415 *et seq.*, and amendments thereto, not inconsistent with the law and as it may deem proper or necessary, with respect to the conduct of parole hearings, postrelease supervision reviews, revocation hearings, orders of restitution, reimbursement of expenditures by the state board of indigents' defense services and other conditions to be imposed upon parolees or releasees. Whenever an order for parole or postrelease supervision is issued it shall recite the conditions thereof.

(m) Whenever the prisoner review board orders the parole of an inmate or establishes conditions for an inmate placed on postrelease supervision, the board:

(1) Unless it finds compelling circumstances which would render a plan of payment unworkable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision pay any transportation expenses resulting from returning the parolee or the person on postrelease supervision to this state to answer criminal charges or a warrant for a violation of a condition of probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision;

(2) to the extent practicable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision make progress towards or successfully complete the equivalent of a secondary education if the inmate has not previously completed such educational equivalent and is capable of doing so;

(3) may order that the parolee or person on postrelease supervision perform community or public service work for local governmental agencies, private corporations organized not-for-profit or charitable or social service organizations performing services for the community;

(4) may order the parolee or person on postrelease supervision to pay the administrative fee imposed pursuant to K.S.A. 22-4529, and amendments thereto,

unless the board finds compelling circumstances which would render payment unworkable;

(5) unless it finds compelling circumstances which would render a plan of payment unworkable, shall order that the parolee or person on postrelease supervision reimburse the state for all or part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the person. In determining the amount and method of payment of such sum, the prisoner review board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose. Such amount shall not exceed the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less, minus any previous payments for such services;

(6) shall order that the parolee or person on postrelease supervision agree in writing to be subject to search or seizure by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment; and

(7) shall order that the parolee or person on postrelease supervision agree in writing to be subject to search or seizure by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity.

(n) If the court which sentenced an inmate specified at the time of sentencing the amount and the recipient of any restitution ordered as a condition of parole or postrelease supervision, the prisoner review board shall order as a condition of parole or postrelease supervision that the inmate pay restitution in the amount and manner provided in the journal entry unless the board finds compelling circumstances which would render a plan of restitution unworkable.

(o) Whenever the prisoner review board grants the parole of an inmate, the board, within 14 days of the date of the decision to grant parole, shall give written notice of the decision to the county or district attorney of the county where the inmate was sentenced.

(p) When an inmate is to be released on postrelease supervision, the secretary, within 30 days prior to release, shall provide the county or district attorney of the county where the inmate was sentenced written notice of the release date.

(q) Inmates shall be released on postrelease supervision upon the termination of the prison portion of their sentence. Time served while on postrelease supervision will vest.

(r) An inmate who is allocated regular good time credits as provided in K.S.A. 22-3725, and amendments thereto, may receive meritorious good time credits in increments of not more than 90 days per meritorious act. These credits may be awarded by the secretary of corrections when an inmate has acted in a heroic or outstanding manner in coming to the assistance of another person in a life threatening situation, preventing injury or death to a person, preventing the destruction of property or taking actions which result in a financial savings to the state.

(s) The provisions of subsections (d)(1)(A), (d)(1)(B), (d)(1)(C) and (d)(1)(E) shall be applied retroactively as provided in subsection (t).

(t) For offenders sentenced prior to May 25, 2000, who are eligible for modification

of their postrelease supervision obligation, the department of corrections shall modify the period of postrelease supervision as provided for by this section for offenders convicted of severity ~~level~~ levels 9 and 10 crimes on the sentencing guidelines grid for nondrug crimes and severity level 4 crimes on the sentencing guidelines grid for drug crimes on or before September 1, 2000; for offenders convicted of severity ~~level~~ levels 7 and 8 crimes on the sentencing guidelines grid for nondrug crimes on or before November 1, 2000; and for offenders convicted of severity ~~level~~ levels 5 and 6 crimes on the sentencing guidelines grid for nondrug crimes and severity level 3 crimes on the sentencing guidelines grid for drug crimes on or before January 1, 2001.

(u) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2011 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, shall be placed on parole for life and shall not be discharged from supervision by the prisoner review board. When the board orders the parole of an inmate pursuant to this subsection, the board shall order as a condition of parole that the inmate be electronically monitored for the duration of the inmate's natural life.

(v) Whenever the prisoner review board ~~or the court~~ orders a person to be electronically monitored pursuant to this section, or the court orders a person to be electronically monitored pursuant to subsection (r) of K.S.A. 2011 Supp. 21-6604, and amendments thereto, the board ~~or court~~ shall order the person to reimburse the state for all or part of the cost of such monitoring. In determining the amount and method of payment of such sum, the board ~~or court~~ shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose.

(w) (1) On and after July 1, 2012, for any inmate who is a sex offender, as defined in K.S.A. 22-4902, and amendments thereto, whenever the prisoner review board orders the parole of such inmate or establishes conditions for such inmate placed on postrelease supervision, such inmate shall agree in writing to not possess pornographic materials.

(A) As used in this subsection, "pornographic materials" means: Any obscene material or performance depicting sexual conduct, sexual contact or a sexual performance; and any visual depiction of sexually explicit conduct.

(B) As used in this subsection, all other terms have the meanings provided by K.S.A. 2011 Supp. 21-5510, and amendments thereto.

(2) The provisions of this subsection shall be applied retroactively to every sex offender, as defined in K.S.A. 22-4902, and amendments thereto, who is on parole or postrelease supervision on July 1, 2012. The prisoner review board shall obtain the written agreement required by this subsection from such offenders as soon as practicable.

Sec. 44. K.S.A. 2011 Supp. 22-3901 is hereby amended to read as follows: 22-3901. The following unlawful activities and the use of real or personal property in maintaining and carrying on such activities are hereby declared to be common nuisances:

- (a) Commercial gambling;
- (b) dealing in gambling devices;
- (c) possession of gambling devices;
- (d) promoting obscenity;
- (e) promoting prostitution;
- (f) habitually promoting prostitution;

- (g) violations of any law regulating controlled substances;
- (h) habitual violations of any law regulating the sale or exchange of alcoholic liquor or cereal malt beverages, by any person not licensed pursuant to chapter 41 of the Kansas Statutes Annotated, and amendments thereto;
- (i) habitual violations of any law regulating the sale or exchange of cigarettes or tobacco products, by any person not licensed pursuant to article 33 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto;
- (j) any felony committed for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further or assist in any criminal conduct by gang members. As used in this subsection, "criminal street gang" means any organization, association or group, whether formal or informal:
 - (1) Consisting of three or more persons;
 - (2) having as one of its primary activities the commission of one or more person felonies, person misdemeanors, felony violations of K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009, or the comparable juvenile offenses, which if committed by an adult would constitute the commission of such felonies or misdemeanors;
 - (3) which has a common name or common identifying sign or symbol; and
 - (4) whose members, individually or collectively engage in or have engaged in the commission, attempted commission, conspiracy to commit or solicitation of two or more person felonies, person misdemeanors, felony violations of K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009, or the comparable juvenile offenses, which if committed by an adult would constitute the commission of such felonies or misdemeanors, or any substantially similar offense from another jurisdiction;
- or
- (k) use of pyrotechnics, pyrotechnic devices or pyrotechnic materials in violation of K.S.A. 2011 Supp. 31-170, and amendments thereto.

Any real property used as a place where any such activities are carried on or permitted to be carried on and any effects, equipment, paraphernalia, fixtures, appliances, musical instruments or other personal property designed for and used on such premises in connection with such unlawful activities are subject to the provisions of K.S.A. 22-3902, 22-3903 and 22-3904, and amendments thereto.";

On page 89, by striking all in lines 34 through 43;

By striking all on pages 90 through 92;

On page 93, by striking all in lines 1 through 27 and inserting:

"Sec. 47. K.S.A. 2011 Supp. 38-2369, as amended by section 1 of 2012 House Bill No. 2737, is hereby amended to read as follows: 38-2369. (a) For the purpose of committing juvenile offenders to a juvenile correctional facility, the following placements shall be applied by the judge in felony or misdemeanor cases. If used, the court shall establish a specific term of commitment as specified in this subsection, unless the judge conducts a departure hearing and finds substantial and compelling reasons to impose a departure sentence as provided in K.S.A. 2011 Supp. 38-2371, and amendments thereto.

(1) *Violent Offenders.* (A) The violent offender I is defined as an offender adjudicated as a juvenile offender for an offense which, if committed by an adult, would constitute an off-grid felony. Offenders in this category may be committed to a juvenile correctional facility for a minimum term of 60 months and up to a maximum term of the offender reaching the age of 22 years, six months. The aftercare term for this offender is set at a minimum term of six months and up to a maximum term of the offender reaching the age of 23 years.

(B) The violent offender II is defined as an offender adjudicated as a juvenile offender for an offense which, if committed by an adult, would constitute a nondrug severity level 1, 2 or 3 felony. Offenders in this category may be committed to a juvenile correctional facility for a minimum term of 24 months and up to a maximum term of the offender reaching the age 22 years, six months. The aftercare term for this offender is set at a minimum term of six months and up to a maximum term of the offender reaching the age of 23 years.

(2) *Serious Offenders.* (A) The serious offender I is defined as an offender adjudicated as a juvenile offender for an offense;

(i) Which, if committed by an adult, would constitute a nondrug severity level 4, 5 or 6 person felony or a severity level 1 or 2 drug felony;

(ii) committed prior to July 1, 2012, which, if committed by an adult prior to July 1, 2012, would constitute a drug severity level 1 or 2 felony; or

(iii) committed on or after July 1, 2012, which, if committed by an adult on or after July 1, 2012, would constitute a drug severity level 1, 2 or 3 felony.

Offenders in this category may be committed to a juvenile correctional facility for a minimum term of 18 months and up to a maximum term of 36 months. The aftercare term for this offender is set at a minimum term of six months and up to a maximum term of 24 months.

(B) The serious offender II is defined as an offender adjudicated as a juvenile offender for an offense which, if committed by an adult, would constitute a nondrug severity level 7, 8, 9 or 10 person felony with one prior felony adjudication. Offenders in this category may be committed to a juvenile correctional facility for a minimum term of nine months and up to a maximum term of 18 months. The aftercare term for this offender is set at a minimum term of six months and up to a maximum term of 24 months.

(3) *Chronic Offenders.* (A) The chronic offender I, chronic felon is defined as an offender adjudicated as a juvenile offender for an offense ~~which, if committed by an adult, would constitute:~~

(i) Which, if committed by an adult, would constitute one present nonperson felony adjudication and two prior felony adjudications; or

(ii) committed prior to July 1, 2012, which, if committed by an adult prior to July 1, 2012, would constitute one present drug severity level 3 drug felony adjudication and two prior felony adjudications; or

(iii) committed on or after July 1, 2012, which, if committed by an adult on or after July 1, 2012, would constitute one present drug severity level 4 felony adjudication and two prior felony adjudications.

Offenders in this category may be committed to a juvenile correctional facility for a minimum term of six months and up to a maximum term of 18 months. The aftercare term for this offender is set at a minimum term of six months and up to a maximum

term of 12 months.

(B) The chronic offender II, escalating felon is defined as an offender adjudicated as a juvenile offender for an offense ~~which, if committed by an adult, would constitute:~~

(i) ~~Which, if committed by an adult, would constitute~~ one present felony adjudication and either two prior misdemeanor adjudications or one prior person or nonperson felony adjudication;

(ii) ~~which, if committed by an adult, would constitute~~ one present felony adjudication and two prior ~~drug~~ severity level 4 ~~drug~~ or 5 adjudications;

(iii) ~~committed prior to July 1, 2012, which, if committed by an adult prior to July 1, 2012, would constitute~~ one present ~~drug~~ severity level 3 ~~drug~~ felony adjudication and either two prior misdemeanor adjudications or one prior person or nonperson felony adjudication; ~~or~~

(iv) ~~committed prior to July 1, 2012, which, if committed by an adult prior to July 1, 2012, would constitute~~ one present ~~drug~~ severity level 3 ~~drug~~ felony adjudication and two prior ~~drug~~ severity level 4 ~~drug~~ or 5 adjudications;

(v) ~~committed on or after July 1, 2012, which, if committed by an adult on or after July 1, 2012, would constitute one present drug severity level 4 felony adjudication and either two prior misdemeanor adjudications or one prior person or nonperson felony adjudication; or~~

(vi) ~~committed on or after July 1, 2012, which, if committed by an adult on or after July 1, 2012, would constitute one present drug severity level 4 felony adjudication and two prior drug severity level 4 or 5 adjudications.~~

Offenders in this category may be committed to a juvenile correctional facility for a minimum term of six months and up to a maximum term of 18 months. The aftercare term for this offender is set at a minimum term of six months and up to a maximum term of 12 months.

(C) The chronic offender III, escalating misdemeanant is defined as an offender adjudicated as a juvenile offender for an offense ~~which, if committed by an adult, would constitute:~~

(i) ~~Which, if committed by an adult, would constitute~~ one present misdemeanor adjudication and either two prior misdemeanor adjudications or one prior person or nonperson felony adjudication and two placement failures;

(ii) ~~which, if committed by an adult, would constitute~~ one present misdemeanor adjudication and two prior ~~drug~~ severity level 4 ~~drug~~ or 5 felony adjudications and two placement failures;

(iii) ~~which, if committed by an adult, would constitute~~ one present ~~drug~~ severity level 4 ~~drug~~ felony adjudication and either two prior misdemeanor adjudications or one prior person or nonperson felony adjudication and two placement failures; ~~or~~

(iv) ~~which, if committed by an adult, would constitute~~ one present ~~drug~~ severity level 4 ~~drug~~ felony adjudication and two prior ~~drug~~ severity level 4 ~~drug~~ or 5 felony adjudications and two placement failures;

(v) ~~committed on or after July 1, 2012, which, if committed by an adult on or after July 1, 2012, would constitute one present drug severity level 5 felony adjudication and either two prior misdemeanor adjudications or one prior person or nonperson felony adjudication and two placement failures; or~~

(vi) ~~committed on or after July 1, 2012, which, if committed by an adult on or after July 1, 2012, would constitute one present drug severity level 5 felony adjudication and~~

two prior drug severity level 4 or 5 adjudications and two placement failures.

Offenders in this category may be committed to a juvenile correctional facility for a minimum term of three months and up to a maximum term of six months. The aftercare term for this offender is set at a minimum term of three months and up to a maximum term of six months.

(4) *Conditional Release Violators.* Upon finding the juvenile violated a requirement or requirements of conditional release, the court may:

(A) Subject to the limitations in subsection (a) of K.S.A. 2011 Supp. 38-2366, and amendments thereto, commit the offender directly to a juvenile correctional facility for a minimum term of three months and up to a maximum term of six months. The aftercare term for this offender shall be a minimum of two months and a maximum of six months, or the length of the aftercare originally ordered, ~~which ever~~ whichever is longer.

(B) Enter one or more of the following orders:

(i) Recommend additional conditions be added to those of the existing conditional release.

(ii) Order the offender to serve a period of sanctions pursuant to subsection (f) of K.S.A. 2011 Supp. 38-2361, and amendments thereto.

(iii) Revoke or restrict the juvenile's driving privileges as described in subsection (c) of K.S.A. 2011 Supp. 38-2361, and amendments thereto.

(C) Discharge the offender from the custody of the commissioner, release the commissioner from further responsibilities in the case and enter any other appropriate orders.

(b) As used in this section: (1) "Placement failure" means a juvenile offender in the custody of the juvenile justice authority has significantly failed the terms of conditional release or has been placed out-of-home in a community placement accredited by the commissioner and has significantly violated the terms of that placement or violated the terms of probation.

(2) "Adjudication" includes out-of-state juvenile adjudications. An out-of-state offense, which if committed by an adult would constitute the commission of a felony or misdemeanor, shall be classified as either a felony or a misdemeanor according to the adjudicating jurisdiction. If an offense which if committed by an adult would constitute the commission of a felony is a felony in another state, it will be deemed a felony in Kansas. The state of Kansas shall classify the offense, which if committed by an adult would constitute the commission of a felony or misdemeanor, as person or nonperson. In designating such offense as person or nonperson, reference to comparable offenses shall be made. If the state of Kansas does not have a comparable offense, the out-of-state adjudication shall be classified as a nonperson offense.

(c) All appropriate community placement options shall have been exhausted before a chronic offender III, escalating misdemeanant shall be placed in a juvenile correctional facility. A court finding shall be made acknowledging that appropriate community placement options have been pursued and no such option is appropriate.

(d) The commissioner shall work with the community to provide on-going support and incentives for the development of additional community placements to ensure that the chronic offender III, escalating misdemeanant sentencing category is not frequently utilized.

(e) Any juvenile offender committed to a juvenile correctional facility who is

adjudicated for an offense committed while such juvenile was committed to a juvenile correctional facility, may be adjudicated to serve a consecutive term of commitment in a juvenile correctional facility.";

On page 100, by striking all in lines 13 through 43;

By striking all on pages 101 through 125;

On page 126, by striking all in lines 1 through 29;

And by renumbering sections accordingly;

Also on page 126, in line 30, by striking "K.S.A. 65-4123 and"; in line 31, following "21-5706," by inserting "21-5707,"; in line 33, by striking "21-5905,"; in line 34, following "21-6604," by inserting "as amended by section 1 of 2012 House Bill No. 2465,"; also in line 34, following "21-6614," by inserting " as amended by section 3 of 2012 Senate Bill No. 322, 21-6614, as amended by section 6 of 2012 House Bill No. 2535,"; in line 36, following "22-3717," by inserting "as amended by section 2 of 2012 House Substitute for Substitute for Senate Bill No. 159, 22-3717, as amended by section 2 of 2012 House Bill No. 2465, 22-3717, as amended by section 15 of 2012 House Bill No. 2535, 22-3901,"; in line 37, following "38-2369," by inserting "as amended by section 1 of 2012 House Bill No. 2737,"; also in line 37, by striking "65-1626, 65-1637, 65-1683, 65-"; in line 38, by striking "1685, 65-1693, 65-4101";

On page 1, in the title, in line 1, by striking "drugs" and inserting "crimes, punishment and criminal procedure"; in line 2, by striking "armed criminal action" and inserting "endangerment"; in line 5, by striking "electronic prescription and"; in line 6, by striking all before "amending" and all following "amending"; in line 8, following "21-5706," by inserting "21-5707,"; in line 9, by striking "21-5905,"; in line 11, following "21-6604," by inserting "as amended by section 1 of 2012 House Bill No. 2465,"; also in line 11, following "21-6614," by inserting "as amended by section 3 of 2012 Senate Bill No. 322,"; in line 13, following "22-3717," by inserting "as amended by section 2 of 2012 House Substitute for Substitute for Senate Bill No. 159, 22-3901,"; also in line 13, following "38-2369," by inserting "as amended by section 1 of 2012 House Bill No. 2737,"; also in line 13, by striking "65-"; in line 14, by striking all before "75-5291"; in line 16, following "Supp." by inserting "21-6614, as amended by section 6 of 2012 House Bill No. 2535,"; also in line 16, following "21-6614c" by inserting ", 22-3717, as amended by section 2 of 2012 House Bill No. 2465, 22-3717, as amended by section 15 of 2012 House Bill No. 2535";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

PAT COLLOTON

LANCE KINZER

MELODY MCCRAY-MILLER

Conferees on part of House

Senator Owens moved the Senate adopt the Conference Committee Report on **Senate Substitute for Substitute HB 2318**.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 0; Absent or Not

Voting 2.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Francisco, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil.

Nays: Faust-Goudeau, Haley.

Absent or Not Voting: Steineger, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Senate Substitute for HB 2730** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2730, as follows:

On page 25, in line 27, by striking "(1)" and inserting "and (c)(1)"; in line 28, by striking "(b)(5)" and inserting "(c)(4)";

And your committee on conference recommends the adoption of this report.

MARK TADDIKEN

RUTH TEICHMAN

MARCI FRANCISCO

Conferees on part of Senate

LARRY R. POWELL

DAN J. KERSCHEN

JERRY D. WILLIAMS

Conferees on part of House

Senator Taddiken moved the Senate adopt the Conference Committee Report on **Senate Substitute for HB 2730**.

On roll call, the vote was: Yeas 34; Nays 3; Present and Passing 1; Absent or Not Voting 2.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Marshall, Masterson, McGinn, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, Reitz, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil.

Nays: Lynn, Merrick, Pilcher-Cook.

Present and Passing: A. Schmidt.

Absent or Not Voting: Steineger, Wagle.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote pass on **Senate Substitute for House Bill 2730** simply to highlight what I believe are unnecessary requirements placed on lodging establishments which provide light breakfasts and light foods or refreshments for receptions involving

their lodging guests. Most of **S Sub for HB 2730** is positive and deserved to pass. My concern on this bill was not adequately answered on the floor or by committee and as such my concern remains that lodging establishments will have to purchase a food handling license or provide only packaged items for guests light breakfasts and receptions. – ALLEN SCHMIDT

ORIGINAL MOTIONS

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **S Sub for HB 2157**.

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **S Sub for HB 2157** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

LES DONOVAN

PAT APPLE

Conferees on part of Senate

RICHARD CARLSON

MARVIN KLEEB

Conferees on part of House

On motion of Senator Donovan the Senate adopted the conference committee report on **S Sub for HB 2157**, and requested a new conference committee be appointed.

The President appointed Senators Donovan, Apple and Holland as a second Conference Committee on the part of the Senate on **S Sub for HB 2157**.

REPORT ON ENROLLED BILLS

SR 1876, **SR 1877** reported correctly enrolled and properly signed on May 10, 2012.

CONSIDERATION OF APPOINTMENTS

By the Governor:

On the appointment to the:

Kansas Bioscience Authority, Member.

Dale A. Rodman, term expires March 15, 2016.

On roll call, the vote was: Yeas 31; Nays 4; Present and Passing 3; Absent or Not Voting 2.

Yeas: Abrams, Apple, Bruce, Donovan, Emler, Faust-Goudeau, Haley, Holland, Huntington, Kelsey, King, Longbine, Love, Lynn, Marshall, Masterson, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger.

Nays: Hensley, Kelly, Kultala, Vratil.
 Present and Passing: Brungardt, Francisco, McGinn.
 Absent or Not Voting: Steineger, Wagle.
 The appointment was confirmed.

ORIGINAL MOTION

On motion of Senator Brungardt, the Senate acceded to the request of the House for a conference on **HB 2729**.

The President appointed Senators Brungardt, Reitz and Francisco as conferees on the part of the Senate.

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

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

MESSAGE FROM THE HOUSE

Announcing passage of **SB 59, as amended by House Substitute for SB 59**.

The House adopts the Conference Committee report on **Senate Substitute for HB 2077**.

The House adopts the Conference Committee report on **HB 2502**.

The House adopts the Conference Committee report on **HB 2613**.

The House adopts the Conference Committee report on **House Substitute for SB 160**.

The House adopts the Conference Committee report on **SB 334**.

The House announced the appointment of Representatives Shultz, Hermanson and Grant to replace Representatives Colloton, Kinzer and McCray-Miller as conferees on **HB 2494**.

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **H Sub for SB 59**.

ORIGINAL MOTION

Pursuant to Senate Rule 75, President Morris determined **H Sub for SB 59**, as amended by the House, to be materially changed. President Morris referred the bill to the Committee on **Local Government**.

REPORTS OF STANDING COMMITTEES

Committee on **Reapportionment** recommends **Substitute for HB 2069** be amended by substituting a new bill to be designated as "Senate Substitute for Substitute for HOUSE BILL No. 2069," as follows:

"Senate Substitute for Substitute for HOUSE BILL No. 2069"

By Committee on Reapportionment

"AN ACT concerning reapportionment; relating to state senate districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-4,451, 4-4,452, 4-4,453, 4-4,454, 4-4,455, 4-4,456, 4-4,457, 4-4,458, 4-4,459, 4-4,460, 4-4,461, 4-4,462, 4-4,463, 4-4,464, 4-4,465, 4-4,466, 4-4,467, 4-4,468, 4-4,469, 4-4,470, 4-4,471, 4-

4,472, 4-4,473, 4-4,474, 4-4,475, 4-4,476, 4-4,477, 4-4,478, 4-4,479, 4-4,480, 4-4,481, 4-4,482, 4-4,483, 4-4,484, 4-4,485, 4-4,486, 4-4,487, 4-4,488, 4-4,489, 4-4,490, 4-4,491, 4-4,492 and 4-4,493.";

and the substitute bill be passed.

Committee on **Reapportionment** recommends **HB 2087**, as amended by House Committee of the Whole, be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2087," as follows:

"SENATE Substitute for HOUSE BILL No. 2087"

By Committee on Reapportionment

"AN ACT concerning reapportionment; relating to state senate districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-4,451, 4-4,452, 4-4,453, 4-4,454, 4-4,455, 4-4,456, 4-4,457, 4-4,458, 4-4,459, 4-4,460, 4-4,461, 4-4,462, 4-4,463, 4-4,464, 4-4,465, 4-4,466, 4-4,467, 4-4,468, 4-4,469, 4-4,470, 4-4,471, 4-4,472, 4-4,473, 4-4,474, 4-4,475, 4-4,476, 4-4,477, 4-4,478, 4-4,479, 4-4,480, 4-4,481, 4-4,482, 4-4,483, 4-4,484, 4-4,485, 4-4,486, 4-4,487, 4-4,488, 4-4,489, 4-4,490, 4-4,491, 4-4,492 and 4-4,493.";

and the substitute bill be passed.

CHANGE OF REFERENCE

The President withdrew **S Sub for HB 2087** from the calendar under the heading of General Orders and re-referred the bill to the Committee on **Reapportionment**.

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Friday, May 11, 2012.

Journal of the Senate

SIXTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, May 11, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-nine senators present.
Senator Taddiken was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

As a pastor and a preacher and a Sunday School teacher and then a Chaplain, I've had to spend a lot of time in public speaking, and I learned a lot from the book of James in the Bible on how to avoid saying inappropriate things.

These are excerpts from the book of James as translated in the Bible in Contemporary Language.

James 3:3-9: "A bit in the mouth of a horse controls the whole horse...."

A word of your mouth may seem of no account, but it can accomplish nearly anything – or destroy it A careless or wrongly placed word out of your mouth can do that. By our speech we can rule the world, turn harmony to chaos, throw mud on a reputation, send the whole world up in smoke with itYou can tame a tiger, but you can't tame a tongue – it's never been done. The tongue runs wild, a wanton killer. With our tongue we bless God our Father; with the same tongues we curse the very men and women He made in His image. Curses and blessings out of the same mouth! "My friends, this can't go on."

This excerpt from the Bible shows me what constructive or careless results can come from the same mouth. I close this prayer with one suggestion to myself and everyone else: "Don't say anything today that you will regret tomorrow!"

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

CHANGE OF REFERENCE

The President withdrew **S Sub for Sub HB 2069** from the Calendar under the

heading of General Orders, and re-referred the bill to the Committee on **Reapportionment**.

MESSAGES FROM THE GOVERNOR

H Sub for SB 62 approved on May 10, 2012.

MESSAGE FROM THE HOUSE

Announcing passage of **SB 102**, as amended by **House Substitute for SB 102**.

The House accedes to the request of the Senate for a conference on **House Substitute for Substitute SB 39** and has appointed Representatives Rhoades, Kelley and Feuerborn as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 314** and has appointed Representatives Powell, Kerschen and Williams as conferees on the part of the House.

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **H Sub for SB 102**.

Pursuant to Senate Rule 75, President Morris determined **H Sub for SB 102**, as amended by the House to be materially changed.

President Morris referred the bill to the Committee on **Reapportionment**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Apple introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1879—

A RESOLUTION congratulating Emma Smith for receiving the prestigious Harry S. Truman Scholarship.

WHEREAS, Emma Smith was recently awarded the prestigious Harry S. Truman Scholarship, a competitive federal scholarship awarded to college juniors who have interests in public service and demonstrate leadership skills. The scholarship is only awarded to 50-75 juniors in the United States each year; and

WHEREAS, Emma Smith, who is a junior at Dartmouth College in Hanover, New Hampshire, is majoring in history with a concentration in war and peace studies and minoring in geography. Smith worked on her application for the Truman Scholarship for at least a year. The scholarship required an interview with a panel of judges, which included a federal judge and the president of the Truman Foundation, 10 written essays and a number of letters of recommendation; and

WHEREAS, One of the essays submitted by Emma Smith for the scholarship focused on the single problem she would like to solve in the world, as well as creating her own policy, which was then sent to an official in Washington, D.C. who could potentially make a difference. Smith sent her policy to Frank Wolf, who is the co-

chairman of the Tom Lantos Human Rights Commission, an organization composed of members of Congress who focus on raising awareness about international human rights issues; and

WHEREAS, Emma Smith is the national Sudan Education Coordinator for STAND, the student-led division of the organization United to End Genocide. She has also participated in study abroad programs, such as Semester at Sea, which led her to found Mercy's Dream Ministries, an organization that finds sponsors to match with children at an orphanage in Ghana to help them financially with school; and

WHEREAS, Upon graduation from Dartmouth College in 2013, Emma Smith plans to attend the University of London with the help of the Truman Scholarship to earn a master's degree in law in human rights conflict and justice, as well as to study Arabic and French, which will be vital to her future advocacy work in Africa. After she completes the program, she hopes to be on the ground in Africa working in a community or refugee camp and focusing on advocacy and policy making; and

WHEREAS, Emma Smith will be living in Washington, D.C., this summer to work for the International Rescue Committee as a refugee employment intern. The following summer, Emma, as a Truman Scholar, will spend a week at William Jewell College for leadership training and one-on-one mentoring and networking; and

WHEREAS, With enthusiasm and determined purpose, Emma Smith, as a Harry S. Truman Scholarship recipient, should be proud of her accomplishments and eagerly anticipate future challenges: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Emma Smith, Harry S. Truman Scholarship recipient, for her outstanding academic achievements, hard work and future work and leadership in public service; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Apple.

On emergency motion of Senator Apple **SR 1879** was adopted unanimously.

Senator Apple introduced and congratulated Emma Smith for receiving the Harry S. Truman Scholarship. Also introduced were Emma's family in attendance: Elaine and Jeffery Smith, parents, Victoria and Sophia Smith, sisters and Samuel and Timothy Smith, brothers. The Senate acknowledged her achievement with a standing ovation.

Senator V. Schmidt introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1880—

A RESOLUTION congratulating and commending Hillary Boyle
for being named Miss Capital City 2012.

WHEREAS, Hillary Boyle was named Miss Capital City 2012; and

WHEREAS, Hillary is a senior at Kansas State University where she is currently seeking a bachelor of science in accounting with a minor in economics; and

WHEREAS, Hillary has received several scholastic honors, such as Dean's Honor roll for six semesters, Beta Alpha Psi Honorary, Phi Eta Sigma National Collegiate Honor Society, Conoco-Phillips SPIRIT Scholar Candidate 2010, Business Administration Dean's Scholarship, KSU Leadership Scholarship and AXA National

Scholarship; and

WHEREAS, Hillary has held several leadership positions, serving on the KSU Student Foundation Board, Telefund Chair and K-State Proud Student Scholarship Allocations Committee, KSU Student Alumni Board and sophomore recruitment chairman; and

WHEREAS, Hillary is an accomplished vocalist, representing and serving as an ambassador for Kansas State University through the K-State Singer Show Choir; and

WHEREAS, Hillary has earned the opportunity to be gainfully employed by INVISTA, which is a subsidiary of Koch Industries, Inc.; and

WHEREAS, Hillary supports Relay for Life, a fundraiser for research and programming for the American Cancer Society, where she has been volunteering since her freshman year at Salina High School; and

WHEREAS, Hillary can trace her Kansas ancestors back seven generations to the pioneer days when they arrived in 1870: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate Hillary Boyle for being named Miss Capital City 2012 and that we thank her for the work she continues to do across Kansas; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Schmidt.

On emergency motion of Senator V. Schmidt **SR 1880** was adopted unanimously.

Senator V. Schmidt introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1881—

A RESOLUTION congratulating and commending Belinda Post
for being named Miss Topeka 2012.

WHEREAS, Belinda Post was named Miss Topeka 2012; and

WHEREAS, Belinda received her B.A. in theater and dance and a minor in French from Kansas State University and is presently earning her M.A. in mass communications; and

WHEREAS, Belinda has earned several honors, such as being a Presidential Inaugural Scholar, Miss America Community Service Scholarship, Tara Dawn Holland Quality of Life, and National Society of Collegiate Scholars; and

WHEREAS, Belinda has participated as a NFL's Kansas City Chiefs' cheerleader, K-State Wildcat twirler for 3 years, top CMNH fundraiser for 3 years, top community service hours volunteer for 5 years, top salute pages for 4 years from the Miss Kansas Organization, and dance and baton teacher for 9 years; and

WHEREAS, Belinda has achieved several accomplishments, including 1st runner-up Miss Kansas 2010, Miss Kansas Organization 2010 evening gown award, Miss Kansas Organization 2009 and 2011 talent award and swimsuit award, and Muscular Dystrophy's top solo fundraiser in northeast Kansas; and

WHEREAS, Belinda's platform issue is "A Life of Giving: Youth Volunteerism," which is based on her two most important causes: Helping others and working with children. In support of her platform issue, she has created her own service curriculum and has been appointed as a member of the Kansas Volunteer Commission by Governor

Sam Brownback; and

WHEREAS, Belinda is motivated by the idea of giving everything she has. When she stands before God at the end of her life, she hopes she does not have a bit of talent left and can say, "I have used everything You gave me.": Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate Belinda Post for being named Miss Topeka 2012 and that we thank her for the work she continues to do across Kansas; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator V. Schmidt.

On emergency motion of Senator V. Schmidt **SR 1881** was adopted unanimously.

Senator V. Schmidt introduced and congratulated Belinda Post for being named Miss Topeka 2012. Also in attendance were: Belinda's mother, Beverly Bernardi-Post, Evelyn Rivera, pageant organizer and her husband, Hector. The Senate acknowledged her achievement with a standing ovation.

Senators Kelly, V. Schmidt and Hensley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1882—

A RESOLUTION recognizing and honoring Maynard Oliverius on his retirement as President and CEO of Stormont-Vail Health Care.

WHEREAS, Maynard Oliverius has dedicated 43 years as a health care professional in northeast Kansas, beginning at Stormont-Vail as Supply Chain Supervisor and from that position, through excellent performance, dedication to the Stormont-Vail mission of working to improve the health of the community, and personal integrity, steadily earned promotions to positions of increased scope and responsibility, becoming Director of Resource Management in 1973, Assistant Vice-President in 1976, Vice-President in 1979, Senior Vice-President of Corporate Operations in 1984, Executive Vice-President and Chief Operating Officer and the President and Chief Executive Officer in 1996; and

WHEREAS, Under his leadership as COO and CEO, Stormont-Vail merged with Cotton-O'Neil Clinic to become an integrated health system in 1995; opened the new Birthplace in 1996; created the first Hospitalist program in Kansas in 1998; opened the Cotton-O'Neil Heart Center in 1999; Stormont-Vail West in 2001; the Diabetes and Endocrinology Center in 2002; an expanded Surgery Center in 2003; the Digestive Health Center in 2004; a remodeled Neonatal Intensive Care Unit in 2005; the Total Joint Center in 2006; the EXcellent Surgery Center in 2008; the new Emergency and Trauma Center in 2009 and a Pediatric Intensive Care Unit in 2011; and

WHEREAS, Through his team building effectiveness, Stormont-Vail was awarded Magnet status from the American Nurses Credentialing Center in 2009 and achieved recognition as a Top 100 Integrated Care Network in 2001, 2002, 2005, 2006, 2008, 2010 and 2011; and

WHEREAS, Through his dedication to the mission of improving the health of the community, Stormont-Vail has grown to provide health care services in 28 locations in 13 Kansas counties; and

WHEREAS, Through his stewardship, Stormont-Vail has remained a financially healthy organization, a preferred employer and a strong supporter of the communities in which it provides health care services; and

WHEREAS, Through his professional achievements he has repeatedly been recognized as a health care executive of distinction having served on the Board of Trustees of the American Hospital Association, the Board of Directors of the Kansas Hospital Association and as the first Chairman of the Board of the Missouri/Kansas Health Alliance and having been honored as a recipient of the American College of Health Care Executives Annual Regents Award, the Baker University Trustee Medallion, the Fort Hays State University Alumni Achievement Award, the Kansas Hospital Association Grassroots Champion Award, the Kansas Hospital Association Charles S. Billings Award for distinguished service and in 2009 was inducted into the Topeka Junior Achievement Business Hall of Fame; and

WHEREAS, His service to Stormont-Vail has been marked with outstanding personal integrity, keen intelligence, loyalty and constant goodwill and boundless productivity: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we hereby recognize Maynard Oliverius for his distinguished career as a health care executive, and congratulate him on his retirement from Stormont-Vail HealthCare; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Kelly.

On emergency motion of Senator Kelly **SR 1882** was adopted unanimously.

Senators Hensley, Morris and Emler introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1883—

A RESOLUTION congratulating and commending Dave Larson for his years of service to the Kansas Legislature.

WHEREAS, Dave Larson retired as the Chief Information Technology Officer and Director of Legislative Computer Services for the Kansas Legislature on December 9, 2011; and

WHEREAS, Dave began work for the Kansas Legislature in April of 1990. He was hired as the Information Resource Manager and was the only employee dedicated to what is now called Information Technology. When he was hired, the technology of the Legislature consisted of two IBM System 36 word processors and hundreds of electric typewriters; and

WHEREAS, Dave made numerous contributions to the National Conference of State Legislatures (NCSL). In 2010-2011, Dave served as chair of the National Association of Legislative Information Technology (NALIT), a staff section of NCSL. He also served as vice-chair and secretary of NALIT and as a NALIT Director from 2005-2009. Dave also received the NCSL Legislative Staff Achievement Award for his work in the Kansas Legislature and his service to NALIT in 2004; and

WHEREAS, Dave's expertise has led him to be a panelist or presenter on emerging technology, management, strategic planning and security at many national conferences; and

WHEREAS, Dave is a native Kansan. He graduated from Washburn University with a bachelor of science degree with majors in mathematics and biology. He earned a CPM (certified public manager) from the KU Capitol Complex in 1997 and became nationally certified in Project Management in 1999; and

WHEREAS, Through Dave's dedication, leadership, loyalty, integrity and calm demeanor, he played an integral role in moving the Kansas Legislature towards true E-government: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Dave Larson for his great service to the Kansas Legislature. We thank Dave for his service to the state of Kansas and wish him all the best; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Anthony Hensley.

On emergency motion of Senator Hensley **SR 1883** was adopted unanimously.

Senator Hensley introduced and congratulated Dave Larson for his years of service to the Kansas Legislature. Dave retired as Chief Information Technology Officer and Director of Legislative Computer Services for the Kansas Legislature. The Senate acknowledged his service with a standing ovation.

On motion of Senator Emler the Senate recessed until 11:00 a.m.

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

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **H Sub for SB 79, H Sub for SB 160; SB 334.**

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to H Sub for SB 79 submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for SB 79, as follows:

On page 1, in line 9, after "constitution" by inserting ", including, but not limited to, equal protection, due process, free exercise of religion, freedom of speech or press, and any right of privacy or marriage"; in line 21, after "constitutions" by inserting ", including, but not limited to, equal protection, due process, free exercise of religion, freedom of speech or press, and any right of privacy or marriage"; in line 31, after "constitutions" by inserting ", including, but not limited to, equal protection, due process, free exercise of religion, freedom of speech or press, and any right of privacy or marriage";

On page 2, in line 4, after "constitutions" by inserting ", including, but not limited to, equal protection, due process, free exercise of religion, freedom of speech or press, and any right of privacy or marriage"; in line 11, after "dispute," by inserting "including, but not limited to, equal protection, due process, free exercise of religion, freedom of speech or press, and any right of privacy or marriage,";

Also on page 2, following line 25, by inserting:

"Sec. 8. Without prejudice to any legal right, this act shall not apply to a corporation, association, partnership, limited liability company, limited liability partnership or other legal entity that contracts to subject itself to foreign law or courts in a jurisdiction other than this state or the United States.";

And by renumbering the remaining section accordingly;

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

Senator Masterson moved to adopt the Conference Committee Report on **H Sub for SB 79**.

Senator Owens made a substitute motion to not adopt the Conference Committee Report on **H Sub for SB 79** and a new Conference Committee be appointed. Motion failed.

Citing Rule 26, Senator Vratil moved to lay on the table the motion to adopt the Conference Committee Report.

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

On roll call, the vote was: Yeas 9; Nays 28; Present and Passing 2; Absent or Not Voting 1.

Yeas: Brungardt, Francisco, Haley, Hensley, Kelly, Owens, Reitz, Steineger, Vratil.

Nays: Abrams, Apple, Bruce, Donovan, Emler, Faust-Goudeau, Holland, Kelsey, King, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Wagle.

Present and Passing: Huntington, Kultala.

Absent or Not Voting: Taddiken.

The motion failed.

Senator Masterson moved the Senate adopt the Conference Committee Report on **H Sub for SB 79**.

On roll call, the vote was: Yeas 33; Nays 3; Present and Passing 3; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Hensley, Holland, Huntington, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Wagle.

Nays: Francisco, Owens, Vratil.
 Present and Passing: Haley, Kelly, Steineger.
 Absent or Not Voting: Taddiken.
 The Conference Committee Report was adopted.

EXPLANATION OF VOTE

MR. PRESIDENT: **H Sub for SB 79** emphasizes that all court decisions in Kansas are based on US Constitutional Law and also based on Kansas Constitutional Law. This bill is NOT a bill of intolerance. On the contrary, this bill emphasizes that court decisions shall not infringe on the rights and freedoms embodied in our US and Kansas Law.

This vote is actually a vote for the maintaining of American laws for American courts. — STEVE ABRAMS

Senators Apple, Bruce, Kelsey, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle and Wagle request the record to show they concur with the "Explanation of Vote" offered by Senator Abrams on **H Sub for SB 79**.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote "NO" on **H Sub for SB 79**. It is already clear in the law that courts must uphold the constitutions of the United States and the State of Kansas and this bill does nothing to enhance the long established basis for our laws. An amendment was added by the conference committee to protect business interests: "Without prejudice to any legal right, this act shall not apply to a corporation, association, partnership, limited liability company, limited liability partnership or other legal entity that contracts to subject itself to foreign law or courts in a jurisdiction other than this state or the United States." If the legislature is intending to fully recognize the right to contract freely under the laws of this state, I believe that it should recognize that right in the same way for individuals as it does for businesses. — MARCI FRANCISCO

EXPLANATION OF VOTE

MR. PRESIDENT: I vote to "Pass" on **H Sub for SB 79**. Having signed the Conference Committee Report which brings this issue to the Senate for final action now, I feel it would be hypocritical for me to now vote against it despite my serious misgivings, due to subsequent testimony received, as to either its' necessity or its' respect for longstanding rules of comedy under Kansas and international laws. — DAVID HALEY

EXPLANATION OF VOTE

MR. PRESIDENT: As explained **House Substitute for Senate Bill 79** in its language basically reiterates what is protected by both the Kansas and U.S. Constitution that no U.S. Citizen or resident shall be denied the liberties, rights, and privileges guaranteed in our Constitutional Republic. It also states that this Act does not prevent any person from exercising his or her right to freedom of religion and worship. As

such, Mr. President, I vote Aye on this Bill since it only reinforces what our courts and legal system is already sworn to uphold. That too is what I have sworn to defend and uphold. Thank-You, Mr. President. – ALLEN C. SCHMIDT

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to House Substitute for SB 160 submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No.160, as follows:

On page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 13 and inserting:

"Section 1. K.S.A. 2011 Supp. 23-3103 is hereby amended to read as follows: follows: 23-3103. (a) Any new or modified order for support shall include a provision for the withholding of income to enforce the order for support.

(b) Except as otherwise provided in subsection (j), (k) or (l), all new or modified orders for support shall provide for immediate issuance of an income withholding order. The income withholding order shall be issued without further notice to the obligor and shall specify an amount sufficient to satisfy the order for support and to defray any arrearage. The income withholding order shall be issued regardless of whether a payor subject to the jurisdiction of this state can be identified at the time the order for support is entered.

(c) Except as otherwise provided in this subsection or subsections (j) or (l), if no income withholding order is in effect to enforce the support order, an income withholding order shall be issued by the court upon request of the obligee or public office, provided that the obligor accrued an arrearage equal to or greater than the amount of support payable for one month and the requirements of subsections (d) and (h) have been met. The income withholding order shall be issued without further notice to the obligor and shall specify an amount sufficient to satisfy the order for support and to defray any arrearage. The income withholding order shall be issued regardless of whether a payor subject to the jurisdiction of this state can be identified at the time the income withholding order is issued.

(d) Not less than seven days after the obligee or public office has served a notice pursuant to subsection (h), the obligee or public office may initiate income withholding pursuant to paragraph (1) or (2).

(1) The obligee or public office may apply for an income withholding order by filing with the court an affidavit stating: (A) The date that the notice was served on the obligor and the manner of service; (B) that the obligor has not filed a motion to stay issuance of the income withholding order or, if a motion to stay has been filed, the reason an income withholding order must be issued immediately; (C) a specified amount to be withheld by the payor to satisfy the order of support and to defray any arrearage; (D) whether the income withholding order is to include a medical withholding order; and (E) that the amount of the arrearage as of the date the notice to the obligor was prepared was equal to or greater than the amount of support payable for one month. In addition to any other penalty provided by law, the filing of such an affidavit with knowledge of the falsity of a material declaration is punishable as a contempt.

Upon the filing of the affidavit, the income withholding order shall be issued without further notice to the obligor, hearing or amendments of the support order. Payment of all or part of the arrearage before issuance of the income withholding order shall not prevent issuance of the income withholding order, unless the arrearage is paid in full and the order for support does not include an amount for the current support of a person. No affidavit is required if the court, upon hearing a motion to stay issuance of the income withholding order or otherwise, issues an income withholding order.

(2) In a title IV-D case, the IV-D agency may issue an income withholding order as authorized by K.S.A. 39-7,147, and amendments thereto. Any such income withholding order shall be considered an income withholding order issued pursuant to this act.

(e) (1) An income withholding order shall be directed to any payor of the obligor. Notwithstanding any other requirement of this act as to form or content, any income withholding order prepared in a standard format prescribed by the secretary of social and rehabilitation services shall be deemed to be in compliance with this act.

(2) An income withholding order which does not include a medical withholding order shall require the payor to withhold from any income due, or to become due, to the obligor a specified amount sufficient to satisfy the order of support and to defray any arrearage and shall include notice of and direction to comply with the provisions of K.S.A. 2011 Supp. 23-3104 and 23-3105, and amendments thereto.

(3) An income withholding order which consists only of a medical withholding order shall include notice of the medical child support order and shall conform to the requirements of K.S.A. 2011 Supp. 23-3116, and amendments thereto. The medical withholding order shall include notice of and direction to comply with the requirements of K.S.A. 2011 Supp. 23-3104, 23-3105, 23-3114 and 23-3117, and amendments thereto.

(4) An income withholding order which includes both a medical withholding order and an income withholding order for cash support shall meet the requirements of paragraphs (2) and (3).

(f) (1) Upon written request and without the requirement of further notice to the obligor, the clerk of the district court shall cause a copy of the income withholding order to be served on the payor only by personal service or registered mail, return receipt requested.

(2) Without the requirement of further notice to the obligor, the court trustee or IV-D agency may cause a copy of any income withholding order to be served on the payor only by personal service or registered mail, return receipt requested or by any alternate method acceptable to the payor. No payor shall be liable to any person solely because of the method of service accepted by the payor.

(3) As used in this section, "copy of the income withholding order" means any document or notice, regardless of format, that advises the payor of the same general duties, requires the same amount to be withheld from income and requires medical withholding to the same extent as the original income withholding order.

(g) An income withholding order shall be binding on any existing or future payor on whom a copy of the order is served and shall require the continued withholding of income from each periodic payment of income until further order of the court or agency that issued the income withholding order. At any time following issuance of an income withholding order, a copy of the income withholding order may be served on any payor without the requirement of further notice to the obligor.

(h) Except as provided in subsection (k) or (l), at any time following entry of an order for support the obligee or public office may serve upon the obligor a written notice of intent to initiate income withholding. If any notice in the court record indicates that title IV-D services are being provided in the case, whether or not the IV-D services include enforcement of current support, the person or public office requesting issuance of the income withholding order shall obtain the consent of the IV-D agency to the terms of the proposed income withholding order.

The notice of intent to initiate income withholding shall be served on the obligor only by personal service or registered mail, return receipt requested. The notice served on the obligor must state: (1) The terms of the order of support and the total arrearage as of the date the notice was prepared; (2) the amount of income that will be withheld, not including premiums to satisfy a medical withholding order; (3) whether a medical withholding order will be included; (4) that the provision for withholding applies to any current or subsequent payor; (5) the procedures available for contesting the withholding and that the only basis for contesting the withholding is a mistake of fact concerning the amount of the support order, the amount of the arrearage, the amount of income to be withheld or the proper identity of the obligor; (6) the period within which the obligor must act to stay issuance of the income withholding order and that failure to take such action within the specified time will result in payors' being ordered to begin withholding; and (7) the action which will be taken if the obligor contests the withholding.

The obligor may, at any time, waive in writing the notice required by this subsection.

(i) On request of an obligor, the court shall issue an income withholding order which shall be honored by a payor regardless of whether there is an arrearage. Nothing in this subsection shall limit the right of the obligee to request modification of the income withholding order.

(j) (1) In a nontitle IV-D case, upon presentation to the court of a written agreement between the parties providing for an alternative arrangement, no income withholding order shall be issued pursuant to subsection (b). In any case, before entry of a new or modified order for support, a party may request that no income withholding order be issued pursuant to subsection (b) if notice of the request has been served on all interested parties and: (A) The party demonstrates, and the court finds, that there is good cause not to require immediate income withholding; or (B) a written agreement among all interested parties provides for an alternative arrangement. If child support and maintenance payments are both made to an obligee by the same obligor, and if the court has determined that good cause has been shown that direct child support payments to the obligee may be made, then the court shall provide for direct maintenance payments to the obligee and no income withholding order shall be issued pursuant to subsection (b). In a title IV-D case, the determination that there is good cause not to require immediate income withholding must include a finding that immediate income withholding would not be in the child's best interests and, if an obligor's existing obligation is being modified, proof of timely payment of previously ordered support.

(2) Notwithstanding the provisions of subsection (j)(1), the court shall issue an income withholding order when an affidavit pursuant to subsection (d) is filed if an arrearage exists in an amount equal to or greater than the amount of support payable for one month.

(3) If a notice pursuant to subsection (h) has been served in a title IV-D case, there is no arrearage or the arrearage is less than the amount of support payable for one month, and the obligor files a motion to stay issuance of the income withholding order based upon the court's previous finding of good cause not to require immediate income withholding pursuant to subsection (j)(1), the obligor must demonstrate the continued existence of good cause. Unless the court again finds that good cause not to require immediate income withholding exists, the court shall issue the income withholding order.

(4) If a notice pursuant to subsection (h) has been served in a title IV-D case, there is no arrearage or the arrearage is less than the amount of support payable for one month, and the obligor files a motion to stay issuance of an income withholding order based upon a previous agreement of the interested parties for an alternative arrangement pursuant to subsection (j)(1), the court shall issue an income withholding order, notwithstanding any previous agreement, if the court finds that:

- (A) The agreement was not in writing;
- (B) the agreement was not approved by all interested parties;
- (C) the terms of the agreement or alternative arrangement are not being met;
- (D) the agreement or alternative arrangement is not in the best interests of the child;

or

(E) the agreement or alternative arrangement places an unnecessary burden upon the obligor, obligee or a public office.

(5) The procedures and requirements of K.S.A. 2011 Supp. 23-3106, and amendments thereto, apply to any motion pursuant to paragraph (3) or (4) of this subsection ~~(f)~~.

(k) (1) An *ex parte* interlocutory order for support may be enforced pursuant to subsection (b) only if the obligor has consented to the income withholding in writing.

(2) An *ex parte* interlocutory order for support may be enforced pursuant to subsection (c) only if 14 or more days have elapsed since the order for support was served on the obligor.

(3) Any other interlocutory order for support may be enforced by income withholding pursuant to this act in the same manner as a final order for support.

(4) No bond shall be required for the issuance of an income withholding order to enforce an interlocutory order pursuant to this act.

(l) All new or modified orders for maintenance of a spouse or ex-spouse, except orders for a spouse or ex-spouse living with a child for whom an order of support is also being enforced, entered on or after July 1, 1992, shall include a provision for the withholding of income to enforce the order of support. Unless the parties consent in writing to earlier issuance of a withholding order, withholding shall take effect only after there is an arrearage in an amount equal to or greater than the amount of support payable for two months and after service of a notice as provided in subsection (h).

Sec. 2. K.S.A. 2011 Supp. 75-6202 is hereby amended to read as follows: 75-6202. As used in this act:

(a) "Debtor" means any person who:

- (1) Owes a debt to the state of Kansas or any state agency or any municipality;
- (2) owes support to an individual, or an agency of another state, who is receiving assistance in collecting that support under K.S.A. 39-756 or K.S.A. 2011 Supp. 20-378, and amendments thereto, or under part D of title IV of the federal social security act

(42 U.S.C. § 651 *et seq.*), as amended; or

(3) owes a debt to a foreign state agency.

(b) "Debt" means:

(1) Any liquidated sum due and owing to the state of Kansas, or any state agency, municipality or foreign state agency which has accrued through contract, subrogation, tort, operation of law, or any other legal theory regardless of whether there is an outstanding judgment for that sum. A debt shall not include special assessments except when the owner of the property assessed petitioned for the improvement and any successor in interest of such owner of property; or

(2) any amount of support due and owing an individual, or an agency of another state, who is receiving assistance in collecting that support under K.S.A. 39-756 or K.S.A. 2011 Supp. 20-378, and amendments thereto, or under part D of title IV of the federal social security act (~~42 U.S.C. § 651 *et seq.*~~), as amended, which amount shall be considered a debt due and owing the district court trustee or the department of social and rehabilitation services for the purposes of this act.

(c) "Refund" means any amount of Kansas income tax refund due to any person as a result of an overpayment of tax, and for this purpose, a refund due to a husband and wife resulting from a joint return shall be considered to be separately owned by each individual in the proportion of each such spouse's contribution to income, as the term "contribution to income" is defined by rules and regulations of the secretary of revenue.

(d) "Net proceeds collected" means gross proceeds collected through final setoff against a debtor's earnings, refund or other payment due from the state or any state agency minus any collection assistance fee charged by the director of accounts and reports of the department of administration.

(e) "State agency" means any state office, officer, department, board, commission, institution, bureau, agency or authority or any division or unit thereof and any judicial district of this state or the clerk or clerks thereof. "State agency" also shall include any district court utilizing collection services pursuant to K.S.A. 75-719, and amendments thereto, to collect debts owed to such court.

(f) "Person" means an individual, proprietorship, partnership, limited partnership, association, trust, estate, business trust, corporation, other entity or a governmental agency, unit or subdivision.

(g) "Director" means the director of accounts and reports of the department of administration.

(h) "Municipality" means any municipality as defined by K.S.A. 75-1117, and amendments thereto.

(i) "Payor agency" means any state agency which holds money for, or owes money to, a debtor.

(j) "Foreign state or foreign state agency" means the states of Colorado, Missouri, Nebraska or Oklahoma or any agency of such states which has entered into a reciprocal agreement pursuant to K.S.A. 75-6215, and amendments thereto.

Sec. 3. K.S.A. 2011 Supp. 23-3103 and 75-6202 are hereby repealed.";

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking "exceptions" and inserting "child support; relating to collection of support payments";

Also in line 2, by striking "58-3201" and inserting "2011 Supp. 23-3103 and 75-6202"; in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

Senator Owens moved the Senate adopt the Conference Committee Report on **H Sub for SB 160**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Taddiken.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to SB 334 submits the following report:

The House recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill as introduced, as follows:

On page 2, following line 3, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 8-2,101 is hereby amended to read as follows: 8-2,101. The division of vehicles may issue a restricted class C or M driver's license in accordance with the provisions of this section. A restricted class C license issued under this section shall entitle the licensee, while possessing the license, to operate any motor vehicle in class C, as designated in K.S.A. 8-234b, and amendments thereto. A restricted class M license shall entitle the licensee, while possessing such license, to operate a motorcycle.

(a) The division may issue a restricted class C or M driver's license to any person who:

(1) Is at least 15 years of age;

(2) has successfully completed an approved course in driver training;

(3) has held an instructional permit issued under the provisions of K.S.A. 8-239-8-2,100, and amendments thereto, for a period of at least one year and has completed at least 25 hours of adult supervised driving or has obtained an instructional permit from another state or the district of Columbia which has equivalent or greater requirements; and

(4) upon the written application of the person's parent or guardian, which shall be submitted to the division.

Any licensee issued a restricted license under this subsection, shall provide prior to reaching 16 years of age, a signed affidavit of either a parent or guardian, stating that the applicant has completed the required 25 hours prior to being issued a restricted license and 25 hours of additional adult supervised driving. Of the 50 hours required by this subsection, at least 10 of those hours shall be at night. The adult supervised driving shall be conducted by an adult who is at least 21 years of age and is the holder of a valid commercial driver's license, class A, B or C driver's license.

(b) (1) A restricted license issued under subsection (a) shall entitle a licensee who is at least 15 years of age but less than 16 years of age, to operate the appropriate motor vehicles at any time:

(A) While going to or from or in connection with any job, employment or farm-related work;

(B) on days while school is in session, over the most direct and accessible route between the licensee's residence and school of enrollment for the purposes of school attendance;

(C) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

(D) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

(2) For a period of six months, a restricted license issued under subsection (a) shall entitle a licensee who is at least 16 years of age to operate the appropriate motor vehicles at any time:

(A) From 5:00 a.m. to 9:00 p.m.;

(B) while going to or from or in connection with any job, employment or farm-related work;

(C) while going to or from authorized school activities;

(D) while going directly to or from any religious worship service held by a religious organization;

(E) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

(F) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

After such six-month period, if the licensee has complied with the provisions of this section, such restricted license shall entitle the licensee to operate the appropriate motor vehicles at any time without any of the restrictions required by this section.

(c) (1) The division may issue a restricted class C or M driver's license to any person who is under 17 years of age but at least 16 years of age, who:

(A) Has held an instructional permit issued under the provisions of K.S.A. ~~8-239-8-~~2,100, and amendments thereto, for a period of at least one year; and

(B) has submitted a signed affidavit of either a parent or guardian, stating that the applicant has completed at least 50 hours of adult supervised driving with at least 10 of those hours being at night. The required adult supervised driving shall be conducted by an adult who is at least 21 years of age and is the holder of a valid commercial driver's license, class A, B or C driver's license.

(2) For a period of six months, a restricted license issued under subsection (c)(1) shall entitle a licensee to operate the appropriate motor vehicles at any time:

(A) From 5:00 a.m. to 9:00 p.m.;

(B) while going to or from or in connection with any job, employment or farm-related work;

(C) while going to or from authorized school activities;

(D) while going directly to or from any religious worship service held by a religious organization;

(E) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

(F) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

After such six-month period, if the licensee has complied with the provisions of this section, such restricted license shall entitle the licensee to operate the appropriate motor vehicles at any time without any of the restrictions required by this section.

(d) (1) Any licensee issued a restricted license under subsection (a):

(A) Who is less than 16 years of age shall not operate any motor vehicle with nonsibling minor passengers; or

(B) who is at least 16 years of age, for a period of six months after reaching 16 years of age, shall not operate any motor vehicle with more than one passenger who is less than 18 years of age and who is not a member of the licensee's immediate family.

(2) Any licensee issued a restricted license under subsection (c), for a period of six months after such restricted license is issued, shall not operate any motor vehicle with more than one passenger who is less than 18 years of age and who is not a member of the licensee's immediate family.

(3) Any conviction for violating this subsection shall be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto.

(e) Any licensee issued a restricted license under this section shall not operate a wireless communication device while driving a motor vehicle, except that a licensee may operate a wireless communication device while driving a motor vehicle to report illegal activity or to summons medical or other emergency help.

(f) (1) A restricted driver's license issued under this section is subject to suspension or revocation in the same manner as any other driver's license.

(2) A restricted driver's license shall be suspended in accordance with K.S.A. 8-291, and amendments thereto, for any violation of restrictions under this section.

(3) The division shall suspend the restricted driver's license upon receiving satisfactory evidence that the licensee has been involved in two or more accidents chargeable to the licensee and such suspended license shall not be reinstated for one year.

(g) Evidence of failure of any licensee who was required to complete the 50 hours of adult supervised driving under this section shall not be admissible in any action for the purpose of determining any aspect of comparative negligence or mitigation of damages.

(h) Any licensee issued a restricted license under:

(1) Subsection (a) who:

(A) Is under the age of 16 years and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(1) until the person reaches 17 years of age;

(B) is under 17 years of age but at least 16 years of age and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(2) until the person reaches 18 years of age; or

(C) fails to provide the affidavit required under subsection (a) shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(1) until the person provides such affidavit to the division or the person reaches 17 years of age, whichever occurs first.

(2) Subsection (c) who is under the age of 17 years and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (c) until the person reaches 18 years of age.

(i) This section shall be a part of and supplemental to the motor vehicle driver's license act.";

And by renumbering sections accordingly;

Also on page 2, in line 4, after "Supp." by inserting "8-2,101 and"; also in line 4, by striking "is" and inserting "are";

On page 1, in the title, in line 1, by striking "motor vehicles" and inserting "driver's licenses"; in line 2, by striking the semicolon and inserting a comma; in line 3, after "requirements;" by inserting "restricted licenses;"; also in line 3, after "Supp." by inserting "8-2,101 and"; in line 4, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

GARY K. HAYZLETT
WILLIAM R. PRESCOTT
VINCENT WETTA

Conferees on part of House

DWAYNE UMBARGER
BOB MARSHALL
KELLY KULTALA

Conferees on part of Senate

Senator Umbarger moved the Senate adopt the Conference Committee Report on **SB 334**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Taddiken.

The Conference Committee Report was adopted.

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

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

REPORTS OF STANDING COMMITTEES

Committee on **Reapportionment**, **HB 2396** be amended by substituting a new bill to be designated as "SENATE Substitute for HOUSE BILL No. 2396," as follows:

"SENATE Substitute for HOUSE BILL No. 2396

By Committee on Reapportionment

"AN ACT concerning reapportionment; relating to state senate districts and state board of education member districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-4,451, 4-4,452, 4-4,453, 4-4,454, 4-4,455, 4-4,456, 4-4,457, 4-4,458, 4-4,459, 4-4,460, 4-4,461, 4-4,462, 4-4,463, 4-4,464, 4-4,465, 4-4,466, 4-4,467, 4-4,468, 4-4,469, 4-4,470, 4-4,471, 4-4,472, 4-4,473, 4-4,474, 4-4,475, 4-4,476, 4-4,477, 4-4,478, 4-4,479, 4-4,480, 4-4,481, 4-4,482, 4-4,483, 4-4,484, 4-4,485, 4-4,486, 4-4,487, 4-4,488, 4-4,489, 4-4,490, 4-4,491, 4-4,492, 4-4,493, 4-514, 4-515, 4-516, 4-517, 4-518, 4-519, 4-520, 4-521, 4-522, 4-523, 4-524 and 4-525."; and the substitute bill be passed.

Also, **Senate Substitute for Sub HB 2069**, be amended as recommended by the Senate Committee on **Reapportionment** on May 10, 2012, and that the bill, printed as Senate Substitute for Substitute for HB 2069, be further amended on page 72, following line 11, by inserting the following:

"Sec. 45. In accordance with section 3 of article 6 of the constitution of the state of Kansas, the state of Kansas is divided into ten state board of education member districts.

Sec. 46. The senatorial districts referred to in sections 47 through 56, and amendments thereto, are those senatorial districts established by sections 5 through 44, and amendments thereto.

Sec. 47. State board of education member district one shall consist of senatorial districts 3, 4, 5 and 6.

Sec. 48. State board of education member district two shall consist of senatorial districts 7, 8, 10 and 11.

Sec. 49. State board of education member district three shall consist of senatorial districts 9, 23, 36 and 37.

Sec. 50. State board of education member district four shall consist of senatorial districts 2, 18, 19 and 20.

Sec. 51. State board of education member district five shall consist of senatorial districts 33, 38, 39 and 40.

Sec. 52. State board of education member district six shall consist of senatorial districts 1, 21, 22 and 24.

Sec. 53. State board of education member district seven shall consist of senatorial districts 17, 31, 34 and 35.

Sec. 54. State board of education member district eight shall consist of senatorial districts 25, 28, 29 and 30.

Sec. 55. State board of education member district nine shall consist of senatorial districts 12, 13, 14 and 15.

Sec. 56. State board of education member district ten shall consist of senatorial districts 16, 26, 27 and 32.";

And by renumbering the remaining sections accordingly;

Also on page 72, in line 17, by striking "and" and inserting a comma; also in line 17, after "4-4,493" by inserting ", 4-514, 4-515, 4-516, 4-517, 4-518, 4-519, 4-520, 4-521, 4-522, 4-523, 4-524 and 4-525";

On page 1, in the title, in line 1, after "districts" by inserting "and state board of education member districts"; in line 8, by striking "and" and inserting a comma; also in line 8, after "4-4,493" by inserting ", 4-514, 4-515, 4-516, 4-517, 4-518, 4-519, 4-520, 4-521, 4-522, 4-523, 4-524 and 4-525"; and the bill be passed as amended.

S Sub for HB 2087, be amended as recommended by the Senate Committee on Reapportionment on May 10, 2012, and that the bill, printed as Senate Substitute for HB 2087, by further amended on page 2, by striking all in lines 7 through 43;

By striking all on pages 3 through 66;

On page 67, by striking all in line 1, and inserting the following:

"Sec. 5. Senatorial district 1 shall consist of all of Atchison county; and all of Brown county; and all of Doniphan county; and all of Jackson county; and all of Marshall county; and all of Nemaha county.

Sec. 6. Senatorial district 2 shall consist of the following blocks in voting district (000030), tract 0008.01, block group 1, in Douglas county: block 006, block 010; and the following blocks in voting district (000050), tract 0001.00, block group 1, in Douglas county: block 003, block 005, block 006, block 007, block 009, block 010, block 011, block 015, block 017, block 018, block 019, block 022, block 023, block 087, block 089, block 092; and the following blocks in voting district (00006A), tract 0006.03, block group 1, in Douglas county: block 002, block 003, block 004, block 005, block 013, block 014, block 016, block 017, block 018, block 035, block 036, block 040, block 058, block 060, block 065, block 066, block 098; and the following blocks in voting district (00006A), tract 0015.00, block group 1, in Douglas county: block 080, block 081, block 093, block 094, block 095, block 097; and the following blocks in voting district (00006A), tract 0015.00, block group 2, in Douglas county: block 073, block 074; and the following blocks in voting district (00006A), tract 0016.00, block group 2, in Douglas county: block 012, block 013, block 044, block 046, block 047, block 048, block 049, block 056; and the following voting districts in Douglas county: (00007A), (000080), (000090), (00010A), (000110), (00012A), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000210), (000220), (000240), (000250), (000260), (000270), (000290), (000300), (000310), (000320), (000330), (000340); and the following blocks in voting district (000360), tract 0009.01, block

group 2, in Douglas county: block 004, block 005, block 012, block 014, block 015, block 016, block 017; and the following voting districts in Douglas county: (000400); and the following blocks in voting district (000410), tract 0010.01, block group 1, in Douglas county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 023, block 024, block 025, block 026, block 027, block 028, block 037, block 038, block 042, block 043, block 044; and the following voting districts in Douglas county: (000420); and the following blocks in voting district (000430), tract 0002.00, block group 5, in Douglas county: block 005, block 006, block 007, block 008; and the following blocks in voting district (000430), tract 0010.01, block group 1, in Douglas county: block 000, block 001, block 002, block 003; and the following blocks in voting district (000430), tract 0010.02, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following voting districts in Douglas county: (000460), (000470); and the following blocks in voting district (00048A), tract 0001.00, block group 1, in Douglas county: block 012, block 013, block 014, block 016, block 020, block 021, block 050, block 051, block 052, block 076, block 077, block 078, block 079, block 091, block 093; and the following blocks in voting district (00048A), tract 0001.00, block group 3, in Douglas county: block 023, block 025, block 027; and the following voting districts in Douglas county: (00050A), (00050C), (00052A); and the following blocks in voting district (000560), tract 0008.01, block group 1, in Douglas county: block 003, block 004, block 005; and the following blocks in voting district (000560), tract 0016.00, block group 2, in Douglas county: block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 045, block 050, block 051, block 052, block 053, block 054, block 055, block 057, block 058, block 062, block 063, block 064; and the following blocks in voting district (000580), tract 0015.00, block group 1, in Douglas county: block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 098, block 099; and the following blocks in voting district (000580), tract 0015.00, block group 2, in Douglas county: block 004, block 013, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 075; and the following voting districts in Douglas county: (00061A), (400010), (400020), (400030), (400040), (400060), (400080); and the following blocks in voting district (400110), tract 0008.01, block group 1, in Douglas county: block 015; and the following voting districts in Douglas county: (900040), (900050), (900060), (900070), (900080), (900090), (900120), (900150), (900170); and the following voting districts in Jefferson county: (000010), (000020), (000030), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130).

Sec. 7. Senatorial district 3 shall consist of the following voting districts in Douglas county: (000020); and the following blocks in voting district (000050), tract 0001.00, block group 1, in Douglas county: block 000, block 001, block 002, block 004, block 008, block 024, block 027, block 028, block 030, block 031, block 032, block 033,

block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 045, block 046, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 066, block 069, block 070, block 072, block 073, block 074, block 075, block 086, block 090; and the following blocks in voting district (000050), tract 0001.00, block group 3, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 006, block 007, block 009, block 010; and the following voting districts in Douglas county: (000200), (000230), (000280), (000350); and the following blocks in voting district (000360), tract 0009.01, block group 4, in Douglas county: block 001, block 003, block 004, block 005, block 006; and the following blocks in voting district (000360), tract 0009.01, block group 5, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following voting districts in Douglas county: (000370), (000380); and the following blocks in voting district (000410), tract 0010.01, block group 2, in Douglas county: block 002, block 005, block 006, block 008, block 009, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 034, block 035; and the following blocks in voting district (000430), tract 0002.00, block group 5, in Douglas county: block 009; and the following blocks in voting district (000430), tract 0002.00, block group 6, in Douglas county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following voting districts in Douglas county: (00044A), (000450); and the following blocks in voting district (00048A), tract 0001.00, block group 1, in Douglas county: block 047, block 048, block 049, block 053, block 054, block 055, block 064, block 065, block 067, block 068, block 080, block 081, block 082, block 083, block 084, block 085, block 088, block 094, block 095; and the following blocks in voting district (00048A), tract 0001.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040; and the following blocks in voting district (00048A), tract 0001.00, block group 3, in Douglas county: block 008, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 028, block 029, block 030, block 031; and the following voting districts in Douglas county: (00048B), (00048C), (00048D); and the following blocks in voting district (00053A), tract 0008.01, block group 1, in Douglas county: block 000, block 001, block 002, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 030, block 043; and the following blocks in voting district (00053A), tract 0008.01, block group 2, in Douglas county: block 004, block 005, block 006, block 007, block 008, block 009, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 034, block 036, block 042; and the following voting districts in Douglas county: (000600), (000620), (000630), (000640), (000650), (000660); and the following blocks in voting district (00067A), tract 0008.01, block group 1, in Douglas county: block 017, block 028, block 029, block 038, block 039, block 048, block 049; and the following blocks in voting district (00067A), tract 0008.01, block group 2, in Douglas county: block 032, block

033, block 038, block 039, block 040, block 041, block 043, block 045; and the following blocks in voting district (00067A), tract 0008.02, block group 2, in Douglas county: block 004, block 005, block 006, block 007, block 018; and the following blocks in voting district (00067A), tract 0009.02, block group 1, in Douglas county: block 031, block 032, block 037, block 038, block 039, block 043; and the following blocks in voting district (00067A), tract 0012.01, block group 1, in Douglas county: block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 081, block 082, block 083; and the following voting districts in Douglas county: (00067B); and the following blocks in voting district (000680), tract 0012.01, block group 1, in Douglas county: block 130, block 131, block 132, block 133, block 135, block 136, block 137, block 138, block 139; and the following blocks in voting district (000680), tract 0012.03, block group 1, in Douglas county: block 015, block 016, block 017, block 018, block 019, block 020, block 051, block 052, block 053, block 054, block 073, block 074, block 075, block 076, block 077, block 079, block 081; and the following voting districts in Douglas county: (200010), (200020), (400050), (400070), (400090), (400100), (900020), (900100), (900110), (900130), (900140), (900160); and the following voting districts in Leavenworth county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (000310), (000320), (000350), (000360), (000370), (000380), (000390), (900010), (900020), (900030), (900080).

Sec. 8. Senatorial district 4 shall consist of the following voting districts in Wyandotte county: (600090), (600100); and the following blocks in voting district (600110), tract 0400.01, block group 1, in Wyandotte county: block 126; and the following blocks in voting district (600110), tract 0400.02, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 041, block 042, block 043, block 044, block 050; and the following blocks in voting district (600110), tract 0418.00, block group 1, in Wyandotte county: block 017, block 031; and the following blocks in voting district (600110), tract 0419.00, block group 1, in Wyandotte county: block 000, block 006, block 007; and the following blocks in voting district (600110), tract 0419.00, block group 2, in Wyandotte county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 034; and the following blocks in voting district (600110), tract 0425.01, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following voting districts in Wyandotte county: (600120), (600130), (600140), (600150), (600160), (600170), (600180), (600190), (600200), (600210), (600220), (600230), (600240); and the following blocks in voting district (600250), tract 0419.00, block group 2, in Wyandotte county: block 010, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (600250), tract 0420.02, block group 1,

in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005; and the following blocks in voting district (600250), tract 0424.00, block group 2, in Wyandotte county: block 001; and the following blocks in voting district (600250), tract 0425.01, block group 1, in Wyandotte county: block 023, block 024, block 025, block 026; and the following blocks in voting district (600260), tract 0420.02, block group 1, in Wyandotte county: block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (600260), tract 0420.02, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (600260), tract 0424.00, block group 1, in Wyandotte county: block 004; and the following blocks in voting district (600270), tract 0421.00, block group 3, in Wyandotte county: block 010, block 011, block 013, block 014, block 015; and the following blocks in voting district (600270), tract 0423.00, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003; and the following blocks in voting district (600280), tract 0422.00, block group 2, in Wyandotte county: block 027; and the following blocks in voting district (600280), tract 0423.00, block group 3, in Wyandotte county: block 018; and the following blocks in voting district (600290), tract 0421.00, block group 1, in Wyandotte county: block 009, block 010, block 011, block 012; and the following blocks in voting district (600290), tract 0421.00, block group 3, in Wyandotte county: block 006, block 007, block 008, block 009; and the following blocks in voting district (600290), tract 0423.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (600290), tract 0423.00, block group 2, in Wyandotte county: block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (600310), tract 0425.02, block group 1, in Wyandotte county: block 007, block 008, block 009, block 094, block 096; and the following voting districts in Wyandotte county: (600450), (600460), (600470); and the following blocks in voting district (600480), tract 0415.00, block group 1, in Wyandotte county: block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 036, block 038; and the following blocks in voting district (600480), tract 0415.00, block group 2, in Wyandotte county: block 017, block 018, block 019, block 020, block 023, block 024; and the following blocks in voting district (600480), tract 0425.02, block group 1, in Wyandotte county: block 015, block 095; and the following blocks in voting district (600480), tract 0439.05, block group 2, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 038, block 039, block 063, block 065; and the following voting districts in Wyandotte county: (600500); and the following blocks in voting district (600510), tract 0439.05, block group 1, in Wyandotte county: block 019, block 042; and the following blocks in voting district (600510), tract 0440.01, block group 3, in Wyandotte county: block 000; and the following blocks in voting district (600510), tract 0441.01, block group 1, in Wyandotte county: block 006; and the following blocks in voting district (600520), tract 0439.05, block group 1, in Wyandotte county: block 014, block 017, block 018, block 022; and the following

blocks in voting district (600520), tract 0440.01, block group 2, in Wyandotte county: block 000, block 001, block 002; and the following blocks in voting district (600520), tract 0441.01, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following voting districts in Wyandotte county: (600590), (600600), (600610), (600620), (600630), (600640), (600650), (600660), (600670), (600680), (600690), (600700), (600710), (600720), (600870), (600880), (600890), (600900), (600910), (600920), (600940), (600950), (600970), (600980), (600990), (601000).

Sec. 9. Senatorial district 5 shall consist of the following voting districts in Leavenworth county: (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (00017A), (00017B), (000180), (00019A), (00019B), (000200), (000210), (000220), (000230), (000240), (000250), (00027A), (000280), (00029A), (00029C), (00029D), (000300), (000330), (000340), (300010), (800010), (900040), (900050), (900060); and the following voting districts in Wyandotte county: (600530); and the following blocks in voting district (600540), tract 0440.01, block group 1, in Wyandotte county: block 000, block 001; and the following blocks in voting district (600540), tract 0441.02, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (600550), tract 0440.01, block group 1, in Wyandotte county: block 002; and the following blocks in voting district (600550), tract 0441.02, block group 1, in Wyandotte county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020; and the following blocks in voting district (600550), tract 0447.04, block group 2, in Wyandotte county: block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 055; and the following voting districts in Wyandotte county: (600730), (600740), (600750); and the following blocks in voting district (600760), tract 0447.03, block group 1, in Wyandotte county: block 028, block 029, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 101, block 104, block 106; and the following blocks in voting district (600760), tract 0447.04, block group 2, in Wyandotte county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block

047, block 048; and the following blocks in voting district (600760), tract 0448.03, block group 2, in Wyandotte county: block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 061, block 062, block 063, block 064, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 088, block 089, block 092, block 098; and the following voting districts in Wyandotte county: (600930), (600960), (601010), (601020), (601030), (601040), (601050), (601060), (601070), (601080), (601090), (601100).

Sec. 10. Senatorial district 6 shall consist of the following blocks in voting district (000920), tract 0522.01, block group 1, in Johnson county: block 000, block 025; and the following blocks in voting district (001540), tract 0522.01, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 023, block 024, block 030, block 031; and the following blocks in voting district (002760), tract 0522.02, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 008; and the following voting districts in Johnson county: (900490), (900500), (900510); and the following blocks in voting district (900520), tract 0521.01, block group 1, in Johnson county: block 015, block 016, block 017, block 018, block 019, block 025, block 026, block 052, block 053; and the following blocks in voting district (900520), tract 0522.01, block group 2, in Johnson county: block 014, block 017, block 018; and the following voting districts in Wyandotte county: (600010), (600020), (600030), (600040), (600050), (600060), (600070), (600080); and the following blocks in voting district (600110), tract 0400.02, block group 1, in Wyandotte county: block 037, block 038, block 039, block 040, block 045, block 046, block 047, block 048, block 049, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063; and the following blocks in voting district (600250), tract 0424.00, block group 2, in Wyandotte county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (600250), tract 0424.00, block group 3, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008; and the following blocks in voting district (600250), tract 0425.01, block group 1, in Wyandotte county: block 014, block 015, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 120, block 121, block 122, block 123, block 124, block 125; and the following blocks in voting district (600260), tract 0424.00, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 006; and the following blocks in voting district (600270), tract 0423.00, block group 2, in Wyandotte county: block 012, block 013, block 014, block 015; and the following blocks in voting district (600270), tract 0423.00, block group 3,

in Wyandotte county: block 000, block 001, block 002, block 005, block 009, block 024; and the following blocks in voting district (600280), tract 0423.00, block group 2, in Wyandotte county: block 010, block 011, block 016, block 017; and the following blocs in voting district (600280), tract 0423.00, block group 3, in Wyandotte county: block 003, block 004, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 019, block 020, block 021, block 022; and the following blocks in voting district (600280), tract 0424.00, block group 1, in Wyandotte county: block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (600290), tract 0423.00, block group 1, in Wyandotte county: block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following voting districts in Wyandotte county: (600300); and the following blocks in voting district (600310), tract 0423.00, block group 3, in Wyandotte county: block 017, block 023; and the following blocks in voting district (600310), tract 0425.02, block group 1, in Wyandotte county: block 002, block 003, block 004, block 005, block 006, block 010, block 011, block 012, block 013, block 014, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 067, block 068, block 069, block 070, block 071, block 072, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 097, block 098, block 099, block 101; and the following blocks in voting district (600310), tract 0426.00, block group 1, in Wyandotte county: block 002, block 003, block 004, block 005, block 010, block 011, block 012, block 013, block 018, block 019, block 020, block 021, block 026, block 027, block 028, block 029, block 030, block 031, block 032; and the following blocks in voting district (600310), tract 0426.00, block group 3, in Wyandotte county: block 031, block 037; and the following voting districts in Wyandotte county: (600320), (600330), (600340), (600350), (600360), (600370), (600380), (600390), (600400), (600410), (600420), (600430), (600440); and the following blocks in voting district (600480), tract 0439.05, block group 2, in Wyandotte county: block 032, block 033, block 034, block 036, block 037, block 040, block 041, block 042, block 043, block 044, block 045, block 050, block 051, block 052, block 053, block 054, block 055, block 061, block 062; and the following voting districts in Wyandotte county: (600490); and the following blocks in voting district (600510), tract 0439.05, block group 1, in Wyandotte county: block 024, block 025, block 026, block 027, block 036, block 038, block 039, block 040, block 041, block 048, block 049; and the following blocks in voting district (600510), tract 0440.01, block group 3, in Wyandotte county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 027; and the following blocks in voting district (600510), tract 0440.03, block group 2, in

Wyandotte county: block 000, block 001, block 002, block 003, block 034; and the following blocks in voting district (600510), tract 0440.04, block group 1, in Wyandotte county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 039; and the following blocks in voting district (600520), tract 0440.01, block group 2, in Wyandotte county: block 003, block 004, block 005, block 006; and the following blocks in voting district (600520), tract 0440.01, block group 3, in Wyandotte county: block 026, block 028; and the following blocks in voting district (600540), tract 0440.01, block group 1, in Wyandotte county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 024, block 025, block 026; and the following blocks in voting district (600550), tract 0440.01, block group 1, in Wyandotte county: block 003; and the following voting districts in Wyandotte county: (600560), (600570), (600580); and the following blocks in voting district (600760), tract 0447.03, block group 1, in Wyandotte county: block 086, block 087, block 098, block 099, block 100, block 102, block 103, block 108; and the following blocks in voting district (600760), tract 0447.04, block group 2, in Wyandotte county: block 049, block 050, block 051, block 052, block 053; and the following blocks in voting district (600760), tract 0448.03, block group 2, in Wyandotte county: block 060, block 065, block 066, block 067, block 068, block 069, block 070, block 084, block 085, block 086, block 087, block 090, block 091, block 093, block 094, block 095, block 096, block 099; and the following voting districts in Wyandotte county: (600770), (600780), (600790), (600800), (600810), (600820), (600830), (600840), (600850), (600860).

Sec. 11. Senatorial district 7 shall consist of the following voting districts in Johnson county: (000100), (000110), (000120), (000130), (000200), (000210), (000220), (000230), (000840), (000850), (000860), (000870), (000880), (000890), (000900), (000910); and the following blocks in voting district (000920), tract 0503.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (000920), tract 0503.01, block group 2, in Johnson county: block 000, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following voting districts in Johnson county: (000930), (000940), (000950), (000960), (000970), (001550); and the following blocks in voting district (001560), tract 0506.00, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 019, block 027; and the following voting districts in Johnson county: (001590), (001600), (001700), (001720), (001770), (001830), (002280), (002290), (002320), (002330), (002340), (002350), (002500), (002510), (002520), (002530), (002540), (002550), (002560), (002570), (002580), (002590), (002600), (002610), (002620), (002630), (002640), (002650), (002660), (002670), (002680), (002690), (002700), (002710), (002720), (002730), (002740), (002750), (003130), (003140), (003150), (900990), (901320).

Sec. 12. Senatorial district 8 shall consist of the following voting districts in

Johnson county: (000630), (000640), (000650), (001490), (001690), (001730), (001740), (001750), (001760), (001780), (001790), (001800), (001810), (001820), (001840), (001850), (001860), (001870), (001880), (001890), (001900), (001910), (001920), (001930), (001940), (001950), (001960), (001970), (001980), (001990), (002000), (002010), (002020), (002030), (002040), (002050), (002060), (002070), (002080), (002120), (002130), (002140), (002150), (00217A), (00217B), (00222A), (002300), (002310); and the following blocks in voting district (002380), tract 0531.02, block group 2, in Johnson county: block 009, block 010, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (900460), tract 0530.05, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 028; and the following voting districts in Johnson county: (901030), (901050).

Sec. 13. Senatorial district 9 shall consist of the following voting districts in Johnson county: (000070), (000080), (000560), (001000); and the following blocks in voting district (001010), tract 0535.56, block group 1, in Johnson county: block 000, block 001, block 018, block 020, block 021, block 022, block 027, block 028, block 030, block 033, block 034, block 035, block 036; and the following blocks in voting district (001010), tract 0535.56, block group 2, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 007; and the following blocks in voting district (001090), tract 0535.55, block group 1, in Johnson county: block 016, block 017, block 018, block 019, block 022, block 023; and the following blocks in voting district (001090), tract 0536.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (001090), tract 0536.01, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 019, block 024, block 025, block 026, block 027, block 028, block 029; and the following voting districts in Johnson county: (001130), (001150), (001160), (00117A), (00117B), (001200), (001210), (001220), (001240), (001250), (001260), (001280), (001290); and the following blocks in voting district (001300), tract 0535.02, block group 1, in Johnson county: block 000, block 001, block 002, block 003; and the following blocks in voting district (001300), tract 0535.02, block group 2, in Johnson county: block 001, block 002, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following voting districts in Johnson county: (001360), (001520), (003000), (003010), (003020), (004070), (004080), (004090), (004100), (004140), (004180), (900040), (900050), (900060); and the following blocks in voting district (900390), tract 0526.01, block group 1, in Johnson county: block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 052, block 053, block 058, block 059, block 060, block 061, block 062, block 063, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075; and the following blocks in voting district (900390), tract 0526.01, block group 4, in Johnson county: block 016; and the following voting districts in Johnson county: (900420), (900660), (900670), (900680), (900700), (900720), (900730), (900740), (900750), (900760); and the following blocks in voting

district (900870), tract 0529.10, block group 1, in Johnson county: block 019, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039; and the following voting districts in Johnson county: (901370), (901380), (901400); and the following blocks in voting district (901550), tract 0535.55, block group 1, in Johnson county: block 029, block 030, block 031, block 032; and the following blocks in voting district (901550), tract 0535.55, block group 3, in Johnson county: block 009; and the following blocks in voting district (901550), tract 0535.57, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (901550), tract 0535.57, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 014; and the following blocks in voting district (901650), tract 0528.02, block group 4, in Johnson county: block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 032; and the following voting districts in Johnson county: (901660), (901670); and the following blocks in voting district (901700), tract 0529.05, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 023; and the following blocks in voting district (901700), tract 0529.05, block group 2, in Johnson county: block 008, block 009, block 010, block 011, block 012, block 017, block 018, block 019; and the following blocks in voting district (901700), tract 0529.08, block group 4, in Johnson county: block 004; and the following blocks in voting district (901700), tract 0529.10, block group 2, in Johnson county: block 021; and the following voting districts in Johnson county: (901720), (901850), (901910), (901930), (901940).

Sec. 14. Senatorial district 10 shall consist of the following voting districts in Johnson county: (000190); and the following blocks in voting district (000580), tract 0524.18, block group 2, in Johnson county: block 006, block 007, block 008, block 009, block 010; and the following blocks in voting district (000590), tract 9800.02, block group 1, in Johnson county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (001540), tract 0504.00, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 014, block 015; and the following blocks in voting district (001540), tract 0504.00, block group 3, in Johnson county: block 001, block 002, block 003, block 021; and the following blocks in voting district (001560), tract 0505.00, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (001560), tract 0505.00, block group 4, in

Johnson county: block 000, block 001, block 002; and the following voting districts in Johnson county: (001570), (001580), (001610), (001620), (001630), (001640), (001650), (001660), (001670), (001680), (001710); and the following blocks in voting district (002760), tract 0522.02, block group 1, in Johnson county: block 007, block 009, block 010, block 011, block 014; and the following blocks in voting district (002760), tract 0522.02, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007; and the following voting districts in Johnson county: (002770), (002780), (002790), (002800), (002810), (002820), (002830), (002850), (002860), (002870), (002880), (002890), (002900), (002910), (002920), (002960), (002980), (002990); and the following blocks in voting district (003030), tract 0523.04, block group 3, in Johnson county: block 009, block 010, block 011; and the following blocks in voting district (003030), tract 0524.19, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 015; and the following voting districts in Johnson county: (003050), (003060), (003070), (003080), (900030); and the following blocks in voting district (900520), tract 0521.01, block group 1, in Johnson county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 020, block 021, block 022, block 023, block 024, block 041, block 042, block 044, block 045, block 046, block 048, block 049, block 050, block 051, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066; and the following voting districts in Johnson county: (900530), (900540), (900550), (900560), (901330), (901340); and the following blocks in voting district (901350), tract 0523.03, block group 1, in Johnson county: block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (901350), tract 0523.03, block group 2, in Johnson county: block 009; and the following blocks in voting district (901350), tract 0523.03, block group 3, in Johnson county: block 000; and the following voting districts in Johnson county: (901360), (901390); and the following voting districts in Wyandotte county: (601110).

Sec. 15. Senatorial district 11 shall consist of the following voting districts in Johnson county: (000240), (000270), (000350), (000370), (002090), (002160), (002180), (002190), (002200), (002210), (00222B), (002230), (002240), (002370); and the following blocks in voting district (002380), tract 0531.05, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following voting districts in Johnson county: (002390), (002400), (002410), (00242A), (00242B), (00244B), (00249C), (900190), (900200), (900210), (900220), (900230), (900240), (900250), (900260), (900270), (900280); and the following blocks in voting district (900290), tract 0534.10, block group 4, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 011, block 012, block 013, block 014, block 015, block 016, block 021, block 022; and the following voting districts in Johnson county: (900300), (900310), (900320), (900330), (900340), (901020), (901040), (901060), (901070), (901080), (901090), (901100), (901110); and the following blocks in voting district (901160), tract 0534.10, block group 4, in Johnson county: block 010, block 017, block

018, block 019, block 020, block 023, block 024; and the following voting districts in Johnson county: (901200).

Sec. 16. Senatorial district 12 shall consist of the following voting districts in Allen county: (000010); and the following blocks in voting district (000020), tract 9530.00, block group 1, in Allen county: block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 236, block 240, block 241, block 242, block 243, block 244, block 245, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282; and the following blocks in voting district (000020), tract 9530.00, block group 4, in Allen county: block 133, block 134, block 135, block 159, block 160, block 161; and the following voting districts in Allen county: (000050), (00006A), (00006B), (00006C), (000070), (000080), (000090), (00010A), (00010B), (000110), (000120), (000130), (00016A), (00016B), (00016C), (00020A), (00020B), (000210); and all of Anderson county; and all of Franklin county; and all of Linn county; and the following voting districts in Miami county: (000010), (000020), (00003B), (00004B), (00004C), (000050), (000060), (000090), (000100), (00011A), (00012A); and the following blocks in voting district (00012B), tract 1007.00, block group 7, in Miami county: block 015, block 017, block 158, block 161, block 163, block 164, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173; and the following voting districts in Miami county: (00013A), (00013B), (00013C), (000140); and the following blocks in voting district (00018B), tract 1005.00, block group 3, in Miami county: block 170, block 171, block 172, block 173, block 174, block 176, block 180, block 181, block 193, block 196, block 197, block 209, block 221; and the following blocks in voting district (00018B), tract 1006.01, block group 2, in Miami county: block 112, block 114, block 120, block 125, block 126, block 127; and the following voting districts in Miami county: (00019B); and the following blocks in voting district (000210), tract 1005.00, block group 3, in Miami county: block 023, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 043; and the following voting districts in Miami county: (000220); and the following blocks in voting district (000240), tract 1006.02, block group 1, in Miami county: block 117, block 118, block 142, block 195; and the following blocks in voting district (000240), tract 1007.00, block group 6, in Miami county: block 003, block 004; and the following blocks in voting district (000240), tract 1007.00, block group 7, in Miami county: block 010, block 011, block 013, block 014, block 016, block 021, block 022, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 038, block 042, block 156, block 157, block 159, block 160, block 177, block 185; and the following voting districts in Miami county: (000250); and the following blocks in voting district (000260), tract 1002.00, block group 2, in Miami county: block 147, block 149, block 174, block 187, block 197, block 199, block 200, block 201, block 202, block 206, block 207, block 208, block 253, block 254; and the following blocks in voting district (000260), tract 1005.00, block group 3, in Miami county: block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 024, block 025, block 026, block 027, block 053, block 054, block 055; and the

following voting districts in Miami county: (000270); and the following blocks in voting district (000280), tract 1006.02, block group 1, in Miami county: block 139; and the following blocks in voting district (000280), tract 1007.00, block group 1, in Miami county: block 000, block 001, block 007, block 008, block 009, block 016, block 018, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 050; and the following blocks in voting district (000280), tract 1007.00, block group 7, in Miami county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 187, block 188, block 189, block 190, block 191, block 199, block 200; and the following voting districts in Miami county: (300010), (300020), (900010), (900020), (900030), (900040), (900050), (900070), (900090), (900100), (900110), (900120), (900150), (900160), (900180).

Sec. 17. Senatorial district 13 shall consist of the following blocks in voting district (000020), tract 9526.00, block group 1, in Allen county: block 566, block 567, block 568, block 569, block 570, block 576, block 577, block 578, block 579, block 580, block 581, block 582, block 583, block 584, block 608, block 609, block 610, block 611, block 612, block 613, block 614, block 615, block 616, block 617, block 618, block 619, block 620, block 621, block 622, block 623, block 624, block 625, block 626, block 627, block 628, block 721, block 726, block 727, block 728, block 729, block 730, block 731, block 732, block 733, block 734, block 736; and the following blocks in voting district (000020), tract 9530.00, block group 1, in Allen county: block 196, block 283, block 284, block 285, block 286; and the following voting districts in Allen county: (000030), (000040), (000140), (000150), (000170), (000180), (000190); and all of Bourbon county; and the following voting districts in Cherokee county: (000050), (000060), (000070), (000080), (000090), (00010A), (00010B), (000110), (000120), (00013A), (00013B), (00013C), (00013D), (000140), (00015A), (00015B), (000160), (000170), (00018A), (00018B), (00018C), (000190), (000200); and the following blocks in voting district (000210), tract 9582.00, block group 1, in Cherokee county: block 301, block 302, block 350, block 351, block 352, block 353, block 354, block 355, block 363, block 364, block 424; and the following blocks in voting district (000210), tract 9582.00, block group 2, in Cherokee county: block 015, block 016, block 017, block 018, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 089, block 091; and the following voting districts in Cherokee county: (000220), (000250), (000260), (000270), (000280), (000290), (00030A), (00030B), (000310), (000320), (000330), (000340), (000350), (000360), (00039A), (000400), (000410), (00042A), (00042B); and all of Crawford county; and the following blocks in voting district (000010), tract 9516.00, block group 2, in Neosho county: block 012, block 013.

Sec. 18. Senatorial district 14 shall consist of the following voting districts in Cherokee county: (000010), (000020), (000030), (00004A), (00004B); and the following blocks in voting district (000210), tract 9582.00, block group 1, in Cherokee county: block 362, block 365, block 366, block 367, block 410, block 411, block 412, block 413, block 414, block 415; and the following blocks in voting district (000210), tract 9582.00, block group 2, in Cherokee county: block 086, block 087, block 088, block 090, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block

128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 151, block 152, block 163, block 164; and the following voting districts in Cherokee county: (000230), (000240), (00037A), (00037B), (00037C), (000380); and all of Labette county; and the following voting districts in Montgomery county: (00001A), (00001B), (00001C), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000250), (000260), (000430), (00044A), (00044B), (00044C), (900010), (900020), (900030), (900040); and the following blocks in voting district (000010), tract 9516.00, block group 2, in Neosho county: block 010, block 011, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121; and the following blocks in voting district (000010), tract 9516.00, block group 3, in Neosho county: block 014, block 015, block 017, block 027; and the following blocks in voting district (000010), tract 9516.00, block group 4, in Neosho county: block 000, block 020, block 021, block 024, block 025, block 026, block 027, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 057, block 058; and the following voting districts in Neosho county: (00002A), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (00012A), (00012B), (00012C), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (00022A), (00022B), (00022C), (00022D), (000230), (000240), (900010), (900020); and all of Wilson county.

Sec. 19. Senatorial district 15 shall consist of the following voting districts in Butler county: (00002A), (000030), (00004A), (000050), (00006A), (000070), (000080), (000100), (000110), (000120), (00014A), (00015A), (00016A), (00016B), (00016C), (000170), (000180), (000190), (000200), (000210), (000220), (00023A), (00023B), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (00030A), (000310), (000320), (000330), (000350), (000360), (000380), (000390), (000410), (000430), (000440), (800050), (80010B), (80020A), (80020B), (80030B), (80030C), (80030D), (90000A); and all of Chautauqua county; and the following voting districts in Cowley county: (000180), (000190), (000230), (000240), (000250), (000280), (000290), (000310), (000330), (000340), (000350), (000360), (000370), (000380), (000430), (00053B); and all of Elk county; and all of Greenwood county; and the following voting districts in Montgomery county: (000240), (000270), (000280), (000290), (000300), (000310), (00032A), (00032B), (000330), (000340), (000350), (000360), (000370), (000380), (000390), (00040A), (00040B), (00040C), (000410), (000420), (000450), (000460), (000470), (900050), (900060).

Sec. 20. Senatorial district 16 shall consist of the following voting districts in Butler county: (00001A), (00001B), (00001L), (00001N), (00001O), (00002B), (00002C), (00004B), (000090), (00009A), (00009C), (00009E), (00009F), (00009G), (00009H), (00009I), (000130), (000340), (000450), (200010), (200020), (800040),

(800060), (80010A), (80040A), (80040B), (80070A), (80070B), (80070C), (80070D), (80070E), (80070F); and the following voting districts in Cowley county: (00001A), (00001B), (00001C), (000020), (000030), (000040), (000050), (00006A), (00006B), (000070), (000080), (000090), (000100), (000110), (000120), (00013A), (000140), (000150), (000170), (000200), (000210), (000220), (000260), (000270), (000300), (000320), (000390), (000400), (00041A), (00041B), (00042A), (000440), (000450), (000460), (000470), (000480), (000490), (000500), (00051A), (00051B), (000520), (00053A), (000540), (000550), (000560), (000570), (900010), (900020), (900030), (900040), (900050), (900060), (900070); and the following blocks in voting district (502270), tract 0100.04, block group 2, in Sedgwick county: block 067, block 070, block 071, block 072; and the following voting districts in Sedgwick county: (502280); and the following blocks in voting district (502340), tract 0098.02, block group 1, in Sedgwick county: block 000, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following blocks in voting district (502340), tract 0098.02, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 029, block 030, block 031, block 032; and the following blocks in voting district (502340), tract 0099.00, block group 5, in Sedgwick county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 026, block 047, block 094; and the following blocks in voting district (502350), tract 0098.02, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (502360), tract 0098.02, block group 5, in Sedgwick county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 023, block 024, block 025; and the following blocks in voting district (502360), tract 0099.00, block group 3, in Sedgwick county: block 000, block 003, block 004, block 006, block 007, block 008, block 009, block 010, block 011, block 013; and the following blocks in voting district (502370), tract 0098.01, block group 4, in Sedgwick county: block 020; and the following blocks in voting district (502370), tract 0098.02, block group 5, in Sedgwick county: block 010, block 011, block 012, block 013, block 014, block 026, block 029; and the following blocks in voting district (502370), tract 0099.00, block group 1, in Sedgwick county: block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014; and the following blocks in voting district (502370), tract 0099.00, block group 5, in Sedgwick county: block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086; and the following blocks in voting district (502380), tract 0098.01, block group 4, in Sedgwick county: block 029; and the following voting districts in Sedgwick county: (502400); and the following blocks in voting district (502570), tract 0100.04, block group 2, in Sedgwick county: block 041, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 060, block 061, block 062, block 063, block 064, block 066; and the following voting districts in Sedgwick county: (503180), (503190), (503210), (503220), (503230), (503700); and the following blocks in voting district (503710), tract 0098.01, block group 4, in Sedgwick county: block 018, block 019; and the following blocks in voting district (503710), tract 0099.00, block group 2, in Sedgwick county: block 000, block 001, block 006, block 007; and the following blocks in voting district (503710), tract 0099.00, block group 3,

in Sedgwick county: block 012; and the following blocks in voting district (503710), tract 0099.00, block group 5, in Sedgwick county: block 024, block 025, block 046, block 067, block 068, block 070, block 073, block 076, block 087, block 088; and the following voting districts in Sedgwick county: (503740), (503750), (600370), (700590), (700700), (700840), (900040), (900080); and the following voting districts in Sumner county: (900040).

Sec. 21. Senatorial district 17 shall consist of all of Chase county; and all of Coffey county; and the following voting districts in Dickinson county: (000060), (000120), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000230), (000240), (000250), (000270), (000300), (000310); and all of Lyon county; and all of Marion county; and all of Morris county; and the following blocks in voting district (000010), tract 0105.00, block group 3, in Osage county: block 064, block 066, block 067, block 070, block 071, block 072, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 112, block 118, block 119, block 120; and the following voting districts in Osage county: (000020), (000030), (000080), (000090), (000140); and the following blocks in voting district (000220), tract 0105.00, block group 2, in Osage county: block 020, block 021, block 092, block 093, block 097, block 098, block 099; and the following blocks in voting district (000220), tract 0105.00, block group 3, in Osage county: block 031, block 032, block 033, block 041, block 042, block 043; and the following blocks in voting district (000230), tract 0103.00, block group 1, in Osage county: block 116, block 117, block 124, block 125, block 126, block 140, block 145, block 148, block 149; and all of Woodson county.

Sec. 22. Senatorial district 18 shall consist of the following voting districts in Shawnee county: (000090), (000150), (000330), (000350), (000410), (000420), (000430), (000440), (000580), (000590), (000600), (000610), (000630), (000640), (000650), (000660), (000740), (001040), (001050), (001060), (001070), (001080), (001090), (001100), (001120), (001130), (001140), (001150), (001160), (001170), (001180), (001190), (001210), (001220), (001230), (001360), (001370), (001380), (001410), (001460); and the following blocks in voting district (001760), tract 0024.00, block group 1, in Shawnee county: block 118; and the following voting districts in Shawnee county: (001850), (001880), (001890), (100050), (200010), (200020); and the following blocks in voting district (200120), tract 0024.00, block group 1, in Shawnee county: block 102, block 105, block 115, block 125; and the following voting districts in Shawnee county: (400100), (400110), (500010), (600010), (600020), (600030), (600050), (600060); and the following blocks in voting district (600130), tract 0040.00, block group 3, in Shawnee county: block 014, block 015, block 016, block 017, block 022, block 031, block 032, block 041, block 042; and the following voting districts in Shawnee county: (600150), (600160), (600220), (600230), (600240), (600340), (600350), (600360), (600370), (600380), (600390), (600570), (600580); and the following blocks in voting district (800030), tract 0024.00, block group 1, in Shawnee county: block 037, block 081, block 090, block 091, block 103, block 104, block 114; and the following blocks in voting district (800030), tract 0036.07, block group 2, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 017, block 018, block 019, block 020, block 022, block 023, block 024, block 025, block 031; and the following blocks in voting district (800030), tract

0036.07, block group 3, in Shawnee county: block 001; and the following voting districts in Shawnee county: (900030), (900040), (900050); and all of Wabaunsee county.

Sec. 23. Senatorial district 19 shall consist of the following voting districts in Douglas county: (000010); and the following blocks in voting district (000030), tract 0008.01, block group 1, in Douglas county: block 007, block 009, block 012, block 046; and the following blocks in voting district (000030), tract 0014.00, block group 1, in Douglas county: block 009, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 029, block 030, block 031, block 032, block 034, block 035, block 036, block 038, block 039, block 040, block 062, block 092, block 093, block 094; and the following blocks in voting district (000030), tract 0014.00, block group 2, in Douglas county: block 136, block 145, block 146, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 193, block 194, block 195, block 196, block 197, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 228; and the following blocks in voting district (000030), tract 0014.00, block group 3, in Douglas county: block 000, block 001, block 002, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 055, block 070, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 220, block 221, block 224, block 225; and the following blocks in voting district (00006A), tract 0006.03, block group 1, in Douglas county: block 059, block 061, block 062, block 063, block 064; and the following blocks in voting district (00006A), tract 0014.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 042, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158,

block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 198, block 199, block 225, block 226, block 227, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237; and the following blocks in voting district (00006A), tract 0014.00, block group 3, in Douglas county: block 003, block 004, block 005, block 006, block 007, block 008, block 222; and the following blocks in voting district (00006A), tract 0015.00, block group 2, in Douglas county: block 072; and the following blocks in voting district (00053A), tract 0008.01, block group 1, in Douglas county: block 011, block 031, block 032, block 033, block 035, block 036, block 037, block 044, block 045, block 047; and the following blocks in voting district (00053A), tract 0014.00, block group 1, in Douglas county: block 006, block 007, block 008; and the following blocks in voting district (000560), tract 0008.01, block group 1, in Douglas county: block 008; and the following blocks in voting district (000580), tract 0014.00, block group 2, in Douglas county: block 006, block 007, block 037, block 039, block 040, block 041; and the following blocks in voting district (000580), tract 0015.00, block group 2, in Douglas county: block 000, block 001, block 002, block 003, block 005, block 006, block 007, block 014, block 022, block 023, block 024, block 033, block 034, block 053, block 054, block 055; and the following voting districts in Douglas county: (000590); and the following blocks in voting district (00067A), tract 0008.01, block group 1, in Douglas county: block 040, block 041, block 042; and the following blocks in voting district (00067A), tract 0008.02, block group 2, in Douglas county: block 016, block 017, block 019, block 020, block 021, block 022; and the following blocks in voting district (00067A), tract 0014.00, block group 1, in Douglas county: block 000, block 001, block 002, block 003, block 004, block 005, block 010, block 011, block 012, block 013, block 014, block 015, block 025, block 026, block 027, block 028, block 037, block 045, block 046, block 047; and the following blocks in voting district (000680), tract 0014.00, block group 1, in Douglas county: block 033, block 041, block 042, block 043, block 044, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 063, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 090, block 091; and the following blocks in voting district (000680), tract 0014.00, block group 3, in Douglas county: block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 188, block 189, block 190, block 191, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 219; and the following blocks in voting district (400110), tract 0008.01, block group 1, in Douglas county: block 013, block 014, block 034; and the following voting districts in Douglas county: (900010); and the following voting districts in Jefferson county: (000040); and the following voting districts in Osage county: (000007); and the following blocks in voting district (000010), tract 0105.00, block group 1, in Osage county: block 252, block 253, block 276, block 277, block 296; and the following blocks in voting district (000010), tract 0105.00, block group 3, in Osage county: block 015, block 016, block 024, block 025, block 026, block 027, block 028, block 036,

block 037, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 065, block 068, block 069, block 073, block 074, block 075, block 076, block 077, block 078, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 113, block 114, block 115, block 116, block 117; and the following voting districts in Osage county: (000040), (000050), (000060), (000100), (000110), (000120), (000130), (000150), (000160), (000170), (000180), (000190), (000200), (000210); and the following blocks in voting district (000220), tract 0105.00, block group 2, in Osage county: block 022, block 023, block 024, block 025, block 026, block 052, block 053, block 054, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 094, block 095, block 096; and the following blocks in voting district (000220), tract 0105.00, block group 3, in Osage county: block 029, block 030, block 034, block 035, block 038, block 040, block 044, block 045, block 046; and the following blocks in voting district (000230), tract 0103.00, block group 1, in Osage county: block 062, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 118, block 119, block 120, block 121, block 122, block 123, block 129, block 130, block 146, block 147, block 176, block 177, block 178, block 187, block 570, block 573, block 579, block 580; and the following blocks in voting district (000230), tract 0104.00, block group 1, in Osage county: block 002, block 003, block 006, block 008, block 009, block 012, block 014; and the following blocks in voting district (000230), tract 0104.00, block group 2, in Osage county: block 001, block 002, block 003, block 006, block 010, block 013, block 015, block 078, block 094, block 095; and the following voting districts in Osage county: (000240), (900010), (900020), (900030), (900040); and the following voting districts in Shawnee county: (000080), (000180), (000190), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000370), (000480), (000490), (000500), (000510), (000520), (000530), (000540), (000550), (000560), (000570), (000690), (000700), (000710), (000750), (000760), (000770), (000780), (000790), (000800), (000820), (000830), (000840), (000850), (000860), (000870), (000880), (000890), (000910), (000920), (000930), (000940), (000950), (001010); and the following blocks in voting district (001260), tract 0016.01, block group 1, in Shawnee county: block 000, block 001, block 019, block 020, block 021, block 022; and the following voting districts in Shawnee county: (001910), (100060), (200090), (500070), (500080), (500120), (500130); and the following blocks in voting district (600130), tract 0012.00, block group 1, in Shawnee county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 027, block 028, block 029, block 030, block 031, block 032; and the following blocks in voting district (600130), tract 0012.00, block group 2, in Shawnee county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029,

block 030, block 031, block 032, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046; and the following blocks in voting district (600130), tract 0040.00, block group 2, in Shawnee county: block 052, block 053; and the following blocks in voting district (600130), tract 0040.00, block group 3, in Shawnee county: block 000, block 001, block 002, block 003, block 004, block 018, block 019, block 020, block 021, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067; and the following voting districts in Shawnee county: (600140); and the following blocks in voting district (600210), tract 0030.02, block group 2, in Shawnee county: block 017, block 023, block 024, block 025, block 026, block 029, block 030, block 039, block 041, block 042, block 043, block 044, block 046; and the following blocks in voting district (600210), tract 0030.02, block group 3, in Shawnee county: block 048, block 053; and the following voting districts in Shawnee county: (600420), (600430), (600440); and the following blocks in voting district (900020), tract 0030.02, block group 2, in Shawnee county: block 038, block 040, block 045, block 049, block 050, block 051, block 052; and the following blocks in voting district (900020), tract 0030.02, block group 3, in Shawnee county: block 049, block 050.

Sec. 24. Senatorial district 20 shall consist of the following voting districts in Shawnee county: (000210), (000240), (000340), (000960), (000970), (000980), (000990), (001000), (001030), (001200), (001240), (001250); and the following blocks in voting district (001260), tract 0016.01, block group 1, in Shawnee county: block 002, block 003, block 004, block 005, block 013, block 014, block 015, block 018; and the following voting districts in Shawnee county: (001270), (001280), (001290), (001300), (001310), (001320), (001330), (001340), (001350), (001400), (001420), (001430), (001440), (001450), (001470), (001480), (001490), (001500), (001510), (001520), (001530), (001540), (001550), (001560), (001570), (001590), (001600), (001610), (001620), (001630), (001640), (001650), (001670), (001680), (001710), (001720); and the following blocks in voting district (001760), tract 0024.00, block group 1, in Shawnee county: block 123, block 132; and the following blocks in voting district (001760), tract 0036.07, block group 2, in Shawnee county: block 049, block 050; and the following voting districts in Shawnee county: (001780), (100030), (100040), (200050), (200070), (200080); and the following blocks in voting district (200120), tract 0024.00, block group 1, in Shawnee county: block 108; and the following blocks in voting district (200120), tract 0036.07, block group 2, in Shawnee county: block 008; and the following voting districts in Shawnee county: (200130), (200140), (200150), (200160), (300090), (400070), (500110), (500140), (500160), (600040), (600080), (600090), (600110), (600170), (600180), (600190); and the following blocks in voting district (600210), tract 0037.00, block group 4, in Shawnee county: block 004; and the following voting districts in Shawnee county: (600250), (600260), (600270), (600280), (600290), (600300), (600310), (600330), (600470), (600490), (600500), (600510), (600530), (700010), (700020), (800010), (800020); and the following blocks in voting district (800030), tract 0024.00, block group 1, in Shawnee county: block 109, block 112, block 113, block 116, block 117, block 119, block 122; and the following blocks in

voting district (800030), tract 0036.07, block group 2, in Shawnee county: block 007, block 009, block 010, block 012, block 013, block 014, block 015, block 016, block 021, block 026, block 027, block 028, block 029, block 030, block 032, block 034, block 035, block 060; and the following blocks in voting district (800030), tract 0036.07, block group 3, in Shawnee county: block 000, block 003; and the following voting districts in Shawnee county: (800040), (800060), (800070), (900010); and the following blocks in voting district (900020), tract 0037.00, block group 1, in Shawnee county: block 007, block 013, block 076, block 093, block 094, block 105, block 110; and the following blocks in voting district (900020), tract 0037.00, block group 3, in Shawnee county: block 000, block 013, block 022, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (900020), tract 0037.00, block group 4, in Shawnee county: block 000, block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 024, block 025, block 026, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 076, block 082, block 083, block 084, block 148, block 149; and the following voting districts in Shawnee county: (900060), (900070), (900080), (900090).

Sec. 25. Senatorial district 21 shall consist of all of Clay county; and the following voting districts in Geary county: (000010); and the following blocks in voting district (00002A), tract 0006.00, block group 2, in Geary county: block 073, block 074, block 075; and the following voting districts in Geary county: (00002C), (00002D), (00002E), (00002F), (00002O), (00002P), (00002Q), (00002R); and the following blocks in voting district (000040), tract 0007.00, block group 1, in Geary county: block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 156, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 303, block 304, block 333, block 336, block 337, block 346, block 347, block 348, block 355, block 356, block 357, block 358, block 359, block 389, block 390, block 391, block 392, block 393, block 504, block 508; and the following blocks in voting district (000050), tract 0007.00, block group 1, in Geary county: block 000, block 001, block 305, block 306, block 307, block 310, block 311, block 312, block 313, block 314, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 324, block 325, block 326, block 327, block 328, block 329, block 330, block 331, block 332, block 334, block 335, block 338, block 339, block 340, block 341, block 342, block 343, block 344, block 345, block 349, block 350, block 351, block 352, block 353, block 354, block 360, block 361, block 363, block 364, block 365, block 366, block 367, block 368, block 369, block 370, block 371, block 372, block 377, block 378, block 495; and the following blocks in voting district (000060), tract 0007.00, block group 1, in Geary

county: block 050, block 051, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 081, block 082, block 083, block 084, block 085, block 086, block 090, block 091, block 093, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 150, block 151, block 152, block 153, block 154, block 155, block 157, block 158, block 254, block 255, block 256, block 264, block 494; and the following blocks in voting district (00007A), tract 0007.00, block group 1, in Geary county: block 171, block 173, block 174, block 175, block 176, block 177, block 182, block 183, block 189; and the following blocks in voting district (00013A), tract 0007.00, block group 1, in Geary county: block 186, block 187, block 188; and the following voting districts in Geary county: (00022B), (000240), (000250); and the following blocks in voting district (000270), tract 0008.00, block group 1, in Geary county: block 004, block 007, block 008, block 009, block 010, block 015, block 016, block 017, block 020, block 021, block 022, block 023, block 027, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 062, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 250, block 251, block 252, block 253, block 262, block 263, block 264, block 285, block 298, block 300, block 303, block 304, block 305, block 306, block 307, block 308, block 309, block 310, block 311, block 314, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 324, block 325, block 326, block 327, block 328, block 329, block 331, block 332, block 333, block 339, block 341, block 342, block 343; and the following blocks in voting district (000270), tract 0008.00, block group 2, in Geary county: block 001; and the following blocks in voting district (900010), tract 0007.00, block group 1, in Geary county: block 184, block 185, block 220, block 221, block 222, block 236, block 239; and the following blocks in

voting district (900010), tract 0008.00, block group 1, in Geary county: block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 234, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 299, block 301, block 302, block 312, block 313, block 315, block 316, block 334, block 335, block 336, block 337, block 338, block 340; and the following blocks in voting district (900010), tract 0008.00, block group 2, in Geary county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 048, block 049, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 211, block 212, block 213, block 217, block 218, block 219, block 222, block 225, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 312, block 313, block 330, block 332, block 333, block 401, block 402, block 403, block 404; and the following blocks in voting district (900090), tract 0007.00, block group 1, in Geary county: block 087, block 088, block 089, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 172, block 178, block 179, block 180, block 181, block 190, block 197, block 198, block 199, block 206, block 209, block 497, block 498, block 499, block 502; and the following blocks in voting district (900120), tract 0007.00, block group 1, in Geary county: block 223, block 224, block 225, block 237, block 238; and the following blocks in voting district (900120), tract 0008.00, block group 2, in Geary county: block 208, block 209, block 210, block 214, block 215, block 216, block 220, block 221, block 223, block 224, block 226, block 227, block 299; and the following blocks in voting district (900180), tract 0008.00, block group 2, in Geary county: block 089, block 189; and all of Jewell county; and all of Pottawatomie county; and all of Republic county; and the following blocks in voting district (000010), tract 0009.00, block group 4, in Riley county: block 049, block 053; and the following voting districts in Riley county: (000020), (000030), (000040); and the following blocks in

voting district (00005A), tract 0006.00, block group 1, in Riley county: block 008, block 009, block 021; and the following blocks in voting district (00005A), tract 0009.00, block group 1, in Riley county: block 009, block 032, block 063, block 064, block 065, block 075, block 133; and the following blocks in voting district (00005A), tract 0009.00, block group 2, in Riley county: block 063; and the following blocks in voting district (00005A), tract 0010.02, block group 1, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 139, block 141; and the following blocks in voting district (00005A), tract 0010.02, block group 2, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180,

block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 303, block 304, block 305, block 306, block 307, block 308, block 309, block 310, block 311, block 312, block 313, block 314, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 324, block 325, block 326; and the following blocks in voting district (00005A), tract 0010.02, block group 3, in Riley county: block 007, block 008, block 009, block 010, block 011, block 012, block 018, block 019, block 039; and the following blocks in voting district (00005A), tract 0013.02, block group 2, in Riley county: block 136; and the following blocks in voting district (00005A), tract 0013.02, block group 3, in Riley county: block 039; and the following blocks in voting district (00005A), tract 9800.00, block group 1, in Riley county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 018, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168,

block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 194, block 195, block 196, block 197, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 217, block 218, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 231, block 232, block 233, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 253, block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261, block 262, block 263, block 264, block 265, block 266, block 267, block 268, block 269, block 270, block 271, block 272, block 273, block 274, block 275, block 276, block 277, block 278, block 279, block 280, block 281, block 282, block 283, block 284, block 285, block 286, block 287, block 288, block 289, block 290, block 291, block 292, block 293, block 294, block 295, block 296, block 297, block 298, block 299, block 300, block 301, block 302, block 303, block 304, block 305, block 306, block 307, block 308, block 309, block 310, block 315, block 316, block 317, block 318, block 319, block 320, block 321, block 322, block 323, block 324, block 325, block 326, block 327, block 328, block 329, block 330; and the following voting districts in Riley county: (00005B); and the following blocks in voting district (000060), tract 0002.00, block group 4, in Riley county: block 025, block 026; and the following blocks in voting district (000060), tract 0013.02, block group 1, in Riley county: block 070, block 076, block 077, block 078, block 079, block 080, block 081, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 150, block 151, block 152, block 162, block 164, block 165, block 167, block 181; and the following blocks in voting district (000060), tract 0013.02, block group 2, in Riley county: block 000, block 001, block 002, block 031, block 032, block 033, block 034, block 084, block 085, block 086, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 156; and the following blocks in voting district (000060), tract 0013.02, block group 3, in Riley county: block 015, block 035; and the following blocks in voting district (000060), tract 0013.02, block group 4, in Riley county: block 325; and the following voting districts in Riley county: (000070), (000080), (000380); and the following blocks in voting district (00039A), tract 0013.02, block group 1, in Riley county: block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 168, block 182; and the following blocks in voting district (000400), tract 0009.00, block group 4, in Riley county: block 023, block 024, block 025, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 048, block 060, block 116; and the following blocks in voting district (000420), tract

0002.00, block group 2, in Riley county: block 007, block 025; and the following blocks in voting district (000420), tract 0002.00, block group 3, in Riley county: block 000, block 001, block 012, block 013, block 014, block 015, block 016, block 017, block 019; and the following blocks in voting district (000420), tract 0002.00, block group 4, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 057, block 068, block 069, block 071; and the following blocks in voting district (000420), tract 0002.00, block group 5, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 009, block 014, block 015, block 018; and the following voting districts in Riley county: (000430); and the following blocks in voting district (00044A), tract 0006.00, block group 1, in Riley county: block 011, block 012, block 013, block 014; and the following blocks in voting district (00044A), tract 0006.00, block group 5, in Riley county: block 074; and the following blocks in voting district (00044A), tract 0009.00, block group 1, in Riley county: block 002, block 005, block 006, block 007, block 008, block 010, block 014, block 017, block 018, block 019, block 020, block 021, block 023, block 027, block 028, block 030, block 031, block 033, block 040, block 041, block 042, block 046, block 047, block 061, block 091, block 125, block 128, block 129, block 130, block 132, block 140; and the following voting districts in Riley county: (000450), (000460); and the following blocks in voting district (00047A), tract 0006.00, block group 1, in Riley county: block 001, block 006, block 007, block 010; and the following blocks in voting district (00047A), tract 0006.00, block group 5, in Riley county: block 072; and the following blocks in voting district (00047A), tract 0013.01, block group 2, in Riley county: block 044, block 047, block 049, block 051; and the following blocks in voting district (00047A), tract 0013.02, block group 1, in Riley county: block 119, block 120, block 121, block 122, block 161, block 163, block 166, block 180; and the following blocks in voting district (00047A), tract 0013.02, block group 2, in Riley county: block 138, block 139, block 148, block 149, block 150, block 152, block 153, block 154, block 155; and the following blocks in voting district (00047A), tract 0013.02, block group 3, in Riley county: block 006, block 008, block 011, block 013, block 014, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 029, block 030, block 031, block 032, block 033, block 034, block 036, block 037, block 038, block 041, block 044; and the following voting districts in Riley county: (000480), (300010), (300020); and the following blocks in voting district (300060), tract 0009.00, block group 1, in Riley county: block 034, block 035, block 036, block 037, block 038, block 039, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 062, block 066, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 114,

block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 127, block 131; and the following voting districts in Riley county: (300090), (300100); and the following blocks in voting district (400030), tract 0002.00, block group 3, in Riley county: block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 018, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (500010), tract 0006.00, block group 5, in Riley county: block 047, block 048, block 051, block 070, block 071; and the following voting districts in Riley county: (900010), (900020), (900030); and the following blocks in voting district (900050), tract 0006.00, block group 1, in Riley county: block 000, block 020; and the following blocks in voting district (900050), tract 0006.00, block group 5, in Riley county: block 040, block 041, block 049, block 050; and the following blocks in voting district (900050), tract 0013.01, block group 2, in Riley county: block 040, block 050; and all of Washington county.

Sec. 26. Senatorial district 22 shall consist of the following blocks in voting district (00002A), tract 0006.00, block group 2, in Geary county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 020, block 023, block 039, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 076, block 091, block 092, block 095, block 096, block 097, block 098, block 099, block 100, block 107, block 108, block 109, block 110, block 111, block 112, block 113, block 117, block 118, block 119, block 120; and the following voting districts in Geary county: (00002B), (00002G), (00002H), (00002I), (00002J), (00002K), (00002L), (00002M), (00002N); and the following blocks in voting district (000040), tract 0007.00, block group 1, in Geary county: block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 059; and the following blocks in voting district (000050), tract 0007.00, block group 1, in Geary county: block 002, block 003, block 004, block 005, block 006, block 007, block 040, block 308, block 309; and the following blocks in voting district (000060), tract 0007.00, block group 1, in Geary county: block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 079, block 080, block 094, block 500, block 505, block 506, block 507; and the following blocks in voting district (00007A), tract 0001.00, block group 3, in Geary county: block 081, block 082, block 083, block 085, block 086, block 087, block 088, block 089, block 091, block 092, block 093, block 094, block 096, block 098; and the following blocks in voting district (00007A), tract 0005.00, block group 1, in Geary county: block 039; and the following blocks in voting district (00007A), tract 0005.00, block group 2, in Geary county: block 000, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020,

block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087; and the following blocks in voting district (00007A), tract 0005.00, block group 4, in Geary county: block 000, block 001, block 002, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 044, block 045, block 049; and the following voting districts in Geary county: (000080), (000090), (000100), (000110); and the following blocks in voting district (00013A), tract 0004.00, block group 4, in Geary county: block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 061, block 062; and the following blocks in voting district (00013A), tract 0005.00, block group 4, in Geary county: block 046, block 047, block 048; and the following voting districts in Geary county: (000140), (000150), (00016A), (000180), (000190), (00022A), (000230), (000260); and the following blocks in voting district (000270), tract 0008.00, block group 1, in Geary county: block 254, block 255, block 256, block 257, block 258, block 259, block 260, block 261; and the following blocks in voting district (900010), tract 0002.00, block group 1, in Geary county: block 000, block 001, block 002, block 003, block 008, block 016; and the following blocks in voting district (900010), tract 0002.00, block group 2, in Geary county: block 003, block 004, block 021; and the following blocks in voting district (900010), tract 0003.00, block group 2, in Geary county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 015, block 016, block 017, block 018, block 021, block 022; and the following blocks in voting district (900010), tract 0008.00, block group 2, in Geary county: block 042, block 043, block 044, block 045, block 047, block 071, block 072, block 073, block 074, block 075, block 090, block 091, block 099, block 102, block 185, block 187, block 188, block 199, block 200, block 285, block 286, block 287, block 304, block 325; and the following voting districts in Geary county: (900020), (900030), (900040), (900050), (900060), (900070), (900080); and the following blocks in voting district (900090), tract 0001.00, block group 1, in Geary county: block 042, block 049, block 050, block 052, block 053, block 072, block 075, block 089, block 094; and the following blocks in voting district (900090), tract 0001.00, block group 3, in Geary county: block 000, block 003, block 013, block 016, block 017, block 018, block 080, block 084, block 095, block 097; and the following blocks in voting district (900090), tract 0005.00, block group 2, in Geary county: block 001, block 030, block 038, block 039; and the following blocks in voting district (900090), tract 0007.00, block group 2, in Geary

county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081; and the following voting districts in Geary county: (900100); and the following blocks in voting district (900120), tract 0004.00, block group 4, in Geary county: block 060; and the following blocks in voting district (900120), tract 0008.00, block group 2, in Geary county: block 201, block 202, block 203, block 204, block 205, block 206, block 207; and the following voting districts in Geary county: (900130), (900140), (900150), (900160), (900170); and the following blocks in voting district (900180), tract 0008.00, block group 2, in Geary county: block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 101, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 180, block 181, block 182, block 183, block 184, block 186, block 297, block 298, block 300, block 319, block 320, block 321, block 322, block 323, block 324, block 331; and the following voting districts in Geary county: (900190), (900200), (900210), (900220); and the following blocks in voting district (000010), tract 0009.00, block group 2, in Riley county: block 001, block 004, block 012, block 014, block 018, block 019, block 021, block 022, block 023, block 025, block 026, block 027, block 055, block 058, block 061; and the following blocks in voting district (000010), tract 0009.00, block group 3, in Riley county: block 005, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 039, block 041, block 042, block 044, block 076, block 077, block 078, block 079, block 082, block 085, block 086, block 093, block 094, block 096, block 097, block 101, block 102; and the following blocks in voting district (000010), tract 0009.00, block group 4, in Riley county: block 051, block 052, block 054, block 055, block 056, block 057, block 058; and the following blocks in voting district (00005A), tract 0010.02, block group 2, in Riley county: block 233, block 234, block 315; and the following blocks in voting district (000060), tract 0013.02, block group 3, in Riley county: block 009; and the following voting districts in Riley county: (000120), (000140), (000170), (00022A), (00022B), (000230), (00025A), (00025B), (000310), (000320), (000330), (000340), (000350), (00036A), (000370); and the following blocks in voting district (00039A), tract 0002.00, block group 4, in Riley county: block 042, block 043, block 044, block 045, block 046, block 047, block 051, block 052, block 054, block 064, block 070; and the following blocks in voting district (00039A), tract 0011.00, block group 1, in Riley county: block 000, block 009; and the following blocks in voting district (00039A), tract 0013.01, block group 2, in Riley county: block 000,

block 018, block 024, block 025, block 026; and the following blocks in voting district (00039A), tract 0013.02, block group 3, in Riley county: block 000, block 001, block 002, block 024, block 025, block 027, block 028, block 042, block 043; and the following voting districts in Riley county: (00039B), (00039C), (00039E), (00039G), (00039H); and the following blocks in voting district (000400), tract 0009.00, block group 3, in Riley county: block 000, block 001, block 002, block 003, block 004, block 006, block 007; and the following blocks in voting district (000400), tract 0009.00, block group 4, in Riley county: block 026, block 027, block 028, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 050, block 118; and the following voting districts in Riley county: (000410); and the following blocks in voting district (000420), tract 0002.00, block group 2, in Riley county: block 008, block 041; and the following blocks in voting district (000420), tract 0002.00, block group 4, in Riley county: block 050, block 053, block 056, block 058, block 060, block 061, block 062, block 063; and the following blocks in voting district (000420), tract 0011.00, block group 3, in Riley county: block 000, block 001, block 003, block 004, block 005; and the following blocks in voting district (00044A), tract 0009.00, block group 1, in Riley county: block 043, block 044, block 045; and the following blocks in voting district (00044A), tract 0009.00, block group 2, in Riley county: block 009, block 010, block 011, block 013, block 015, block 016, block 017, block 020, block 028, block 029, block 030, block 031, block 032, block 034, block 035, block 036, block 052, block 053, block 054, block 056, block 057, block 059, block 060, block 064; and the following blocks in voting district (00044A), tract 0009.00, block group 3, in Riley county: block 080, block 081, block 083, block 084, block 095, block 100; and the following blocks in voting district (00044A), tract 0010.02, block group 2, in Riley county: block 235, block 236; and the following blocks in voting district (00047A), tract 0013.01, block group 2, in Riley county: block 034, block 041, block 042; and the following blocks in voting district (00047A), tract 0013.02, block group 3, in Riley county: block 003, block 004, block 005, block 007, block 010, block 012, block 016, block 026, block 040; and the following voting districts in Riley county: (00047B), (00047C), (00047D), (300030), (300040), (300050); and the following blocks in voting district (300060), tract 0009.00, block group 2, in Riley county: block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051; and the following voting districts in Riley county: (300070), (400010), (400020); and the following blocks in voting district (400030), tract 0002.00, block group 1, in Riley county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (400030), tract 0002.00, block group 3, in Riley county: block 034; and the following blocks in voting district (400030), tract 0005.00, block group 4, in Riley county: block 006, block 015, block 017; and the following voting districts in Riley county: (400040), (400050), (400060), (400070), (400080), (400090); and the following blocks in voting district (500010), tract 0006.00, block group 5, in Riley county: block 035, block 036, block 037, block 042, block 044, block 045, block 046, block 052, block 053, block 054; and the

following voting districts in Riley county: (500030), (600001), (800001), (900040); and the following blocks in voting district (900050), tract 0006.00, block group 5, in Riley county: block 039, block 043; and the following blocks in voting district (900050), tract 0013.01, block group 2, in Riley county: block 037; and the following voting districts in Riley county: (900060).

Sec. 27. Senatorial district 23 shall consist of the following voting districts in Johnson county: (000090), (00014A), (00014C), (000160); and the following blocks in voting district (001010), tract 0535.08, block group 1, in Johnson county: block 015, block 016; and the following blocks in voting district (001010), tract 0535.56, block group 1, in Johnson county: block 029, block 031; and the following blocks in voting district (001010), tract 0535.56, block group 2, in Johnson county: block 008, block 009, block 010, block 011; and the following voting districts in Johnson county: (001030), (001040), (001050), (001060), (001070); and the following blocks in voting district (001090), tract 0536.01, block group 2, in Johnson county: block 017, block 020, block 021, block 022, block 023; and the following blocks in voting district (001090), tract 0536.02, block group 1, in Johnson county: block 003; and the following voting districts in Johnson county: (001100), (001270), (001320), (001330), (001350), (001380), (001390), (00153J), (00153K), (00153P), (00311A), (00311B), (00311D), (003120), (004030), (004040), (004190), (100030), (900080), (900090), (900100), (900110), (900120), (900130), (900150), (900160), (900170), (900180), (900570), (900580), (900600), (900610), (900620), (900640), (900650), (900820), (900850), (900860), (900910), (900920), (900930), (900940), (900980), (901440), (901460), (901470), (901510); and the following blocks in voting district (901550), tract 0535.08, block group 1, in Johnson county: block 014, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (901550), tract 0535.57, block group 1, in Johnson county: block 019, block 020; and the following blocks in voting district (901550), tract 0535.57, block group 2, in Johnson county: block 013, block 015; and the following blocks in voting district (901550), tract 0536.02, block group 1, in Johnson county: block 000, block 001, block 002, block 030, block 031, block 032, block 033, block 034, block 035, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 054, block 062, block 100; and the following voting districts in Johnson county: (901560), (901570), (901610), (901620), (901630), (901680), (901730), (901750), (901760), (901780), (901800), (901810), (901820), (901830), (901840), (901860), (901870), (901880), (901890), (901900), (901950), (901970); and the following blocks in voting district (00007A), tract 1001.00, block group 1, in Miami county: block 006, block 007, block 008, block 012, block 013, block 014, block 015, block 017, block 047, block 058, block 132; and the following blocks in voting district (00007A), tract 1002.00, block group 1, in Miami county: block 000, block 037, block 038, block 039; and the following blocks in voting district (00007A), tract 1002.00, block group 2, in Miami county: block 026, block 027; and the following voting districts in Miami county: (00007B), (00023A), (00023B), (00023C); and the following blocks in voting district (000260), tract 1002.00, block group 2, in Miami county: block 024, block 025; and the following voting districts in Miami county: (900130).

Sec. 28. Senatorial district 24 shall consist of the following voting districts in Dickinson county: (000010), (00002A), (00002B), (000030), (000040), (000050), (000070), (000080), (000090), (000100), (000110), (000130), (000140), (000220),

(000260), (000280), (000290), (000320), (900010), (900020), (900030); and all of Saline county.

Sec. 29. Senatorial district 25 shall consist of the following voting districts in Sedgwick county: (500010), (500020); and the following blocks in voting district (500030), tract 0024.00, block group 2, in Sedgwick county: block 036, block 037, block 038; and the following blocks in voting district (500030), tract 0026.00, block group 1, in Sedgwick county: block 007, block 008, block 009, block 010, block 011, block 012, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051; and the following blocks in voting district (500030), tract 0026.00, block group 2, in Sedgwick county: block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (500030), tract 0034.00, block group 3, in Sedgwick county: block 004, block 005, block 014, block 015, block 016, block 023, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (500040), tract 0024.00, block group 2, in Sedgwick county: block 039, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053; and the following blocks in voting district (500040), tract 0034.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (500040), tract 0034.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (500050), tract 0024.00, block group 1, in Sedgwick county: block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (500050), tract 0035.00, block group 1, in Sedgwick county: block 002, block 003, block 004, block 005, block 006, block 007, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (500050), tract 0035.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 022, block 023, block 024, block 025, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044; and the following voting districts in Sedgwick county: (500740), (500750), (500760), (500770); and the following blocks in voting district (500780), tract 0062.00, block group 2, in Sedgwick county: block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (500780), tract 0062.00, block group 3, in Sedgwick county: block 000, block 001, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Sedgwick county: (500950), (500960), (500970), (500980), (500990), (501000), (501010), (501020), (501030), (501040); and the following blocks in voting district (501150), tract 0091.00, block group 5, in Sedgwick

county: block 034; and the following voting districts in Sedgwick county: (501830), (501840), (501850), (501860), (501870), (501880), (501900), (501910), (501920); and the following blocks in voting district (501930), tract 0086.00, block group 1, in Sedgwick county: block 001, block 002, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (501930), tract 0086.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (501930), tract 0088.00, block group 4, in Sedgwick county: block 005, block 006; and the following blocks in voting district (501940), tract 0084.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (501940), tract 0084.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027; and the following blocks in voting district (501940), tract 0084.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (501940), tract 0085.00, block group 1, in Sedgwick county: block 000; and the following blocks in voting district (501940), tract 0085.00, block group 2, in Sedgwick county: block 000; and the following blocks in voting district (501940), tract 0086.00, block group 1, in Sedgwick county: block 000, block 003, block 004.

Sec. 30. Senatorial district 26 shall consist of the following blocks in voting district (500900), tract 0056.00, block group 2, in Sedgwick county: block 000; and the following blocks in voting district (500910), tract 0056.00, block group 1, in Sedgwick county: block 025, block 026, block 027, block 028, block 029, block 034, block 035, block 046, block 047; and the following blocks in voting district (500910), tract 0056.00, block group 2, in Sedgwick county: block 001, block 003, block 016, block 017, block 020, block 021, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 042, block 043, block 044, block 046, block 047, block 048, block 051, block 052, block 053, block 058, block 059, block 060, block 061, block 067, block 071; and the following blocks in voting district (500910), tract 0056.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 029, block 030, block 031, block 032, block 033, block 035, block 036, block 037; and the following blocks in voting district (500910), tract 0057.00, block group 1, in Sedgwick county: block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 031, block 032; and the following blocks in voting district (500910), tract 0057.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 015; and the following

blocks in voting district (500910), tract 0059.00, block group 3, in Sedgwick county: block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following voting districts in Sedgwick county: (500940), (501050), (501060), (501070), (501080), (501090), (501100), (501110), (501120), (501130), (501140); and the following blocks in voting district (501150), tract 0054.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004; and the following blocks in voting district (501150), tract 0091.00, block group 5, in Sedgwick county: block 033, block 038; and the following blocks in voting district (501150), tract 0096.03, block group 1, in Sedgwick county: block 000, block 001, block 002; and the following voting districts in Sedgwick county: (501220), (501230), (501240), (501260), (501290), (501300), (501310), (501320), (501330), (501410), (501600), (501610), (501750), (501760), (501770), (501780); and the following blocks in voting district (501790), tract 0095.09, block group 2, in Sedgwick county: block 012, block 013, block 014, block 016, block 021, block 023, block 024; and the following voting districts in Sedgwick county: (502120); and the following blocks in voting district (502130), tract 0095.08, block group 1, in Sedgwick county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098; and the following blocks in voting district (502130), tract 0095.09, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (502130), tract 0096.05, block group 1, in Sedgwick county: block 014, block 015; and the following voting districts in Sedgwick county: (502140); and the following blocks in voting district (502200), tract 0095.09, block group 2, in Sedgwick county: block 002, block 009, block 010, block 011, block 015, block 018; and the following voting districts in Sedgwick county: (502210), (502260); and the following blocks in voting district (502270), tract 0098.02, block group 1, in Sedgwick county: block 009, block 010, block 011, block 012; and the following blocks in voting district (502270), tract 0098.02, block group 3, in Sedgwick county: block 000; and the following blocks in voting district (502270), tract 0100.04, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (502270), tract 0100.05, block group 1, in Sedgwick county: block 000, block 004, block 005, block 006, block 007, block 008, block 012, block 017; and the following blocks in voting district (502270), tract 0100.05, block

group 2, in Sedgwick county: block 000, block 001, block 002; and the following blocks in voting district (502290), tract 0100.05, block group 3, in Sedgwick county: block 001; and the following voting districts in Sedgwick county: (502300), (502320); and the following blocks in voting district (502340), tract 0098.02, block group 1, in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 013, block 014, block 015, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031; and the following blocks in voting district (502340), tract 0098.02, block group 2, in Sedgwick county: block 004, block 005, block 006, block 007, block 009, block 013, block 014, block 015, block 016, block 017, block 022; and the following blocks in voting district (502350), tract 0098.01, block group 2, in Sedgwick county: block 003, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (502350), tract 0098.01, block group 3, in Sedgwick county: block 012, block 013, block 014, block 019, block 020, block 021, block 022, block 026, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 059, block 060, block 062, block 064, block 065, block 066, block 067, block 068; and the following blocks in voting district (502350), tract 0098.01, block group 4, in Sedgwick county: block 015; and the following blocks in voting district (502350), tract 0098.02, block group 2, in Sedgwick county: block 012; and the following blocks in voting district (502350), tract 0098.02, block group 3, in Sedgwick county: block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (502360), tract 0098.02, block group 2, in Sedgwick county: block 018, block 019, block 020, block 021, block 023, block 024, block 025, block 026, block 027, block 028; and the following blocks in voting district (502370), tract 0098.01, block group 3, in Sedgwick county: block 044, block 045, block 057, block 058, block 061, block 063, block 071; and the following blocks in voting district (502370), tract 0098.01, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 017, block 022, block 023, block 024, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 046, block 047, block 049; and the following blocks in voting district (502380), tract 0098.01, block group 4, in Sedgwick county: block 027, block 030; and the following voting districts in Sedgwick county: (502440), (502450), (502470), (502630), (502640), (502650), (502660), (502670), (502680), (502690), (502700), (502710), (502720), (502730), (502740), (502750), (502760), (502770), (502780), (502790), (502800), (502810), (502820), (503250), (503260), (503270), (503280), (503590), (503600), (503610), (503630), (503640); and the following blocks in voting district (503650), tract 0100.05, block group 3, in Sedgwick county: block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 024, block 025, block 026, block 027, block 028, block 033; and the following voting districts in Sedgwick county: (503670); and the following blocks in voting district (503710), tract 0098.01, block group 3, in Sedgwick county:

block 009, block 011; and the following blocks in voting district (503710), tract 0098.01, block group 4, in Sedgwick county: block 016, block 021, block 025, block 026, block 028, block 031, block 048; and the following voting districts in Sedgwick county: (503760), (503770), (503920), (503930), (503940), (503950), (503960), (503970), (503990), (504000), (504010), (504020), (600020), (600330), (600350), (600440), (600460), (600780), (700510); and the following blocks in voting district (700580), tract 0056.00, block group 2, in Sedgwick county: block 050, block 054, block 057; and the following voting districts in Sedgwick county: (700650), (700690), (700890), (700950), (900020), (900110), (900120).

Sec. 31. Senatorial district 27 shall consist of the following voting districts in Sedgwick county: (501340), (501380), (501390), (501400), (501420), (501430), (501440), (501450), (501460), (501470), (501480), (501490), (501500), (501520), (501530), (501540), (501550), (501560), (501570), (501580), (501590), (501620), (501630), (501640), (501650), (501660), (501670), (501680), (501690), (501700), (501710), (501720), (501730), (501740); and the following blocks in voting district (501790), tract 0095.09, block group 2, in Sedgwick county: block 001; and the following voting districts in Sedgwick county: (501810); and the following blocks in voting district (501930), tract 0093.01, block group 3, in Sedgwick county: block 014, block 018, block 019, block 020, block 021, block 024; and the following blocks in voting district (501930), tract 0095.03, block group 1, in Sedgwick county: block 021; and the following blocks in voting district (501940), tract 0095.03, block group 1, in Sedgwick county: block 002; and the following blocks in voting district (502010), tract 0095.03, block group 1, in Sedgwick county: block 000, block 001; and the following blocks in voting district (502010), tract 0103.00, block group 4, in Sedgwick county: block 118, block 119; and the following blocks in voting district (502020), tract 0103.00, block group 4, in Sedgwick county: block 096, block 097, block 105, block 106, block 114, block 117; and the following blocks in voting district (502130), tract 0095.08, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 015; and the following blocks in voting district (502130), tract 0095.09, block group 2, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008; and the following voting districts in Sedgwick county: (502150), (502160), (502170), (502180); and the following blocks in voting district (502200), tract 0095.09, block group 1, in Sedgwick county: block 000, block 001; and the following blocks in voting district (502200), tract 0095.09, block group 2, in Sedgwick county: block 000; and the following voting districts in Sedgwick county: (502410), (502420), (502430), (502460); and the following blocks in voting district (502480), tract 0104.00, block group 1, in Sedgwick county: block 069; and the following blocks in voting district (502480), tract 0104.00, block group 2, in Sedgwick county: block 088, block 089, block 090, block 093, block 113, block 118, block 120; and the following blocks in voting district (503290), tract 0103.00, block group 1, in Sedgwick county: block 089, block 090, block 091; and the following blocks in voting district (503290), tract 0103.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033; and the following blocks in voting district (503290), tract

0103.00, block group 3, in Sedgwick county: block 002, block 003, block 004, block 005, block 006, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 092, block 093, block 097, block 098, block 099, block 100; and the following blocks in voting district (503290), tract 0103.00, block group 5, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055; and the following voting districts in Sedgwick county: (503300), (503310), (503320), (600190), (600250), (600390), (600470); and the following blocks in voting district (700210), tract 0103.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 009, block 010, block 011, block 019, block 071, block 073, block 078, block 079, block 080, block 081; and the following blocks in voting district (700210), tract 0103.00, block group 3, in Sedgwick county: block 059, block 060, block 061, block 062, block 063, block 064, block 072, block 075, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 094; and the following blocks in voting district (700210), tract 0103.00, block group 4, in Sedgwick county: block 082, block 093, block 095, block 103, block 104, block 108, block 109, block 110, block 111, block 115, block 116, block 120, block 121, block 123; and the following voting districts in Sedgwick county: (700220), (700230), (700250), (700260), (700290), (700300), (700630), (700640), (700930), (700940), (700960), (900030), (900090), (900100).

Sec. 32. Senatorial district 28 shall consist of the following blocks in voting district (500330), tract 0022.00, block group 2, in Sedgwick county: block 014; and the following blocks in voting district (500340), tract 0036.00, block group 1, in Sedgwick county: block 005, block 006, block 007; and the following voting districts in Sedgwick county: (500360); and the following blocks in voting district (500370), tract 0070.00, block group 3, in Sedgwick county: block 007, block 008, block 009, block 010, block 011, block 012, block 014, block 015, block 023, block 026, block 027; and the following blocks in voting district (500380), tract 0072.03, block group 1, in Sedgwick county: block 009, block 010, block 012, block 013; and the following blocks in voting district (500780), tract 0063.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018; and the following blocks in voting district (500780), tract 0063.00, block group 2, in Sedgwick county: block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026; and the

following blocks in voting district (500780), tract 0064.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500780), tract 0064.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 012, block 013, block 014; and the following voting districts in Sedgwick county: (500790), (500800), (500810), (500820), (500830), (500840), (500850), (500870), (500880), (500890); and the following blocks in voting district (500900), tract 0056.00, block group 1, in Sedgwick county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 021, block 022, block 023, block 024, block 030, block 031, block 032, block 033, block 037, block 038, block 039, block 041, block 042, block 043, block 044, block 045; and the following blocks in voting district (500900), tract 0056.00, block group 2, in Sedgwick county: block 009, block 012, block 013; and the following blocks in voting district (500900), tract 0059.00, block group 1, in Sedgwick county: block 021, block 022, block 023, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 053; and the following blocks in voting district (500900), tract 0059.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 017; and the following blocks in voting district (500910), tract 0056.00, block group 1, in Sedgwick county: block 020, block 040; and the following blocks in voting district (500910), tract 0056.00, block group 2, in Sedgwick county: block 005, block 006, block 007, block 008, block 010, block 011, block 014, block 015, block 022, block 049, block 072, block 073; and the following blocks in voting district (501150), tract 0091.00, block group 2, in Sedgwick county: block 009, block 010, block 011, block 013; and the following blocks in voting district (501150), tract 0091.00, block group 3, in Sedgwick county: block 014, block 015, block 016, block 017; and the following blocks in voting district (501150), tract 0091.00, block group 4, in Sedgwick county: block 006, block 007, block 008, block 009, block 015, block 016, block 017, block 018; and the following blocks in voting district (501150), tract 0091.00, block group 5, in Sedgwick county: block 035, block 036, block 039, block 040, block 041, block 042, block 043, block 044, block 046, block 048, block 049, block 050, block 051; and the following blocks in voting district (501150), tract 0091.00, block group 6, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following voting districts in Sedgwick county: (501160), (501170), (501180), (501190), (501200), (501210); and the following blocks in voting district (502290), tract 0058.00, block group 4, in Sedgwick county: block 006, block 030, block 033, block 034, block 035; and the following blocks in voting district (502290), tract 0100.04, block group 2, in Sedgwick county: block 019, block 020, block 022, block 023, block 024, block 025, block 027, block 028, block 029, block 030, block 031, block 033, block 034, block 035, block 036, block 037, block 038, block 039; and the following blocks in voting district (502290), tract 0100.05, block group 3, in Sedgwick county: block 000; and the following blocks in voting district (502570), tract 0066.00, block group 2, in Sedgwick

county: block 003, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 047, block 048, block 068; and the following blocks in voting district (502570), tract 0100.04, block group 2, in Sedgwick county: block 005, block 006, block 007, block 008, block 009, block 010; and the following voting districts in Sedgwick county: (502590), (502610), (503130); and the following blocks in voting district (503650), tract 0058.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 020, block 021, block 022, block 031, block 032; and the following blocks in voting district (503650), tract 0066.00, block group 2, in Sedgwick county: block 051, block 052, block 053, block 054; and the following blocks in voting district (503650), tract 0100.04, block group 2, in Sedgwick county: block 017, block 018, block 021; and the following voting districts in Sedgwick county: (503660), (600130), (600140), (600380); and the following blocks in voting district (700580), tract 0056.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 012, block 036; and the following blocks in voting district (700580), tract 0056.00, block group 2, in Sedgwick county: block 055, block 056; and the following blocks in voting district (700580), tract 0058.00, block group 4, in Sedgwick county: block 019; and the following voting districts in Sedgwick county: (700850), (700880).

Sec. 33. Senatorial district 29 shall consist of the following blocks in voting district (500030), tract 0024.00, block group 2, in Sedgwick county: block 019, block 020, block 021, block 024, block 025, block 026; and the following blocks in voting district (500030), tract 0026.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025; and the following blocks in voting district (500030), tract 0026.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013; and the following blocks in voting district (500030), tract 0043.00, block group 2, in Sedgwick county: block 041, block 042, block 043, block 044, block 045, block 046, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073; and the following blocks in voting district (500030), tract 0043.00, block group 3, in Sedgwick county: block 054, block 055, block 056, block 057, block 059; and the following blocks in voting district (500040), tract 0024.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 022, block 023, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 040; and the following blocks in voting district (500050), tract 0023.00, block group 1, in Sedgwick county: block 002, block 003, block 006, block 007; and the following blocks in voting district (500050), tract 0023.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008,

block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021; and the following blocks in voting district (500050), tract 0023.00, block group 3, in Sedgwick county: block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 022, block 023, block 026; and the following blocks in voting district (500050), tract 0024.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (500050), tract 0035.00, block group 2, in Sedgwick county: block 020, block 021, block 026; and the following voting districts in Sedgwick county: (500060), (500070), (500080), (500090), (500120), (500130), (500140), (500150), (500160); and the following blocks in voting district (500170), tract 0007.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022; and the following blocks in voting district (500170), tract 0078.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030; and the following blocks in voting district (500170), tract 0078.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500170), tract 0078.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following blocks in voting district (500170), tract 0101.13, block group 2, in Sedgwick county: block 153, block 156, block 159, block 160, block 161, block 162, block 163, block 164; and the following blocks in voting district (500180), tract 0009.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 024; and the following blocks in voting district (500180), tract 0077.00, block group 1, in Sedgwick county: block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067; and the following blocks in voting district (500180), tract 0101.13, block group 2, in Sedgwick county: block 151, block 152; and the following voting districts in Sedgwick county: (500190), (500200); and the following blocks in voting district (500230), tract 0108.01, block group 1, in Sedgwick county: block 007, block 008, block 009, block 010, block 011;

and the following voting districts in Sedgwick county: (500320); and the following blocks in voting district (500330), tract 0022.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (500330), tract 0022.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009; and the following blocks in voting district (500330), tract 0022.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011; and the following blocks in voting district (500330), tract 0023.00, block group 1, in Sedgwick county: block 000, block 001, block 004, block 005, block 008, block 009, block 010, block 011; and the following blocks in voting district (500330), tract 0023.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 018, block 019, block 020, block 021, block 024, block 025; and the following blocks in voting district (500340), tract 0021.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032; and the following blocks in voting district (500340), tract 0021.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (500340), tract 0036.00, block group 1, in Sedgwick county: block 000, block 001; and the following voting districts in Sedgwick county: (501820), (501890), (501950), (501960); and the following blocks in voting district (501970), tract 0081.00, block group 2, in Sedgwick county: block 135, block 137, block 138, block 139, block 160, block 161, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 184, block 185, block 186, block 187, block 188, block 190, block 199, block 200, block 201, block 239, block 240, block 251; and the following blocks in voting district (501980), tract 0081.00, block group 2, in Sedgwick county: block 107, block 108, block 112, block 113; and the following blocks in voting district (501990), tract 0001.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017; and the following blocks in voting district (501990), tract 0001.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 012, block 013; and the following blocks in voting district (501990), tract 0081.00, block group 2, in Sedgwick county: block 140, block 141, block 142, block 143, block 144, block 146, block 147, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 162, block 163, block 172, block 193, block 194, block 195, block 197, block 198, block 207, block 212, block 213, block 234, block 235, block 236; and the following blocks in voting district (501990), tract 0082.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010,

block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037; and the following blocks in voting district (501990), tract 0082.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 021, block 022, block 025; and the following blocks in voting district (502000), tract 0081.00, block group 2, in Sedgwick county: block 148, block 149; and the following blocks in voting district (502000), tract 0082.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020; and the following blocks in voting district (502010), tract 0083.00, block group 1, in Sedgwick county: block 027, block 028, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041; and the following blocks in voting district (502010), tract 0083.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012; and the following blocks in voting district (502010), tract 0083.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024; and the following blocks in voting district (502010), tract 0083.00, block group 4, in Sedgwick county: block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 023; and the following blocks in voting district (502020), tract 0083.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 029, block 030, block 031, block 032; and the following blocks in voting district (502020), tract 0083.00, block group 4, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 021, block 022; and the following blocks in voting district (502950), tract 0081.00, block group 2, in Sedgwick county: block 114, block 115, block 136, block 237.

Sec. 34. Senatorial district 30 shall consist of the following voting districts in Sedgwick county: (500100), (500110), (500210); and the following blocks in voting district (500220), tract 0108.01, block group 1, in Sedgwick county: block 004, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 033, block 034, block 035; and the following voting districts in Sedgwick county: (500350); and the following blocks in voting district (500370), tract 0070.00, block group 3, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 013, block 024, block 032; and the following blocks in voting district (500370), tract 0071.01, block group 1, in Sedgwick county: block 002, block 012, block 013, block 029, block 030, block 031, block 037, block 038, block 041, block 045; and the following blocks in voting district (500370), tract 0071.01, block group 2,

in Sedgwick county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 018, block 019, block 020, block 021; and the following blocks in voting district (500370), tract 0071.02, block group 1, in Sedgwick county: block 006, block 011, block 012, block 013, block 014, block 015, block 016; and the following blocks in voting district (500380), tract 0072.03, block group 1, in Sedgwick county: block 002, block 004, block 005, block 006, block 007, block 014, block 015; and the following blocks in voting district (500380), tract 0072.03, block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029; and the following blocks in voting district (500380), tract 0072.03, block group 4, in Sedgwick county: block 000, block 001, block 002; and the following voting districts in Sedgwick county: (500390), (500400), (500410), (500420), (500430), (500440), (500450), (500460), (500470), (500480); and the following blocks in voting district (500490), tract 0101.06, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 017, block 032, block 038, block 040, block 041; and the following blocks in voting district (500490), tract 0101.16, block group 1, in Sedgwick county: block 139, block 140, block 159, block 160, block 161, block 162, block 163, block 164, block 179, block 187, block 188, block 189, block 190, block 191, block 192, block 193, block 198, block 199, block 200, block 202, block 203; and the following blocks in voting district (500490), tract 0108.01, block group 1, in Sedgwick county: block 000, block 001, block 002, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 036; and the following blocks in voting district (500490), tract 0108.02, block group 1, in Sedgwick county: block 000, block 001, block 002, block 035, block 036, block 037, block 038, block 046, block 047, block 048, block 050, block 051, block 052, block 053; and the following voting districts in Sedgwick county: (500500), (500510), (500520), (500530), (500540), (500560), (500570), (500580), (500590), (500650), (500660), (500670), (500690), (500710); and the following blocks in voting district (502240), tract 0101.11, block group 1, in Sedgwick county: block 000, block 001; and the following blocks in voting district (502240), tract 0101.16, block group 1, in Sedgwick county: block 209, block 210, block 215, block 216; and the following voting districts in Sedgwick county: (502250); and the following blocks in voting district (502570), tract 0100.04, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077; and the following blocks in voting district (502570), tract 0100.04,

block group 2, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 011, block 012, block 013, block 042, block 043, block 044, block 045, block 056, block 057, block 058, block 059; and the following voting districts in Sedgwick county: (502580), (502600), (503020), (503030), (503040), (503050), (503060), (503070), (503080), (503090), (503100), (503110), (503120), (503140), (503150), (503160); and the following blocks in voting district (503530), tract 0101.16, block group 1, in Sedgwick county: block 096, block 097, block 099, block 110, block 111, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 123, block 124, block 132, block 133, block 134, block 141, block 142, block 143, block 144, block 145, block 146, block 147, block 148, block 149, block 150, block 151, block 152, block 153, block 154, block 155, block 158, block 170; and the following blocks in voting district (503550), tract 0101.16, block group 1, in Sedgwick county: block 100, block 211; and the following voting districts in Sedgwick county: (503560), (503580), (530540), (600010), (600420), (600430), (700490), (700500), (700530), (700620), (700660), (700670), (700800), (700810), (700820), (900010), (900060).

Sec. 35. Senatorial district 31 shall consist of all of Harvey county; and the following blocks in voting district (500170), tract 0101.13, block group 2, in Sedgwick county: block 098, block 099, block 129, block 130, block 131, block 133, block 140, block 141, block 142, block 143, block 144, block 148, block 149, block 150, block 154, block 155; and the following blocks in voting district (500180), tract 0077.00, block group 1, in Sedgwick county: block 003, block 004; and the following blocks in voting district (500180), tract 0101.13, block group 2, in Sedgwick county: block 127; and the following blocks in voting district (500220), tract 0108.01, block group 1, in Sedgwick county: block 003, block 005; and the following blocks in voting district (500220), tract 0108.02, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 032, block 033, block 034, block 039, block 042; and the following blocks in voting district (500230), tract 0101.13, block group 2, in Sedgwick county: block 121; and the following blocks in voting district (500230), tract 0108.01, block group 1, in Sedgwick county: block 006; and the following blocks in voting district (500230), tract 0108.02, block group 1, in Sedgwick county: block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 027, block 028, block 029, block 030, block 031, block 043, block 044, block 045, block 049, block 054; and the following voting districts in Sedgwick county: (500240), (500250), (500260), (500270), (500280), (500310); and the following blocks in voting district (500490), tract 0101.06, block group 1, in Sedgwick county: block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 033, block 034, block 035, block 036, block 039; and the following blocks in voting district (500490), tract 0101.11, block group 1, in Sedgwick county: block 042, block 043, block 044, block 045, block 046, block 047, block 048; and the following blocks in voting district (500490), tract 0108.02, block group 1, in Sedgwick county: block 040, block 041; and the following voting districts in Sedgwick county: (500720), (500730); and the following blocks in voting district (501970), tract 0081.00, block group 2, in Sedgwick county: block 133, block 134, block 181, block 182, block 183; and the following blocks in voting district (501980), tract 0081.00, block group 2, in Sedgwick county: block 078, block 085,

block 089, block 090, block 099, block 100, block 241; and the following blocks in voting district (501990), tract 0081.00, block group 2, in Sedgwick county: block 074, block 081, block 082, block 083, block 084, block 088, block 145, block 242, block 243, block 244, block 245, block 247; and the following blocks in voting district (502000), tract 0081.00, block group 1, in Sedgwick county: block 029, block 030, block 031, block 032, block 035, block 036, block 037, block 038, block 039, block 040, block 043, block 044; and the following blocks in voting district (502000), tract 0081.00, block group 2, in Sedgwick county: block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 075, block 076, block 077, block 248, block 249; and the following blocks in voting district (502020), tract 0081.00, block group 2, in Sedgwick county: block 079, block 080; and the following blocks in voting district (502020), tract 0081.00, block group 3, in Sedgwick county: block 033, block 034, block 035, block 036, block 037, block 040, block 041, block 042, block 043, block 046, block 049; and the following blocks in voting district (502020), tract 0103.00, block group 4, in Sedgwick county: block 065, block 067, block 068, block 069, block 070, block 071, block 072, block 077, block 086, block 087, block 088, block 098, block 099, block 100, block 101, block 102, block 107; and the following voting districts in Sedgwick county: (502030), (502040), (502050), (502070), (502080), (502220), (502230); and the following blocks in voting district (502240), tract 0101.11, block group 1, in Sedgwick county: block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 049, block 050; and the following blocks in voting district (502240), tract 0101.11, block group 4, in Sedgwick county: block 000, block 003; and the following blocks in voting district (502240), tract 0101.16, block group 1, in Sedgwick county: block 218, block 219; and the following blocks in voting district (502480), tract 0104.00, block group 1, in Sedgwick county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 013, block 014, block 015, block 016, block 017, block 018, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 070, block 071, block 072, block 078, block 079, block 080, block 081; and the following blocks in voting district (502480), tract 0104.00, block group 2, in Sedgwick county: block 000, block 001, block 002, block 046, block 047, block 048, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 110, block 111, block 112, block 117, block 119, block 141; and the following voting districts in Sedgwick county: (502830), (502840), (502850), (502860), (502870), (502880), (502890), (502900), (502910),

(502930), (502940); and the following blocks in voting district (502950), tract 0081.00, block group 2, in Sedgwick county: block 043, block 044, block 086, block 087, block 091, block 094, block 101, block 102, block 109, block 110, block 111, block 116, block 117, block 118, block 119, block 120, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 238, block 246; and the following voting districts in Sedgwick county: (502960), (502970), (502980), (502990), (503000), (503010); and the following blocks in voting district (503290), tract 0103.00, block group 3, in Sedgwick county: block 000, block 001, block 007, block 008, block 009, block 010; and the following blocks in voting district (503290), tract 0103.00, block group 4, in Sedgwick county: block 002, block 003, block 012, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 028, block 037, block 038, block 039, block 041, block 074, block 075, block 078, block 122; and the following voting districts in Sedgwick county: (503370), (503380), (503390), (503400), (503410), (503450), (503460), (503470), (503480), (503490), (503500), (503510), (503520); and the following blocks in voting district (503530), tract 0101.16, block group 1, in Sedgwick county: block 066, block 069, block 074, block 075, block 079, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 112, block 221; and the following blocks in voting district (503550), tract 0101.16, block group 1, in Sedgwick county: block 080, block 101, block 102, block 103, block 104, block 204, block 205, block 206, block 212, block 213, block 214; and the following voting districts in Sedgwick county: (503800), (600030), (600090), (600150), (600360), (600400), (700010), (700020), (700030), (700040), (700050), (700060), (700070), (700080), (700090), (700110), (700120), (700130), (700140), (700150), (700160), (700170), (700180), (700200); and the following blocks in voting district (700210), tract 0103.00, block group 4, in Sedgwick county: block 083, block 084, block 085, block 089, block 090, block 092, block 094; and the following voting districts in Sedgwick county: (700310), (700320), (700330), (700350), (700380), (700390), (700400), (700410), (700430), (700460), (700470), (700540), (700550), (700560), (700570), (700600), (700710), (700780), (700790), (700830), (700860), (700900), (700910), (700920), (900050).

Sec. 36. Senatorial district 32 shall consist of the following voting districts in Johnson county: (000430), (000440), (000450), (000460), (000510), (000520), (000530), (000540), (000550); and the following blocks in voting district (000580), tract 0524.19, block group 2, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (000580), tract 0524.19, block group 3, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006; and the following blocks in voting district (000590), tract 0524.21, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 011, block 012, block 013, block 014, block 015; and the following voting districts in Johnson county: (000600), (000610), (000620), (000660), (001420), (001450), (00147A), (00147B), (001480), (001500), (001510), (002930), (002940); and the following blocks in voting district (003030), tract 0524.19, block group 1, in Johnson county: block 009, block 011, block 012, block 013, block 014; and the following voting districts in Johnson county: (003040), (003090), (900360), (900370), (900380); and the following blocks in voting district (900390), tract 0528.02, block

group 4, in Johnson county: block 001; and the following voting districts in Johnson county: (900400), (900410), (900430), (900440), (900450); and the following blocks in voting district (900460), tract 0524.05, block group 3, in Johnson county: block 009; and the following blocks in voting district (900460), tract 0524.17, block group 2, in Johnson county: block 015, block 018, block 019; and the following blocks in voting district (900460), tract 0529.10, block group 2, in Johnson county: block 000; and the following blocks in voting district (900460), tract 0530.05, block group 1, in Johnson county: block 000, block 017, block 027; and the following blocks in voting district (900460), tract 9800.01, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 095, block 096, block 097, block 098, block 099; and the following voting districts in Johnson county: (900470), (900480), (900710); and the following blocks in voting district (900870), tract 0529.10, block group 1, in Johnson county: block 004, block 005, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015; and the following voting districts in Johnson county: (900880), (900890); and the following blocks in voting district (901350), tract 0523.03, block group 3, in Johnson county: block 001, block 002, block 003, block 005; and the following voting districts in Johnson county: (901410), (901420), (901430); and the following blocks in voting district (901650), tract 0528.02, block group 4, in Johnson county: block 002, block 003, block 004, block 005, block 006, block 030, block 031; and the following blocks in voting district (901700), tract 0529.10, block group 2, in Johnson county: block 017, block 018, block 022; and the following voting districts in Johnson county: (901710).

Sec. 37. Senatorial district 33 shall consist of all of Barber county; and all of Comanche county; and all of Edwards county; and all of Harper county; and all of Kingman county; and all of Kiowa county; and all of Pawnee county; and all of Pratt county; and all of Stafford county; and the following voting districts in Sumner county: (000010), (000020), (000030), (000040), (000050), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (000200), (000210), (000220), (000230), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (000310), (000320), (000340), (000350), (000360), (000370), (000380), (000390), (000400), (00041A), (000420), (900010), (900020), (900030), (900050), (900060).

Sec. 38. Senatorial district 34 shall consist of all of Reno county; and the following blocks in voting district (502480), tract 0104.00, block group 2, in Sedgwick county: block 049, block 114; and the following voting districts in Sedgwick county: (502490), (502500), (502510), (502560), (503170), (503780), (600340).

Sec. 39. Senatorial district 35 shall consist of all of Cloud county; and all of Ellsworth county; and all of Lincoln county; and all of McPherson county; and all of Mitchell county; and all of Ottawa county; and all of Rice county.

Sec. 40. Senatorial district 36 shall consist of all of Barton county; and all of Ellis county; and all of Osborne county; and all of Russell county; and all of Smith county.

Sec. 41. Senatorial district 37 shall consist of the following voting districts in Johnson county: (000010), (000020), (000030), (000040); and the following blocks in voting district (001300), tract 0535.02, block group 2, in Johnson county: block 000, block 003; and the following voting districts in Johnson county: (001310), (001340), (001370), (00140B), (001410), (00226A), (00226B), (002360), (00244A), (002460), (002470), (00249A), (00249E), (00249F), (004300), (900010), (900020); and the following blocks in voting district (900290), tract 0534.10, block group 1, in Johnson county: block 006, block 007, block 015, block 017, block 018, block 019, block 020, block 023; and the following voting districts in Johnson county: (900350), (900790), (900800), (900810), (900830), (900840), (901000), (901010), (901120), (901130), (901140), (901150); and the following blocks in voting district (901160), tract 0534.10, block group 1, in Johnson county: block 000, block 001, block 002, block 003, block 004, block 005, block 008, block 009, block 010, block 014, block 021, block 022, block 024; and the following blocks in voting district (901160), tract 0534.10, block group 5, in Johnson county: block 015, block 017, block 018, block 019, block 021, block 026, block 029, block 030, block 035, block 036, block 037, block 038, block 039, block 040; and the following blocks in voting district (901160), tract 0534.10, block group 6, in Johnson county: block 007, block 008, block 009, block 010, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023; and the following voting districts in Johnson county: (901170), (901180), (901190), (901210), (901220), (901230), (901240), (901250), (901260), (901270), (901290), (901300), (901310), (901690); and the following blocks in voting district (00007A), tract 1001.00, block group 1, in Miami county: block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 053, block 054, block 055, block 056, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 084, block 085, block 086, block 087, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 124, block 125, block 126, block 128, block 129, block 130, block 136; and the following blocks in voting district (00007A), tract 1002.00, block group 2, in Miami county: block 028, block 029, block 057, block 061, block 062, block 063, block 064, block 069; and the following blocks in voting district (00007A), tract 1002.00, block group 3, in Miami county: block 000, block 001, block 002, block 003, block 004, block 026, block 027, block 028, block 030; and the following voting districts in Miami county: (000080), (00011B); and the following blocks in voting district (00012B), tract 1007.00, block group 7, in Miami county: block 162, block 165; and the following voting districts in Miami county: (00016A), (00016B), (000170), (00018A); and the following blocks in voting district (00018B), tract 1006.01, block group 2, in Miami county: block 113; and the following voting districts in Miami county: (00019A), (000200); and the following blocks in

voting district (000210), tract 1001.00, block group 1, in Miami county: block 082, block 083, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123; and the following blocks in voting district (000210), tract 1001.00, block group 2, in Miami county: block 110, block 111, block 114, block 117, block 118, block 119, block 120, block 121, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 220, block 221, block 222, block 223, block 224, block 228; and the following blocks in voting district (000210), tract 1001.00, block group 3, in Miami county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 065, block 066, block 067; and the following blocks in voting district (000210), tract 1002.00, block group 2, in Miami county: block 058, block 059, block 060, block 065, block 066, block 067, block 068, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 255, block 259, block 260, block 261, block 262; and the following blocks in voting district (000210), tract 1002.00, block group 3, in Miami county: block 029; and the following blocks in voting district (000210), tract 1005.00, block group 3, in Miami county: block 035; and the following blocks in voting district (000210), tract 1006.01, block group 5, in Miami county: block 002, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 053; and the following blocks in voting district (000210), tract 1006.02, block group 1, in Miami county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 048; and the following voting districts in Miami county: (00023D); and the following blocks in voting district (000240), tract 1006.02, block group 1, in Miami county: block 031, block 032, block 033, block 034, block 035, block 058, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 112, block 113, block 114, block 115, block 116, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 141, block 192, block 193; and the following blocks in voting district (000240), tract 1007.00, block group 7, in Miami county: block 012, block 018, block 019, block 020; and the following blocks in voting district (000260), tract 1002.00, block group 2, in Miami county: block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block

017, block 018, block 019, block 020, block 021, block 022, block 023, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 083, block 084, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 100, block 101, block 102, block 103, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123, block 124, block 125, block 126, block 127, block 128, block 129, block 130, block 131, block 132, block 133, block 134, block 135, block 136, block 137, block 138, block 139, block 140, block 141, block 142, block 143, block 144, block 145, block 146, block 148, block 150, block 151, block 152, block 153, block 154, block 155, block 156, block 157, block 158, block 159, block 160, block 161, block 162, block 163, block 164, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 175, block 176, block 177, block 196, block 198, block 226, block 227, block 228, block 229, block 232, block 233, block 243, block 244, block 245, block 246, block 247, block 248, block 249, block 250, block 251, block 252, block 256, block 258; and the following blocks in voting district (000280), tract 1006.01, block group 2, in Miami county: block 122, block 123, block 128, block 129, block 131, block 132, block 133; and the following blocks in voting district (000280), tract 1006.02, block group 1, in Miami county: block 137, block 138, block 140, block 143, block 144, block 145, block 146, block 160, block 161, block 165, block 166, block 167, block 168, block 169, block 170, block 171, block 172, block 175, block 176, block 194; and the following voting districts in Miami county: (200010), (200020), (900080), (900140).

Sec. 42. Senatorial district 38 shall consist of all of Clark county; and all of Ford county; and all of Gray county; and all of Meade county; and all of Seward county.

Sec. 43. Senatorial district 39 shall consist of all of Finney county; and all of Grant county; and all of Greeley county; and all of Hamilton county; and all of Haskell county; and all of Kearny county; and all of Morton county; and all of Stanton county; and all of Stevens county; and all of Wichita county.

Sec. 44. Senatorial district 40 shall consist of all of Cheyenne county; and all of Decatur county; and all of Gove county; and all of Graham county; and all of Hodgeman county; and all of Lane county; and all of Logan county; and all of Ness county; and all of Norton county; and all of Phillips county; and all of Rawlins county; and all of Rooks county; and all of Rush county; and all of Scott county; and all of Sheridan county; and all of Sherman county; and all of Thomas county; and all of Trego county; and all of Wallace county.

Sec. 45. In accordance with section 3 of article 6 of the constitution of the state of Kansas, the state of Kansas is divided into ten state board of education member districts.

Sec. 46. The senatorial districts referred to in sections 47 through 56, and amendments thereto, are those senatorial districts established by sections 5 through 44, and amendments thereto.

Sec. 47. State board of education member district one shall consist of senatorial

districts 3, 4, 5 and 6.

Sec. 48. State board of education member district two shall consist of senatorial districts 7, 8, 10 and 11.

Sec. 49. State board of education member district three shall consist of senatorial districts 9, 23, 32 and 37.

Sec. 50. State board of education member district four shall consist of senatorial districts 2, 18, 19 and 20.

Sec. 51. State board of education member district five shall consist of senatorial districts 36, 38, 39 and 40.

Sec. 52. State board of education member district six shall consist of senatorial districts 1, 21, 22 and 24.

Sec. 53. State board of education member district seven shall consist of senatorial districts 17, 31, 34 and 35.

Sec. 54. State board of education member district eight shall consist of senatorial districts 25, 28, 29 and 30.

Sec. 55. State board of education member district nine shall consist of senatorial districts 12, 13, 14 and 15.

Sec. 56. State board of education member district ten shall consist of senatorial districts 16, 26, 27 and 33.";

And renumbering remaining sections accordingly;

Also on page 67, in line 7, by striking "and" and inserting a comma; also in line 7, after "4-4,493" by inserting ", 4-514, 4-515, 4-516, 4-517, 4-518, 4-519, 4-520, 4-521, 4-522, 4-523, 4-524 and 4-525";

On page 1, in the title, in line 1, after "districts" by inserting "and state board of education member districts"; in line 8, by striking "and" and inserting a comma; also in line 8, after "4-4,493" by inserting ", 4-514, 4-515, 4-516, 4-517, 4-518, 4-519, 4-520, 4-521, 4-522, 4-523, 4-524 and 4-525"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **HB 2561** be passed.

VETO SUSTAINED

The Governor's objection to **H Sub for SB 315** having been read, the time has arrived for reconsideration of **H Sub for SB 315**, AN ACT concerning the state bank commissioner, powers; amending K.S.A. 9-1722 and 9-1801 and K.S.A. 2011 Supp. 9-508, 9-509, 9-510, 9-511, 9-512, 9-513, 9-513a, 9-513c, 75-2935b, 75-3135 and 75-3135a and repealing the existing sections.

There being no motion to reconsider, President Morris ruled the veto was sustained.

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Monday, May 14, 2012.

Journal of the Senate

SIXTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, May 14, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-seven senators present.
Senators Brungardt, Kelsey and Masterson were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

There are some statutes on the books
Which have a sunset clause.
We feel that since the daylight dies,
So should certain laws.

Speaking of which, O God, we'd like
To express with some regret,
Besides some laws there are other things
On which the sun should set.

Let the sun set on distrust,
And on licentiousness,
Racism and dishonesty
Should be dying in the west.

Let the sun set on deception,
On poverty and despair.
Wherever there is terrorism
Let the sun be setting there.

But in this point of time, O God,
If our preference we could get,
We might prefer it were this session
On which the sun should set!

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

MESSAGE FROM THE HOUSE

Announcing passage of **Sub for SB 393, as amended.**

The House adopts the Conference Committee report on **House Substitute for Substitute SB 148.**

The House adopts the Conference Committee report on **House Substitute for SB 287.**

The House adopts the Conference Committee report on **HB 2503.**

The House adopts the Conference Committee report on **HB 2464.**

The House adopts the Conference Committee report on **Substitute HB 2689.**

The House adopts the Conference Committee report to agree to disagree on **Senate Substitute for HB 2157**, and has appointed Representatives Carlson, Kleeb and Dillmore as second conferees on the part of the House.

The House adopts the Conference Committee report on **SB 304.**

The House adopts the Conference Committee report on **S Sub for HB 2730.**

The House concurs in Senate amendments to **Senate Substitute for HB 2267**, and requests return of the bill.

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **Sub for SB 393.**

ORIGINAL MOTION

Pursuant to Senate Rule 75, President Morris determined **Sub for SB 393**, as amended by the House to be materially changed.

President Morris rereferred the bill to the **Committee on Education.**

REPORT ON ENGROSSED BILLS

SB 83, SB 207, SB 211 reported correctly engrossed May 10, 2012.

H Sub for SB 79, H Sub for SB 160; SB 300 reported correctly engrossed May 11, 2012.

REPORT ON ENROLLED BILLS

H Sub 129; SB 207, SB 211, SB 356 reported correctly enrolled, properly signed and presented to the governor on May 14, 2012.

SR 1878, SR 1879, SR 1880, SR 1881, SR 1882, SR 1883 reported correctly enrolled, properly signed and presented to the Secretary of State on May 14, 2012.

On motion of Senator Emler, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate met pursuant to recess with Senator Morris in the chair.

MESSAGE FROM THE HOUSE

The House concurs in Senate amendments to **HB 2413**, and requests return of the bill.

The House concurs in Senate amendments to **Substitute HB 2427**, and requests return of the bill.

The House adopts the Conference Committee report on **Senate Substitute for Substitute HB 2318**.

The House adopts the Conference Committee report on **HB 2568**.

The House adopts the Conference Committee report on **HB 2704**.

On motion of Senator Emler, the Senate recessed until 2:40 p.m.

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

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **SB 304**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **H Sub for Sub SB 148** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Substitute for Senate Bill No. 148 (Corrected), as follows:

On page 2, in line 20, after the period by inserting "The chief engineer may reduce this required offset based on the estimated use of groundwater by the existing vegetation."; in line 29, after "of" by inserting "sand and gravel"; in line 30, after "by" by inserting "K.S.A."; also in line 30, after "82a-708b" by inserting ", and amendments thereto,"; in line 33, by striking all after "(3)"; by striking all in lines 34 through 38 and inserting "If a permit is denied, the chief engineer shall set forth all reasons for such denial.";

On page 3, in line 2, by striking the second "K.S.A.";

And your committee on conference recommends the adoption of this report.

LARRY R. POWELL

DANIEL KERSCHEN

JERRY D. WILLIAMS

Conferees on part of House

MARK TADDIKEN

RUTH TEICHMAN

MARCI FRANCISCO

Conferees on part of Senate

Senator Taddiken moved the Senate adopt the Conference Committee Report on **H Sub for Sub SB 148**.

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

Yeas: Abrams, Apple, Bruce, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Brungardt, Kelsey, Marshall, Masterson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 304** submits the following report:

The House recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee amendments, as follows:

On page 2, in line 1, by striking "this" and inserting "the batterer intervention program certification";

On page 3, in line 5, by striking "this" and inserting "the batterer intervention program certification"; in line 33, by striking "this" and inserting "the batterer intervention program certification"; in line 39, after the second "therapist," by inserting "licensed addiction counselor, licensed clinical addiction counselor,,"; in line 41, by striking "master" and inserting "masters";

On page 4, in line 1, by striking "the effective date of this act" and inserting "January 1, 2013,,"; in line 3, by striking "the effective date of this act" and inserting "January 1, 2013,,"; in line 7, by striking "the"; in line 8, by striking "effective date of this act" and inserting "January 1, 2013";

On page 5, in line 41, after "therapist," by inserting "licensed addiction counselor, licensed clinical addiction counselor,,"; in line 43, by striking "master" and inserting "masters";

On page 6, in line 6, by striking "the effective date of this act" and inserting "January 1, 2013,,"; in line 7, by striking "the effective date of this act" and inserting "January 1, 2013,,"; in line 12, by striking "the effective date of this act" and inserting "January 1, 2013"; in line 18, by striking "this" and inserting "the batterer intervention program certification"; in line 23, by striking "this" and inserting "the batterer intervention program certification"; in line 32, by striking "this" and inserting "the batterer intervention program certification";

On page 7, in line 9, by striking "this" and inserting "the batterer intervention program certification"; in line 13, by striking "this" and inserting "the batterer intervention program certification";

On page 8, in line 2, by striking "this" and inserting "the batterer intervention program certification"; in line 9, by striking "this" and inserting "the batterer intervention program certification"; in line 17, by striking "this" and inserting "the batterer intervention program certification"; in line 20, by striking "this" and inserting "the batterer intervention program certification"; in line 26, by striking "this" and inserting "the batterer intervention program certification"; in line 28, by striking "this" and inserting "the batterer intervention program certification"; in line 38, by striking

"this" and inserting "the batterer intervention program certification";

On page 9, in line 1, by striking "this act, and amendments"; in line 2, by striking "thereto"; and inserting "the batterer intervention program certification act"; in line 9, by striking "this" and inserting "the batterer intervention program certification"; in line 13, by striking "this" and inserting "the batterer intervention program certification"; in line 18, by striking "this" and inserting "the batterer intervention program certification"; in line 20, by striking "this" and inserting "the batterer intervention program certification"; in line 22, by striking "this" and inserting "the batterer intervention program certification"; in line 23, by striking "this" and inserting "the batterer intervention program certification"; in line 24, by striking "this" and inserting "the batterer intervention program certification"; in line 27, by striking "this" and inserting "the batterer intervention program certification"; in line 37, by striking "this" and inserting "the batterer intervention program certification"; in line 43, by striking "this" and inserting "the batterer intervention program certification";

On page 13, in line 20, after "program" by inserting ", unless otherwise ordered by the court or department of corrections"; in line 33, after the second "program" by inserting ", unless otherwise ordered by the court or department of corrections";

On page 14, by striking all in lines 34 through 43;

By striking all on pages 15 through 22;

On page 23, by striking all in lines 1 through 21 and inserting:

"Sec. 16. K.S.A. 2011 Supp. 21-6604, as amended by section 1 of 2012 House Bill No. 2465 is hereby amended to read as follows: 21-6604. (a) Whenever any person has been found guilty of a crime, the court may adjudge any of the following:

(1) Commit the defendant to the custody of the secretary of corrections if the current crime of conviction is a felony and the sentence presumes imprisonment, or the sentence imposed is a dispositional departure to imprisonment; or, if confinement is for a misdemeanor, to jail for the term provided by law;

(2) impose the fine applicable to the offense and may impose the provisions of subsection (q);

(3) release the defendant on probation if the current crime of conviction and criminal history fall within a presumptive nonprison category or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate. In felony cases except for violations of K.S.A. 8-1567, and amendments thereto, the court may include confinement in a county jail not to exceed 60 days, which need not be served consecutively, as a condition of an original probation sentence and up to 60 days in a county jail upon each revocation of the probation sentence, or community corrections placement;

(4) assign the defendant to a community correctional services program as provided in K.S.A. 75-5291, and amendments thereto, or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate, including orders requiring full or partial restitution;

(5) assign the defendant to a conservation camp for a period not to exceed six months as a condition of probation followed by a six-month period of follow-up through adult intensive supervision by a community correctional services program, if the offender successfully completes the conservation camp program;

(6) assign the defendant to a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto;

(7) order the defendant to attend and satisfactorily complete an alcohol or drug education or training program as provided by subsection (c) of K.S.A. 2011 Supp. 21-6602, and amendments thereto;

(8) order the defendant to repay the amount of any reward paid by any crime stoppers chapter, individual, corporation or public entity which materially aided in the apprehension or conviction of the defendant; repay the amount of any costs and expenses incurred by any law enforcement agency in the apprehension of the defendant, if one of the current crimes of conviction of the defendant includes escape from custody or aggravated escape from custody, as defined in K.S.A. 2011 Supp. 21-5911, and amendments thereto; repay expenses incurred by a fire district, fire department or fire company responding to a fire which has been determined to be arson or aggravated arson as defined in K.S.A. 2011 Supp. 21-5812, and amendments thereto, if the defendant is convicted of such crime; repay the amount of any public funds utilized by a law enforcement agency to purchase controlled substances from the defendant during the investigation which leads to the defendant's conviction; or repay the amount of any medical costs and expenses incurred by any law enforcement agency or county. Such repayment of the amount of any such costs and expenses incurred by a county, law enforcement agency, fire district, fire department or fire company or any public funds utilized by a law enforcement agency shall be deposited and credited to the same fund from which the public funds were credited to prior to use by the county, law enforcement agency, fire district, fire department or fire company;

(9) order the defendant to pay the administrative fee authorized by K.S.A. 22-4529, and amendments thereto, unless waived by the court;

(10) order the defendant to pay a domestic violence special program fee authorized by K.S.A. 20-369, and amendments thereto;

(11) if the defendant is convicted of a misdemeanor or convicted of a felony specified in subsection (i) of K.S.A. 2011 Supp. 21-6804, and amendments thereto, assign the defendant to work release program, other than a program at a correctional institution under the control of the secretary of corrections as defined in K.S.A. 75-5202, and amendments thereto, provided such work release program requires such defendant to return to confinement at the end of each day in the work release program. On a second conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program must serve a total of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. On a third or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program must serve a total of 240 hours of confinement. Such 240 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day;

(12) order the defendant to pay the full amount of unpaid costs associated with the conditions of release of the appearance bond under K.S.A. 22-2802, and amendments thereto;

(13) impose any appropriate combination of (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (12); or

(14) suspend imposition of sentence in misdemeanor cases.

(b) (1) In addition to or in lieu of any of the above, the court shall order the

defendant to pay restitution, which shall include, but not be limited to, damage or loss caused by the defendant's crime, unless the court finds compelling circumstances which would render a plan of restitution unworkable. In regard to a violation of K.S.A. 2011 Supp. 21-6107, and amendments thereto, such damage or loss shall include, but not be limited to, attorney fees and costs incurred to repair the credit history or rating of the person whose personal identification documents were obtained and used in violation of such section, and to satisfy a debt, lien or other obligation incurred by the person whose personal identification documents were obtained and used in violation of such section. If the court finds a plan of restitution unworkable, the court shall state on the record in detail the reasons therefor.

(2) If the court orders restitution, the restitution shall be a judgment against the defendant which may be collected by the court by garnishment or other execution as on judgments in civil cases. If, after 60 days from the date restitution is ordered by the court, a defendant is found to be in noncompliance with the plan established by the court for payment of restitution, and the victim to whom restitution is ordered paid has not initiated proceedings in accordance with K.S.A. 60-4301 *et seq.*, and amendments thereto, the court shall assign an agent procured by the attorney general pursuant to K.S.A. 75-719, and amendments thereto, to collect the restitution on behalf of the victim. The chief judge of each judicial district may assign such cases to an appropriate division of the court for the conduct of civil collection proceedings.

(c) In addition to or in lieu of any of the above, the court shall order the defendant to submit to and complete an alcohol and drug evaluation, and pay a fee therefor, when required by subsection (d) of K.S.A. 2011 Supp. 21-6602, and amendments thereto.

(d) In addition to any of the above, the court shall order the defendant to reimburse the county general fund for all or a part of the expenditures by the county to provide counsel and other defense services to the defendant. Any such reimbursement to the county shall be paid only after any order for restitution has been paid in full. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

(e) In releasing a defendant on probation, the court shall direct that the defendant be under the supervision of a court services officer. If the court commits the defendant to the custody of the secretary of corrections or to jail, the court may specify in its order the amount of restitution to be paid and the person to whom it shall be paid if restitution is later ordered as a condition of parole, conditional release or postrelease supervision.

(f) (1) When a new felony is committed while the offender is incarcerated and serving a sentence for a felony, or while the offender is on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony, a new sentence shall be imposed pursuant to the consecutive sentencing requirements of K.S.A. 2011 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when

the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(2) When a new felony is committed while the offender is incarcerated in a juvenile correctional facility pursuant to K.S.A. 38-1671, prior to its repeal, or K.S.A. 2011 Supp. 38-2373, and amendments thereto, for an offense, which if committed by an adult would constitute the commission of a felony, upon conviction, the court shall sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure. The conviction shall operate as a full and complete discharge from any obligations, except for an order of restitution, imposed on the offender arising from the offense for which the offender was committed to a juvenile correctional facility.

(3) When a new felony is committed while the offender is on release for a felony pursuant to the provisions of article 28 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto, or similar provisions of the laws of another jurisdiction, a new sentence may be imposed pursuant to the consecutive sentencing requirements of K.S.A. 2011 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(g) Prior to imposing a dispositional departure for a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 4-E or 4-F of the sentencing guideline grid for drug crimes and whose offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto, prior to revocation of a nonprison sanction of a defendant whose offense is classified in grid blocks 4-E or 4-F of the sentencing guideline grid for drug crimes and whose offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto, or prior to revocation of a nonprison sanction of a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid or grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, the court shall consider placement of the defendant in the Labette correctional conservation camp, conservation camps established by the secretary of corrections pursuant to K.S.A. 75-52,127, and ~~amendment~~ amendments thereto, or a community intermediate sanction center. Pursuant to this paragraph the defendant shall not be sentenced to imprisonment if space is available in a conservation camp or a community intermediate sanction center and the defendant meets all of the conservation camp's or a community intermediate sanction center's placement criteria unless the court states on the record the reasons for not placing the defendant in a conservation camp or a community intermediate sanction center.

(h) The court in committing a defendant to the custody of the secretary of corrections shall fix a term of confinement within the limits provided by law. In those cases where the law does not fix a term of confinement for the crime for which the

defendant was convicted, the court shall fix the term of such confinement.

(i) In addition to any of the above, the court shall order the defendant to reimburse the state general fund for all or a part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the defendant. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment. The amount of attorney fees to be included in the court order for reimbursement shall be the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less.

(j) This section shall not deprive the court of any authority conferred by any other Kansas statute to decree a forfeiture of property, suspend or cancel a license, remove a person from office or impose any other civil penalty as a result of conviction of crime.

(k) An application for or acceptance of probation or assignment to a community correctional services program shall not constitute an acquiescence in the judgment for purpose of appeal, and any convicted person may appeal from such conviction, as provided by law, without regard to whether such person has applied for probation, suspended sentence or assignment to a community correctional services program.

(l) The secretary of corrections is authorized to make direct placement to the Labette correctional conservation camp or a conservation camp established by the secretary pursuant to K.S.A. 75-52,127, and amendments thereto, of an inmate sentenced to the secretary's custody if the inmate:

(1) Has been sentenced to the secretary for a probation revocation, as a departure from the presumptive nonimprisonment grid block of either sentencing grid, for an offense which is classified in grid blocks 5-H, 5-I, or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, or for an offense which is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes and such offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto; and

(2) otherwise meets admission criteria of the camp.

If the inmate successfully completes a conservation camp program, the secretary of corrections shall report such completion to the sentencing court and the county or district attorney. The inmate shall then be assigned by the court to six months of follow-up supervision conducted by the appropriate community corrections services program. The court may also order that supervision continue thereafter for the length of time authorized by K.S.A. 2011 Supp. 21-6608, and amendments thereto.

(m) When it is provided by law that a person shall be sentenced pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, the provisions of this section shall not apply.

(n) Except as provided by subsection (f) of K.S.A. 2011 Supp. 21-6805, and amendments thereto, in addition to any of the above, for felony violations of K.S.A.

2011 Supp. 21-5706, and amendments thereto, the court shall require the defendant who meets the requirements established in K.S.A. 2011 Supp. 21-6824, and amendments thereto, to participate in a certified drug abuse treatment program, as provided in K.S.A. 2011 Supp. 75-52,144, and amendments thereto, including, but not limited to, an approved after-care plan. If the defendant fails to participate in or has a pattern of intentional conduct that demonstrates the offender's refusal to comply with or participate in the treatment program, as established by judicial finding, the defendant shall be subject to revocation of probation and the defendant shall serve the underlying prison sentence as established in K.S.A. 2011 Supp. 21-6805, and amendments thereto. For those offenders who are convicted on or after July 1, 2003, upon completion of the underlying prison sentence, the defendant shall not be subject to a period of postrelease supervision. The amount of time spent participating in such program shall not be credited as service on the underlying prison sentence.

(o) (1) Except as provided in paragraph (3), in addition to any other penalty or disposition imposed by law, upon a conviction for unlawful possession of a controlled substance or controlled substance analog in violation of K.S.A. 2011 Supp. 21-5706, and amendments thereto, in which the trier of fact makes a finding that the unlawful possession occurred while transporting the controlled substance or controlled substance analog in any vehicle upon a highway or street, the offender's driver's license or privilege to operate a motor vehicle on the streets and highways of this state shall be suspended for one year.

(2) Upon suspension of a license pursuant to this subsection, the court shall require the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(3) (A) In lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of any person as provided in paragraph (1), the judge of the court in which such person was convicted may enter an order which places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of more than one year.

(B) Upon entering an order restricting a person's license hereunder, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor

vehicle administrator, of such person's state of residence. Such judge shall furnish to any person whose driver's license has had conditions imposed on it under this paragraph a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this paragraph.

(C) Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this paragraph, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(4) As used in this subsection, "highway" and "street" means the same as in K.S.A. 8-1424 and 8-1473, and amendments thereto.

(p) In addition to any of the above, for any criminal offense that includes the domestic violence designation pursuant to K.S.A. 2011 Supp. 22-4616, and amendments thereto, the court shall require the defendant to: (1) Undergo a domestic violence offender assessment and conducted by a certified batterer intervention program; and (2) follow all recommendations made by such program, unless otherwise ordered by the court or the department of corrections. The court may order a domestic violence offender assessment and any other evaluation prior to sentencing if the assessment or evaluation would assist the court in determining an appropriate sentence. The entity completing the assessment or evaluation shall provide the assessment or evaluation and recommendations to the court and the court shall provide the domestic violence offender assessment and any other evaluation to any entity responsible for supervising such defendant. A defendant ordered to undergo a domestic violence offender assessment shall be required to pay for the assessment and, unless otherwise ordered by the court or the department of corrections, for completion of all recommendations.

(q) In imposing a fine, the court may authorize the payment thereof in installments. In lieu of payment of any fine imposed, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed by the later of one year after the fine is imposed or one year after release from imprisonment or jail, or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance shall become due on that date. If conditional reduction of any fine is rescinded by the court for any reason, then pursuant to the court's order the person may be ordered to perform community service by one year after the date of such rescission or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date. All

credits for community service shall be subject to review and approval by the court.

(r) In addition to any other penalty or disposition imposed by law, for any defendant sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2011 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the court shall order that the defendant be electronically monitored upon release from imprisonment for the duration of the defendant's natural life and that the defendant shall reimburse the state for all or part of the cost of such monitoring as determined by the prisoner review board.";

On page 23, in line 24, by striking "or in the municipal court"; in line 26, after "offense." by inserting "On and after July 1, 2013, in all criminal cases filed in the municipal court, if there is evidence that the defendant committed a domestic violence offense, the trier of fact shall determine whether the defendant committed a domestic violence offense.";

On page 24, by striking lines 4 and 5 and inserting:

"Sec. 18. On July 1, 2012, K.S.A. 2011 Supp. 23-3508 is hereby amended to read as follows: 23-3508. (a) The court may order case management, when appropriate, of any contested issue of child custody or parenting time at any time, upon the motion of a party or on the court's own motion. A hearing officer in a proceeding pursuant to K.S.A. 2011 Supp. 23-3401, and amendments thereto, may order case management, if appropriate, of a contested issue of child visitation or parenting time in such a proceeding.

(b) Cases in which case management is appropriate shall include one or more of the following circumstances:

(1) Private or public neutral dispute resolution services have been tried and failed to resolve the disputes;

(2) other neutral services have been determined to be inappropriate for the family;

(3) repetitive conflict occurs within the family, as evidenced by the filing of at least two motions in a six-month period for enforcement, modification or change of residency, visitation, parenting time or custody which are denied by the court; or

(4) a parent exhibits diminished capacity to parent.

(c) If the court or hearing officer orders case management under subsection (a), the court or hearing officer shall appoint a case manager, taking into consideration the following:

(1) An agreement by the parties to have a specific case manager appointed by the court or hearing officer;

(2) the financial circumstances of the parties and the costs assessed by the case manager;

(3) the case manager's knowledge of (A) the Kansas judicial system and the procedure used in domestic relations cases, (B) other resources in the community to which parties can be referred for assistance, (C) child development, (D) clinical issues relating to children, (E) the effects of divorce on children and (F) the psychology of families; and

(4) the case manager's training and experience in the process and techniques of alternative dispute resolution and case management.

(d) To qualify as an appointed case manager, an individual shall:

(1) (A) Be currently licensed in Kansas as a licensed psychologist, licensed masters level psychologist, licensed clinical psychotherapist, licensed professional counselor,

licensed clinical professional counselor, licensed marriage and family therapist, licensed clinical marriage and family therapist, licensed master social worker or licensed specialist social worker;

(B) be currently licensed to practice law in Kansas and have at least five years of experience in the field of domestic relations law or family law; or

(C) be a court services officer and have training in domestic relations cases as prescribed by the district court in which the case is filed;

~~(1)(2)~~ be qualified to conduct mediation;

~~(2)(3)~~ have experience as a mediator;

~~(3)(4)~~ attend ~~a workshop, one or more workshops,~~ approved and as ordered by the district court in which the case is filed, on case management; and

~~(4)(5)~~ participate in continuing education, complete a minimum number of continuing education hours regarding case management issues or abuse and control dynamics issues as established and approved by the supreme court.

(e) On and after September 1, 2012, any case manager appointed by the court prior to, on or after July 1, 2012, shall meet the requirements of subsection (d).

New Sec. 19. The provisions of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, shall be known as the Kansas family law code.

New Sec. 20. The provisions of the Kansas family law code shall be construed to secure the just, speedy, inexpensive and equitable determination of issues in all domestic relations matters.

New Sec. 21. Procedure under the Kansas family law code shall be governed by the Kansas code of civil procedure, and amendments thereto, except as this code otherwise specifically provides.

New Sec. 22. Evidence under the Kansas family law code shall be governed by the Kansas code of evidence, and amendments thereto, except as this code otherwise specifically provides.

New Sec. 23. The provisions of sections 19 through 22, and amendments thereto, shall be construed and applied retroactively.

New Sec. 24. (a) A decree in an action under article 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, may include orders on the following matters:

(1) An order changing or terminating the parties' marital status by divorce, annulment or separate maintenance;

(2) an order making an equitable division of the parties' property as authorized by article 28 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto;

(3) an order regarding spousal support as authorized by article 29 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto;

(4) an order for child support as authorized by article 30 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto;

(5) an order allocating parental decision-making and entering a parenting plan as authorized by article 32 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto;

(6) an order changing one or both parties' names as authorized by K.S.A. 2011 Supp. 23-2716, and amendments thereto; and

(7) an order awarding costs and attorneys fees to either party under K.S.A. 2011 Supp. 23-2715, and amendments thereto.

(b) The provisions of this section shall be construed and applied retroactively.

New Sec. 25. The 2012 amendments to K.S.A. 2011 Supp. 23-2217, 23-2706, 23-2709, 23-2710, 23-2715, 23-2717, 23-2802, 23-2902, 23-2905, 23-3001, 23-3004, 23-3005, 23-3207, 23-3208, 23-3215, 23-3219, 23-3221, 23-3222, 23-3301, 23-3302, 23-3304 and 23-3403 shall be construed and applied retroactively.

Sec. 26. K.S.A. 2011 Supp. 12-5005 is hereby amended to read as follows: 12-5005. (a) Every retired member of a local police or fire pension plan and every active member of the plan who is entitled to make an election to become a member of the Kansas police and firemen's retirement system pursuant to K.S.A. 12-5003 or 74-4955, and amendments thereto, and who does not so elect shall become a special member of the Kansas police and firemen's retirement system on the entry date of the city which is affiliating with the Kansas police and firemen's retirement system with regard to all active members and retired members of the local police or fire pension plan under K.S.A. 74-4954, and amendments thereto.

(b) Beginning with the first payroll for services as a policeman or fireman after an active member of a local police or fire pension plan becomes a special member of the Kansas police and firemen's retirement system under this section, the city shall deduct from the compensation of each special member the greater of 7% or the percentage rate of contribution which the active member was required to contribute to the local police or fire pension plan preceding the entry date of the city, as employee contributions. The deductions shall be remitted quarterly, or as the board of trustees otherwise provides, to the executive secretary of the Kansas public employees retirement system for credit to the Kansas public employees retirement fund. All deductions shall be credited to the special members' individual accounts beginning on July 1 of the year following the entry date of the city for purposes of all active and retired members of the local police and fire pension plan.

(c) Except as otherwise provided in this act, each active member of a local police or fire pension plan who becomes a special member of the Kansas police and firemen's retirement system under this section shall be subject to the provisions of and entitled to pensions and other benefits, rights and privileges to the extent provided under the local police and fire pension plan on the day immediately preceding the entry date of the city which is affiliating with the Kansas police and firemen's retirement system with regard to all active members and retired members of the plan.

(d) Each retired member of a local police or fire pension plan who becomes a special member of the Kansas police and firemen's retirement system under this section shall be entitled to receive from the Kansas police and firemen's retirement system a pension or any other benefit to the same extent and subject to the same conditions as existed under the local police or fire pension plan on the day immediately preceding the entry date of the city which is affiliating with the system with regard to all active members and retired members of the plan under K.S.A. 74-4954, and amendments thereto, except no retired special member shall be appointed in or to a position or office for which compensation is paid for service to the same state agency, or the same police or fire department of a city, township, special district or county or the same sheriff's office of a county. This subsection shall not apply to service rendered by a retiree as a juror, as a witness in any legal proceeding or action, as an election board judge or clerk or in any other office or position of a similar nature. However, all such benefits paid shall be paid in accordance with the applicable requirements under section 401 (a)(9) of

the federal internal revenue code of 1986 as applicable to governmental plans, as in effect on July 1, 2008, and the regulations thereto, as in effect on July 1, 2008, and in accordance with the provisions of K.S.A. 74-49,123, and amendments thereto. Any retiree employed by a participating employer in the Kansas police and firemen's retirement system shall not make contributions or receive additional credit under the system for that service. This subsection, except as it relates to contributions and additional credit, shall not apply to the employment of any retiree by the state of Kansas, or any county, city, township, special district, political subdivision or instrumentality of any one or several of the aforementioned for a period of not exceeding 30 days in any one calendar year.

(e) (1) Every pension or other benefit received by any special member pursuant to subsection (c) or (d) is hereby made and declared exempt from any tax of the state of Kansas or any political subdivision or taxing body of this state; shall not be subject to execution, garnishment, attachment or any other process or claim whatsoever, except such pension or benefit or any accumulated contributions due and owing from the system to such special member are subject to decrees for child support or maintenance, or both, as provided in ~~K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2905, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218~~ articles 29, 30 and 31 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto; and shall be unassignable, except that within 30 days after the death of a retirant the lump-sum death benefit payable to a retirant pursuant to the provisions of K.S.A. 74-4989, and amendments thereto, may be assignable to a funeral establishment providing funeral services to such retirant by the beneficiary of such retirant. The Kansas public employees retirement system shall not be a party to any action under ~~K.S.A. 2011 Supp. 23-2701 through 23-2718, 23-2802, 23-2901 through 23-2905, 23-3001 through 23-3006, 23-3119, 23-3120, 23-3201 through 23-3222, 23-3301, 23-3402, 23-3403, 23-3510 and 28-179, and amendments thereto~~ the Kansas family law code, chapter 23 of the Kansas Statutes Annotated, and amendments thereto, and is subject to orders from such actions issued by the district court of the county where such action was filed. Such orders from such actions shall specify either a specific amount or specific percentage of the amount of the pension or benefit or any accumulated contributions due and owing from the system to be distributed by the system pursuant to this act.

(2) Every pension or other benefit received by any special member pursuant to subsection (c) or (d) is hereby made and declared exempt from any tax of the state of Kansas or any political subdivision or taxing body of this state; shall not be subject to execution, garnishment, attachment or any other process or claim whatsoever, except such pension or benefit or any accumulated contributions due and owing from the system to such special members are subject to claims of an alternate payee under a qualified domestic relations order. As used in this subsection, the terms "alternate payee" and "qualified domestic relations order" shall have the meaning ascribed to them in section 414(p) of the federal internal revenue code of 1986, as in effect on July 1, 2008. The provisions of this subsection shall apply to any qualified domestic relations order which is in effect on or after July 1, 1994.

(f) (1) Subject to the provisions of K.S.A. 74-49,123, and amendments thereto, each participating employer, pursuant to the provisions of section 414(h)(2) of the federal internal revenue code of 1986, as in effect on July 1, 2008, shall pick up and pay

the contributions which would otherwise be payable by members as prescribed in subsection (b) commencing with the third quarter of 1984. The contributions so picked up shall be treated as employer contributions for purposes of determining the amounts of federal income taxes to withhold from the member's compensation.

(2) Member contributions picked up by the employer shall be paid from the same source of funds used for the payment of compensation to a member. A deduction shall be made from each member's compensation equal to the amount of the member's contributions picked up by the employer, provided that such deduction shall not reduce the member's compensation for purposes of computing benefits under K.S.A. 12-5001 to 12-5007, inclusive, and amendments thereto.

(3) Member contributions picked up by the employer shall be remitted quarterly, or as the board may otherwise provide, to the executive secretary for credit to the Kansas public employees retirement fund. Such contributions shall be credited to a separate account within the member's individual account so that amounts contributed by the member commencing with the third quarter of 1984 may be distinguished from the member contributions picked up by the employer. Interest shall be added annually to members' individual accounts.

Sec. 27. K.S.A. 13-1246a is hereby amended to read as follows: 13-1246a. (a) (1) Any board of public utilities in any municipality of the state of Kansas having a population of more than 120,000 shall be empowered to enter into an agreement with its employees for the purpose of reorganizing and establishing a board to be known as a board of pension trustees composed of six members, and for the purpose of continuing, revising, maintaining and adopting an equitable and adequate pension program for all of its employees, including retired employees, and their dependents. Three members of the board of pension trustees shall be appointed by the board of public utilities from its regular employees to serve at its discretion. Three members of the board of pension trustees shall be elected annually by all of the nonsupervisory employees of the board of public utilities from its nonsupervisory employees and shall serve for fixed periods of one year, commencing on July 1, of each year.

(2) Present employees of such board of public utilities, in order to pay the cost of implementing, continuing and operating such retirement pension plan for such present employees, shall contribute in the aggregate from their earnings not more than $\frac{1}{2}$ of the costs of future-service pensions, and such board of public utilities shall pay or contribute the remaining portion thereof to any revised, continued or adopted retirement pension plan, as provided for herein.

(3) Any costs of paying increased pensions or benefits to retired employees and their dependents of such board of public utilities, and the costs of any back-service obligations under terms of such revised pension plan as may be found and determined to be proper and equitable, under rules and provisions to be adopted by such board of pension trustees, shall be borne in their entirety by such board of public utilities; and such contributions to such continued and revised retirement pension plan for the use and benefit of retired employees and their dependents which shall be made by such board of public utilities shall be computed and based on sound actuarial standards.

(4) Such board of pension trustees shall be empowered to make and enter into an agreement with such board of public utilities, authorizing such board of pension trustees to take control and custody of all assets, property and funds presently held, controlled and in the possession of the now constituted retirement advisory council of such board

of public utilities, and its present trustee, as the same was theretofore created and is now functioning as provided by K.S.A. 13-1247, and amendments thereto. The board shall provide for such additional funds as may be necessary to fulfill the purposes of this act.

(5) Such board of pension trustees shall be empowered to control and take immediately into and under its custody and control, title to and possession of all records, funds, property and assets of the such existing retirement advisory council of such board of public utilities, and its present trustees, as the same is now constituted by the provisions of K.S.A. 13-1247, and amendments thereto, which such retirement council of such board of public utilities, its powers, authority and duties shall be abolished, cease and terminate upon the effective date of this act.

(b) (1) The board of pension trustees shall establish a formal, adequate written pension plan with specific rules of eligibility for pension coverage for all present employees, including retired employees, and their dependents, of such board of public utilities. The plan and rules appertaining thereto may be amended at any time by the vote of four members of such board of pension trustees and may be the subject of negotiations between such board of public utilities and its employees, but subject to the revision, adoption and ratification of the same by such board of pension trustees, as the same is created and governed by the provisions of this act. The plan and rules shall be printed and distributed to all employees.

(2) Pensions and retirement benefits, received and paid under the such continued and revised retirement pension plan and rules promulgated by such board of pension trustees, to retired employees, their dependents, and present employees, shall at all times bear a reasonable relationship to the wages or earnings paid to any employee of such board of public utilities. Such benefits shall be compatible with any changes in cost of living indexes except, such plan and benefits payable shall at all times be in strict conformity with current, sound actuarial standards and principles.

(3) No employee shall be exempt from having contributions made on such employee's behalf or be precluded from receiving benefits for any reason other than lack of age, or an insufficient period or time of employment.

(4) No plan shall be adopted or modified at any future time which is not properly funded and in conformity with recognized, sound actuarial principles and standards.

(5) All funds and the earnings therefrom held in trust for the use and benefit of the employees and members, including retired employees and their dependents, of such board of public utilities, of any retirement pension plan continued, revised and adopted under the provisions of this act, shall be exempt from civil process, taxation or assessment, and shall not be subject to seizure or execution or liens of any kind. All benefits due to the members or to their beneficiaries of any retirement pension plan continued and revised under the provisions of this act, shall be exempt from any tax of the state of Kansas or any political subdivision or taxing body of the state and civil liability for debts of the members and employees, or their beneficiaries, receiving the same, and, except as otherwise provided, shall not be subject to seizure, execution or process of any nature. Any annuity or benefit or accumulated contributions due and owing to any person under the provisions of any retirement pension plan continued and revised under the provisions of this act are subject to claims of an alternate payee under a qualified domestic relations order. As used in this subsection, the terms "alternate payee" and "qualified domestic relations order" shall have the meaning ascribed to them in section 414(p) of the United States internal revenue code of 1954, as amended. The

provisions of this act shall apply to any qualified domestic relations order which is in effect on or after July 1, 1994. Such retirement pension plan continued and revised under the provisions of this act, such board of pension trustees, or such board of public utilities shall not be a party to any action under ~~article 16 of chapter 60 of the Kansas Statutes Annotated~~ the Kansas family law code, chapter 23 of the Kansas Statutes Annotated, and amendments thereto, but is subject to orders from such actions issued by the district court of the county where such action was filed and may accept orders which it deems to be qualified under this subsection if such orders are issued by courts having jurisdiction of such actions outside the state of Kansas. Such orders from such actions shall specify either a specific amount or specific percentage of the amount of the pension or benefit or any accumulated contributions due and owing from such retirement pension plan pursuant to this act.

(6) The members and employees of any retirement pension plan continued, revised and adopted under the provisions of this act, may name one or more beneficiaries to receive any benefits that may be due or become due to such member and employee in the event of such member or employee's death.

Sec. 28. K.S.A. 2011 Supp. 20-164 is hereby amended to read as follows: 20-164.

(a) The supreme court shall establish by rule an expedited judicial process which shall be used in the establishment, modification and enforcement of orders of support pursuant to the Kansas parentage act; ~~K.S.A. 23-451 et seq., or 39-718a, prior to their repeal; K.S.A. 23-4,125 through 23-4,137, 39-718b or 39-755, and amendments thereto or K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2905, 23-3001 through 23-3006, 23-3101 through 23-3113, 23-3201 through 23-3207, 23-3216, 23-3218 38-2243, 38-2244, 38-2255 or 39-7,135 and amendments thereto.~~

(b) The supreme court shall establish by rule an expedited judicial process for the enforcement of court orders granting visitation rights or parenting time.

Sec. 29. K.S.A. 2011 Supp. 20-165 is hereby amended to read as follows: 20-165.

The supreme court shall adopt rules establishing guidelines for the amount of child support to be ordered in any action in this state including, but not limited to, ~~K.S.A. 38-1121 and 39-755 and K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2905, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218, 23-2215, and amendments thereto, article 30 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, and section 24, and amendments thereto.~~ In adopting such rules, the court shall consider the criteria in ~~K.S.A. 38-1121, 2011 Supp. 23-2215,~~ and amendments thereto.

Sec. 30. K.S.A. 2011 Supp. 20-302b is hereby amended to read as follows: 20-302b.

(a) A district magistrate judge shall have the jurisdiction and power, in any case in which a violation of the laws of the state is charged, to conduct the trial of traffic infractions, cigarette or tobacco infractions or misdemeanor charges, to conduct the preliminary examination of felony charges and to hear felony arraignments subject to assignment pursuant to K.S.A. 20-329, and amendments thereto. Except as otherwise provided, in civil cases, a district magistrate judge shall have jurisdiction over actions filed under the code of civil procedure for limited actions, K.S.A. 61-2801 *et seq.*, and amendments thereto, and concurrent jurisdiction, powers and duties with a district judge. Except as otherwise specifically provided in subsection (b), a district magistrate judge shall not have jurisdiction or cognizance over the following actions:

(1) Any action, other than an action seeking judgment for an unsecured debt not

sounding in tort and arising out of a contract for the provision of goods, services or money, in which the amount in controversy, exclusive of interests and costs, exceeds \$10,000. The provisions of this subsection shall not apply to actions filed under the code of civil procedure for limited actions, K.S.A. 61-2801 *et seq.*, and amendments thereto. In actions of replevin, the affidavit in replevin or the verified petition fixing the value of the property shall govern the jurisdiction. Nothing in this paragraph shall be construed as limiting the power of a district magistrate judge to hear any action pursuant to the Kansas probate code or to issue support orders as provided by paragraph (6) of this subsection;

(2) actions against any officers of the state, or any subdivisions thereof, for misconduct in office;

(3) actions for specific performance of contracts for real estate;

(4) actions in which title to real estate is sought to be recovered or in which an interest in real estate, either legal or equitable, is sought to be established. Nothing in this paragraph shall be construed as limiting the right to bring an action for forcible detainer as provided in the acts contained in K.S.A. 61-3801 through 61-3808, and amendments thereto. Nothing in this paragraph shall be construed as limiting the power of a district magistrate judge to hear any action pursuant to the Kansas probate code;

(5) actions to foreclose real estate mortgages or to establish and foreclose liens on real estate as provided in the acts contained in article 11 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto;

(6) actions for divorce, separate maintenance or custody of minor children. Nothing in this paragraph shall be construed as limiting the power of a district magistrate judge to: (A) Except as provided in subsection (e), hear any action pursuant to the Kansas code for care of children or the revised Kansas juvenile justice code; (B) establish, modify or enforce orders of support, including, but not limited to, orders of support pursuant to the Kansas parentage act, K.S.A. 2011 Supp. 23-2201 *et seq.*, and amendments thereto, the uniform interstate family support act, K.S.A. 2011 Supp. 23-36,101 *et seq.*, and amendments thereto, articles 29 or 30 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 23-4,125 through 23-4,137, 23-9,101 *et seq.*, 39-718b or 39-755 or K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2905, 23-3001 through 23-3006, 23-3101 through 23-3113, 23-3201 through 23-3207, 23-3216, 23-3218, 38-2338, 38-2339, or 38-2350 or 39-7,135, and amendments thereto; or (C) enforce orders granting visitation rights or parenting time;

(7) *habeas corpus*;

(8) receiverships;

(9) change of name;

(10) declaratory judgments;

(11) *mandamus* and *quo warranto*;

(12) injunctions;

(13) class actions;

(14) rights of majority; and

(15) actions pursuant to K.S.A. 59-29a01 *et seq.*, and amendments thereto.

(b) Notwithstanding the provisions of subsection (a), in the absence, disability or disqualification of a district judge, a district magistrate judge may:

(1) Grant a restraining order, as provided in K.S.A. 60-902, and amendments

thereto;

(2) appoint a receiver, as provided in K.S.A. 60-1301, and amendments thereto; and

(3) make any order authorized by K.S.A. 23-2707, and amendments thereto.

(c) In accordance with the limitations and procedures prescribed by law, and subject to any rules of the supreme court relating thereto, any appeal permitted to be taken from an order or final decision of a district magistrate judge shall be tried and determined *de novo* by a district judge, except that in civil cases where a record was made of the action or proceeding before the district magistrate judge, the appeal shall be tried and determined on the record by a district judge.

(d) Except as provided in subsection (e), upon motion of a party, the chief judge may reassign an action from a district magistrate judge to a district judge.

(e) Upon motion of a party for a petition or motion filed under the Kansas code for care of children requesting termination of parental rights pursuant to K.S.A. 2011 Supp. 38-2361 through 38-2367, and amendments thereto, the chief judge shall reassign such action from a district magistrate judge to a district judge.

Sec. 31. K.S.A. 20-1204a is hereby amended to read as follows: 20-1204a. (a) When an order in a civil action has been entered, the court that rendered the same may order a person alleged to be guilty of indirect contempt of such order to appear and show cause why such person should not be held in contempt if there is filed a motion requesting an order to appear and show cause which is accompanied by an affidavit specifically setting forth the facts constituting the alleged violation.

(b) Except as provided in subsection (e), the order to appear and show cause shall be served upon the party allegedly in contempt by the sheriff or some other person appointed by the court for such purpose. Such order shall state the time and place where the person is to appear and shall be accompanied by a copy of the affidavit provided for in subsection (a). The court shall hear the matter at the time specified in the order, and upon proper showing, may extend the time so as to give the accused a reasonable opportunity to purge oneself of the contempt. If the court determines that a person is guilty of contempt such person shall be punished as the court shall direct.

(c) If, after proper service of the order to appear and show cause, the person served shall not appear in court as ordered, or if the court finds at a hearing held on motion of a party to the civil action that the person allegedly in contempt is secreting oneself to avoid the process of the court, the court may issue a bench warrant commanding that the person be brought before the court to answer for contempt. When such person is brought before the court, the court shall proceed as provided in subsection (b). The court may make such orders concerning the release of the person pending the hearing as the court deems proper.

(d) The provisions of this section shall apply to both criminal and civil contempts, but in the case of a criminal contempt the court on its own motion may cause the motion and affidavit provided for in subsection (a) to be filed.

(e) In cases involving an alleged violation of a restraining order issued pursuant to ~~paragraph (2) of subsection (a) of K.S.A. 60-1607~~ subsection (a)(2) of K.S.A. 2011 Supp. 23-2707, and amendments thereto, if the affidavit filed pursuant to subsection (a) alleges physical abuse in violation of the court's order, the court immediately may issue a bench warrant and proceed as provided in subsection (c).

(f) If a person is found guilty of contempt in a child support enforcement proceeding, including an assignment of child support rights to the commissioner of

juvenile justice and the evidence shows that the person is or may be authorized to practice a profession by a licensing body as defined in K.S.A. 74-146, and amendments thereto, the court, in addition to any other remedies, may order that a notice pursuant to subsection (a) of K.S.A. 74-147, and amendments thereto be served on the licensing body. If the person found guilty of contempt as provided in this subsection is a licensed attorney, the court may file a complaint with the disciplinary administrator if the licensing agency is the Kansas supreme court, or the appropriate bar counsel's office if the licensee practices in another state.

(g) If a person is found guilty of contempt in a child support enforcement proceeding, including an assignment of child support rights to the commissioner of juvenile justice, in an amount equal to or greater than the amount of support payable for six months or the obligor has been ordered by the court to pay a sum certain each month toward the liquidation of the arrearages and the obligor has substantially failed to abide by that order, the court may restrict the obligor's driver's license. Such restriction may include, but not be limited to, driving to, from and during the course of such person's employment. The court may order the public office, as defined in ~~K.S.A. 23-4,106~~ K.S.A. 2011 Supp. 23-3102, and amendments thereto, to contact the division of vehicles of the department of revenue to restrict the obligor's driver's license as indicated in the court order until further order of the court.

(h) The court shall not recognize a motion to issue nor order in a civil or criminal action a contempt citation against any person who reports or publishes the information that a gag order has been issued by the court.

Sec. 32. K.S.A. 20-2618 is hereby amended to read as follows: 20-2618. Every annuity or other benefit received by any judge or other person pursuant to the retirement system for judges under the acts contained in article 26 of chapter 20 of the Kansas Statutes Annotated, and amendments thereto, is exempt from any tax of the state of Kansas or any political subdivision or taxing body thereof; shall not be subject to execution, garnishment, attachment or except as otherwise provided, any other process or claim whatsoever; and shall be unassignable, except that within 30 days after the death of a retirant the lump-sum death benefit payable to a retirant pursuant to the provisions of K.S.A. 74-4989, and amendments thereto, may be assignable to a funeral establishment providing funeral services to such retirant by the beneficiary of such retirant. Any annuity or benefit or accumulated contributions due and owing to any judge or any person under the provisions of the retirement system for judges are subject to claims of an alternate payee under a qualified domestic relations order. As used in this subsection, the terms "alternate payee" and "qualified domestic relations order" shall have the meaning ascribed to them in section 414(p) of the federal internal revenue code. The provisions of this act shall apply to any qualified domestic relations order which was filed or amended either before or after July 1, 1994. The Kansas public employees retirement system shall not be a party to any action under ~~article 16 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto~~ the Kansas family law code, chapter 23 of the Kansas Statutes Annotated, and amendments thereto, but is subject to orders from such actions issued by the district court of the county where such action was filed and may also accept orders which it deems to be qualified under this subsection from courts having jurisdiction of such actions outside the state of Kansas. Such orders from such actions shall specify either a specific amount or specific percentage of the amount of the pension or benefit or any accumulated contributions

due and owing from the system to be distributed by the system pursuant to this act.

Sec. 33. K.S.A. 2011 Supp. 21-5808 is hereby amended to read as follows: 21-5808. (a) Criminal trespass is entering or remaining upon or in any:

(1) Land, nonnavigable body of water, structure, vehicle, aircraft or watercraft by a person who knows such person is not authorized or privileged to do so, and:

(A) Such person enters or remains therein in defiance of an order not to enter or to leave such premises or property personally communicated to such person by the owner thereof or other authorized person;

(B) such premises or property are posted in a manner reasonably likely to come to the attention of intruders, or are locked or fenced or otherwise enclosed, or shut or secured against passage or entry; or

(C) such person enters or remains therein in defiance of a restraining order issued pursuant to K.S.A. ~~60-1607~~, 60-3105, 60-3106, 60-3107, 60-31a05 or 60-31a06 or K.S.A. 2011 Supp. 23-2707, 38-2243, 38-2244 or 38-2255, and amendments thereto, and the restraining order has been personally served upon the person so restrained; or

(2) public or private land or structure in a manner that interferes with access to or from any health care facility by a person who knows such person is not authorized or privileged to do so and such person enters or remains thereon or therein in defiance of an order not to enter or to leave such land or structure personally communicated to such person by the owner of the health care facility or other authorized person.

(b) Criminal trespass is a class B nonperson misdemeanor. Upon a conviction of a violation of subsection (a)(1)(C), a person shall be sentenced to not less than 48 consecutive hours of imprisonment which shall be served either before or as a condition of any grant of probation or suspension, reduction of sentence or parole.

(c) As used in this section:

(1) "Health care facility" means any licensed medical care facility, certificated health maintenance organization, licensed mental health center or mental health clinic, licensed psychiatric hospital or other facility or office where services of a health care provider are provided directly to patients; and

(2) "health care provider" means any person:

(A) Licensed to practice a branch of the healing arts;

(B) licensed to practice psychology;

(C) licensed to practice professional or practical nursing;

(D) licensed to practice dentistry;

(E) licensed to practice optometry;

(F) licensed to practice pharmacy;

(G) registered to practice podiatry;

(H) licensed as a social worker; or

(I) registered to practice physical therapy.

(d) This section shall not apply to:

(1) A land surveyor, licensed pursuant to article 70 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto, and such surveyor's authorized agents and employees who enter upon lands, waters and other premises in the making of a survey; or

(2) railroad property as defined in K.S.A. 2011 Supp. 21-5809, and amendments thereto, or nuclear generating facility as defined in K.S.A. 2011 Supp. 66-2302, and amendments thereto.

Sec. 34. K.S.A. 2011 Supp. 21-5924 is hereby amended to read as follows: 21-5924. (a) Violation of a protective order is knowingly violating:

(1) A protection from abuse order issued pursuant to K.S.A. 60-3105, 60-3106 ~~and~~ or 60-3107, and amendments thereto;

(2) a protective order issued by a court or tribunal of any state or Indian tribe that is consistent with the provisions of 18 U.S.C. § 2265, and amendments thereto;

(3) a restraining order issued pursuant to K.S.A. 2011 Supp. 23-2707, 38-2243, 38-2244 ~~and~~ or 38-2255 ~~and~~ K.S.A. 60-1607, and amendments thereto;

(4) an order issued in this or any other state as a condition of pretrial release, diversion, probation, suspended sentence, postrelease supervision or at any other time during the criminal case that orders the person to refrain from having any direct or indirect contact with another person;

(5) an order issued in this or any other state as a condition of release after conviction or as a condition of a supersedeas bond pending disposition of an appeal, that orders the person to refrain from having any direct or indirect contact with another person; or

(6) a protection from stalking order issued pursuant to K.S.A. 60-31a05 or 60-31a06, and amendments thereto.

(b) Violation of a protective order is a class A person misdemeanor.

(c) No protective order, as set forth in this section, shall be construed to prohibit an attorney, or any person acting on such attorney's behalf, who is representing the defendant in any civil or criminal proceeding, from contacting the protected party for a legitimate purpose within the scope of the civil or criminal proceeding. The attorney, or person acting on such attorney's behalf, shall be identified in any such contact.

(d) As used in this section, "order" includes any order issued by a municipal or district court.

Sec. 35. K.S.A. 2011 Supp. 23-2217 is hereby amended to read as follows: 23-2217. (a) If existence of the father and child relationship has been determined and payment of support is ordered under prior law, the court may order support and any related expenses to be paid through the central unit for collection and disbursement of support payments designated pursuant to K.S.A. 2011 Supp. 39-7,135, and amendments thereto. If payment of support is ordered under this act, the court shall require such support and any related expense to be paid through the central unit for collection and disbursement of support payments designated pursuant to ~~K.S.A. 23-4,118~~ K.S.A. 2011 Supp. 39-7,135, and amendments thereto.

(b) The provisions of the Kansas income withholding act, K.S.A. 2011 Supp. 23-3101 ~~through 23-3118, and 39-7,135~~ et seq., and amendments thereto, shall apply to orders of support issued under this act or under the predecessor to this act.

(c) Willful failure to obey the judgment or order of the court is a civil contempt of the court. All remedies for the enforcement of judgments apply.

Sec. 36. K.S.A. 2011 Supp. 23-2704 is hereby amended to read as follows: 23-2704. (a) *Verification of petition.* The truth of the allegations of any petition under this article must be verified by the petitioner in person or by the guardian of an incapacitated person.

(b) *Captions.* All pleadings shall be captioned, "In the matter of the marriage of _____ and _____." In the caption, the name of the petitioner shall appear first and the name of the respondent shall appear second, but the respective parties shall

not be designated as such.

(c) *Contents of petition.* The grounds for divorce, annulment or separate maintenance shall be alleged as nearly as possible in the general language of the statute, without detailed statement of facts. If there are minor children of the marriage, the petition shall state their names and dates of birth and shall contain, or be accompanied by an affidavit which contains, the information required by K.S.A. 2011 Supp. 23-37,209, and amendments thereto.

(d) *Bill of particulars.* The opposing party may demand a statement of the facts which shall be furnished in the form of a bill of particulars. The facts stated in the bill of particulars shall be the specific facts upon which the action shall be tried. If interrogatories have been served on or a deposition taken of the party from whom the bill of particulars is demanded, the court in its discretion may refuse to grant the demand for a bill of particulars. A copy of the bill of particulars shall be delivered to the judge. The bill of particulars shall not be filed with the clerk of the court or become a part of the record except on appeal, and then only when the issue to be reviewed relates to the facts stated in the bill of particulars. The bill of particulars shall be destroyed by the district judge unless an appeal is taken, in which case the bill of particulars shall be destroyed upon receipt of the final order from the appellate court.

(e) *Service of process.* Service of process shall be made in the manner provided in article 3 of this 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 37. K.S.A. 2011 Supp. 23-2706 is hereby amended to read as follows: 23-2706. The court shall grant a requested decree of divorce, separate maintenance or annulment unless the granting of the decree is discretionary under this act or unless the court finds that there are no grounds for the requested alteration of marital status. If a decree of divorce, separate maintenance or annulment is denied for lack of grounds, the court shall nevertheless, if application is made by one of the parties, make the orders authorized by K.S.A. 2011 Supp. 23-2501 and 23-2502 articles 28, 29, 30 and 32 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 38. K.S.A. 2011 Supp. 23-2709 is hereby amended to read as follows: 23-2709. ~~In an action for divorce,~~ The court shall conduct a pretrial conference or conferences in accordance with K.S.A. 60-216, and amendments thereto, upon request of either party or on the court's own motion. Any pretrial conference shall be set on a date other than the date of trial and the parties shall be present or available within the courthouse.

Sec. 39. K.S.A. 2011 Supp. 23-2710 is hereby amended to read as follows: 23-2710. (a) ~~In an action for divorce,~~ After the filing of the answer or other responsive pleading by the respondent, the court, on its own motion or upon motion of either of the parties, may require both parties to the action to seek marriage counseling if marriage counseling services are available within the judicial district of venue of the action. Neither party shall be required to submit to marriage counseling provided by any religious organization of any particular denomination.

(b) The cost of any counseling authorized by this section may be assessed as costs in the case.

Sec. 40. K.S.A. 2011 Supp. 23-2715 is hereby amended to read as follows: 23-2715. ~~In an action for divorce,~~ Costs and attorney fees may be awarded to either party as justice and equity require. The court may order that the amount be paid directly to the

attorney, who may enforce the order in the attorney's name in the same case.

Sec. 41. K.S.A. 2011 Supp. 23-2717 is hereby amended to read as follows: 23-2717. If a party fails to comply with a provision of a decree, temporary order or injunction issued under ~~K.S.A. 2011 Supp. 23-2701 through 23-2718, 23-2802, 23-2901 through 23-2905, 23-3001 through 23-3006, 23-3119, 23-3120, 23-3201 through 23-3222, 23-3301, 23-3402, 23-3403, 23-3510 and 28-179~~ articles 27 through 38 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the obligation of the other party to make payments for support or maintenance or to permit visitation or parenting time is not suspended, but the other party may request by motion that the court grant an appropriate order.

Sec. 42. K.S.A. 2011 Supp. 23-2802 is hereby amended to read as follows: 23-2802. (a) ~~The decree~~ A decree under section 24, and amendments thereto, shall divide the real and personal property of the parties, including any retirement and pension plans, whether owned by either spouse prior to marriage, acquired by either spouse in the spouse's own right after marriage or acquired by the spouses' joint efforts, by: (1) A division of the property in kind; (2) awarding the property or part of the property to one of the spouses and requiring the other to pay a just and proper sum; or (3) ordering a sale of the property, under conditions prescribed by the court, and dividing the proceeds of the sale.

(b) Upon request, the trial court shall set a valuation date to be used for all assets at trial, which may be the date of separation, filing or trial as the facts and circumstances of the case may dictate. The trial court may consider evidence regarding changes in value of various assets before and after the valuation date in making the division of property. In dividing defined-contribution types of retirement and pension plans, the court shall allocate profits and losses on the nonparticipant's portion until date of distribution to that nonparticipant.

(c) In making the division of property the court shall consider: (1) The age of the parties; (2) the duration of the marriage; (3) the property owned by the parties; (4) their present and future earning capacities; (5) the time, source and manner of acquisition of property; (6) family ties and obligations; (7) the allowance of maintenance or lack thereof; (8) dissipation of assets; (9) the tax consequences of the property division upon the respective economic circumstances of the parties; and (10) such other factors as the court considers necessary to make a just and reasonable division of property.

(d) The decree shall provide for any changes in beneficiary designation on: (1) Any insurance or annuity policy that is owned by the parties, or in the case of group life insurance policies, under which either of the parties is a covered person; (2) any trust instrument under which one party is the grantor or holds a power of appointment over part or all of the trust assets, that may be exercised in favor of either party; or (3) any transfer on death or payable on death account under which one or both of the parties are owners or beneficiaries.

Nothing in this section shall relieve the parties of the obligation to effectuate any change in beneficiary designation by the filing of such change with the insurer or issuer in accordance with the terms of such policy.

Sec. 43. K.S.A. 2011 Supp. 23-2902 is hereby amended to read as follows: 23-2902. (a) ~~Any decree of divorce or separate maintenance~~ A decree under section 24, and amendments thereto, may award to either party an allowance for future support denominated as maintenance, in an amount the court finds to be fair, just and equitable

under all of the circumstances.

(b) Maintenance may be in a lump sum, in periodic payments, on a percentage of earnings or on any other basis.

(c) ~~The decree~~ A decree under section 24, and amendments thereto, may make the future payments modifiable or terminable under circumstances prescribed in the decree.

Sec. 44. K.S.A. 2011 Supp. 23-2905 is hereby amended to read as follows: 23-2905. (a) Except for good cause shown, every order requiring payment of maintenance under this ~~section~~ article shall require that the maintenance be paid through the central unit for collection and disbursement of support payments designated pursuant to K.S.A. 2011 Supp. 39-7,135, and amendments thereto. A written agreement between the parties to make direct maintenance payments to the obligee and not pay through the central unit shall constitute good cause.

(b) If child support and maintenance payments are both made to an obligee by the same obligor, and if the court has made a determination concerning the manner of payment of child support, then maintenance payments shall be paid in the same manner.

Sec. 45. K.S.A. 2011 Supp. 23-3001 is hereby amended to read as follows: 23-3001. (a) In any action ~~for divorce or separate maintenance under article 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto,~~ the court shall make provisions for the support and education of the minor children.

(b) Regardless of the type of custodial arrangement ordered by the court, the court may order the child support and education expenses to be paid by either or both parents for any child less than 18 years of age, at which age the support shall terminate unless:

(1) The parent or parents agree, by written agreement approved by the court, to pay support beyond the time the child reaches 18 years of age;

(2) the child reaches 18 years of age before completing the child's high school education in which case the support shall not terminate automatically, unless otherwise ordered by the court, until June 30 of the school year during which the child became 18 years of age if the child is still attending high school; or

(3) the child is still a *bona fide* high school student after June 30 of the school year during which the child became 18 years of age, in which case the court, on motion, may order support to continue through the school year during which the child becomes 19 years of age so long as the child is a *bona fide* high school student and the parents jointly participated or knowingly acquiesced in the decision which delayed the child's completion of high school. The court, in extending support pursuant to subsection (b) (3), may impose such conditions as are appropriate and shall set the child support utilizing the guideline table category for 12-year through 18-year old children. For purposes of this section, "*bona fide* high school student" means a student who is enrolled in full accordance with the policy of the accredited high school in which the student is pursuing a high school diploma or a graduate equivalency diploma (GED).

(c) Provision for payment of support and educational expenses of a child after reaching 18 years of age if still attending high school shall apply to any child subject to the jurisdiction of the court, including those whose support was ordered prior to July 1, 1992. If an agreement approved by the court prior to July 1, 1992, provides for termination of support before the date provided by subsection (b)(3), the court may review and modify such agreement, and any order based on such agreement, to extend the date for termination of support to the date provided by subsection (b)(3).

Sec. 46. K.S.A. 2011 Supp. 23-3004 is hereby amended to read as follows: 23-

3004. Except for good cause shown, every order requiring payment of child support under this ~~section~~ article shall require that the support be paid through the central unit for collection and disbursement of support payments designated pursuant to K.S.A. 2011 Supp. 39-7,135, and amendments thereto. A written agreement between the parties to make direct child support payments to the obligee and not pay through the central unit shall constitute good cause, unless the court finds the agreement is not in the best interest of the child or children. The obligor shall file such written agreement with the court. The obligor shall maintain written evidence of the payment of the support obligation and, at least annually, shall provide such evidence to the court and the obligee.

Sec. 47. K.S.A. 2011 Supp. 23-3005 is hereby amended to read as follows: 23-3005. (a) Subject to the provisions of K.S.A. 23-36,207, and amendments thereto, the court may modify or change any prior child support order, including any order issued in a title IV-D case, within three years of the date of the original order or a modification order, when a material change in circumstances is shown, irrespective of the present domicile of the child or the parents. If more than three years has passed since the date of the original order or modification order, a material change in circumstance need not be shown.

(b) The court may make a modification of child support retroactive to a date at least one month after the date that the motion to modify was filed with the court. Any increase in support ordered effective prior to the date the court's judgment is filed shall not become a lien on real property pursuant to K.S.A. 60-2202, and amendments thereto.

Sec. 48. K.S.A. 2011 Supp. 23-3207 is hereby amended to read as follows: 23-3207. After making a determination of the legal custodial arrangements, the court shall determine the residency of the child from the following options, which arrangement the court must find to be in the best interest of the child. The parties shall submit to the court either an agreed parenting plan or, in the case of dispute, proposed parenting plans for the court's consideration. Such options are:

(a) *Residency.* The court may order a residential arrangement in which the child resides with one or both parents on a basis consistent with the best interests of the child.

(b) *Divided residency.* In an exceptional case, the court may order a residential arrangement in which one or more children reside with each parent and have parenting time with the other.

(c) *Nonparental residency.* If during the proceedings the court determines that there is probable cause to believe that the child is a child in need of care as defined by subsections (d)(1), (d)(2), (d)(3) or (d)(11) of K.S.A. 2011 Supp. 38-2202, and amendments thereto, or that neither parent is fit to have residency, the court may award temporary residency of the child to a grandparent, aunt, uncle or adult sibling, or, another person or agency if the court finds by written order that:

(1) (A) The child is likely to sustain harm if not immediately removed from the home;

(B) allowing the child to remain in the home is contrary to the welfare of the child; or

(C) immediate placement of the child is in the best interest of the child; and

(2) reasonable efforts have been made to maintain the family unit and prevent the unnecessary removal of the child from the child's home or that an emergency exists

which threatens the safety of the child. In making such a residency order, the court shall give preference, to the extent that the court finds it is in the best interests of the child, first to awarding such residency to a relative of the child by blood, marriage or adoption and second to awarding such residency to another person with whom the child has close emotional ties. The court may make temporary orders for care, support, education and visitation that it considers appropriate. Temporary residency orders are to be entered in lieu of temporary orders provided for in K.S.A. 2011 Supp. 38-2243 and 38-2244, and amendments thereto, and shall remain in effect until there is a final determination under the revised Kansas code for care of children. An award of temporary residency under this paragraph shall not terminate parental rights nor give the court the authority to consent to the adoption of the child. When the court enters orders awarding temporary residency of the child to an agency or a person other than the parent, the court shall refer a transcript of the proceedings to the county or district attorney. The county or district attorney shall file a petition as provided in K.S.A. 2011 Supp. 38-2234, and amendments thereto, and may request termination of parental rights pursuant to K.S.A. 2011 Supp. 38-2266, and amendments thereto. The costs of the proceedings shall be paid from the general fund of the county. When a final determination is made that the child is not a child in need of care, the county or district attorney shall notify the court in writing and the court, after a hearing, shall enter appropriate custody orders pursuant to this ~~section~~ article. If the same judge presides over both proceedings, the notice is not required. Any ~~disposition order~~ disposition order pursuant to the revised Kansas code for care of children shall be ~~binding and shall supersede~~ take precedence over any order under this ~~section~~ article.

Sec. 49. K.S.A. 2011 Supp. 23-3208 is hereby amended to read as follows: 23-3208. (a) Parents. A parent is entitled to reasonable parenting time unless the court finds, after a hearing, that the exercise of parenting time would seriously endanger the child's physical, mental, moral or emotional health.

(b) Enforcement of rights. An order granting ~~visitation rights or parenting time pursuant to this section under this article~~ may be enforced in accordance with the uniform child custody jurisdiction and enforcement act, or K.S.A. 2011 Supp. 23-3401, and amendments thereto.

(c) Court-ordered exchange or parenting time at a child exchange and visitation center. The court may order exchange or ~~visitation parenting time~~ to take place at a child exchange and visitation center, as established in K.S.A. 75-720, and amendments thereto.

Sec. 50. K.S.A. 2011 Supp. 23-3215 is hereby amended to read as follows: 23-3215. (a) A parent entitled to legal custody of, or residency of, or parenting time with a child pursuant to K.S.A. 2011 Supp. ~~23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218,~~ and amendments thereto, shall give written notice to the other parent of one or more of the following events when such parent: (1) Is subject to the registration requirements of the Kansas offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, or any similar act in any other state, or under military or federal law; (2) has been convicted of abuse of a child, K.S.A. 21-3609, prior to its repeal, or K.S.A. 2011 Supp. 21-5602, and amendments thereto; (3) is residing with an individual who is known by the parent to be subject to the registration requirements of the Kansas offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, or any

similar act in any other state, or under military or federal law; or (4) is residing with an individual who is known by the parent to have been convicted of abuse of a child, K.S.A. 21-3609, prior to its repeal, or K.S.A. 2011 Supp. 21-5602, and amendments thereto. Such notice shall be sent by restricted mail, return receipt requested, to the last known address of the other parent within 14 days following such event.

(b) Failure to give notice as required by subsection (a) is an indirect civil contempt punishable as provided by law. In addition, the court may assess, against the parent required to give notice, reasonable attorney fees and any other expenses incurred by the other parent by reason of the failure to give notice.

(c) An event described in subsection (a) may be considered a material change of circumstances which justifies modification of a prior order of legal custody, residency, child support or parenting time.

Sec. 51. K.S.A. 2011 Supp. 23-3219 is hereby amended to read as follows: 23-3219. (a) A party filing a motion to modify a final order pertaining to child custody or residential placement pursuant to ~~K.S.A. 2011 Supp. 23-2201 and 23-2205 through 23-2225 or K.S.A. 2011 Supp. 23-2701 through 23-2718, 23-2802, 23-2901 through 23-2905, 23-3001 through 23-3006, 23-3119, 23-3120, 23-3201 through 23-3222, 23-3301, 23-3402, 23-2403, 23-3510 and 28-179~~ article 22, 27 or 32 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, shall include with specificity in the verified motion, or in an accompanying affidavit, all known factual allegations which constitute the basis for the change of custody or residential placement. If the court finds that the allegations set forth in the motion or the accompanying affidavit fail to establish a *prima facie* case, the court shall deny the motion. If the court finds that the motion establishes a *prima facie* case, the matter may be tried on factual issues.

(b) In the event the court is asked to issue an *ex parte* order modifying a final child custody or residential placement order based on alleged emergency circumstances, the court shall:

(1) Attempt to have the nonmoving party's counsel, if any, present before taking up the matter.

(2) Set the matter for review hearing at the earliest possible court setting after issuance of the *ex parte* order, but in no case later than 15 days after issuance.

(3) Require personal service of the order and notice of review hearing on the nonmoving party.

No *ex parte* order modifying a final custody or residential placement order shall be entered without sworn testimony to support a showing of the alleged emergency.

Sec. 52. K.S.A. 2011 Supp. 23-3221 is hereby amended to read as follows: 23-3221. (a) The court may modify an order granting or denying parenting time ~~or visitation rights~~ whenever modification would serve the best interests of the child.

(b) Repeated unreasonable denial of or interference with ~~visitation rights or~~ parenting time granted ~~pursuant to this section~~ under this article may be considered a material change of circumstances which justifies modification of a prior order of legal custody, residency, ~~visitation~~ or parenting time.

(c) Any party may petition the court to modify an order granting ~~visitation rights or~~ parenting time to require that the exchange or transfer of children for ~~visitation or~~ parenting time take place at a child exchange and visitation center, as established in K.S.A. 75-720, and amendments thereto. ~~The court may modify an order granting visitation whenever modification would serve the best interests of the child.~~

Sec. 53. K.S.A. 2011 Supp. 23-3222 is hereby amended to read as follows: 23-3222. (a) Except as provided in subsection (d), a parent entitled to legal custody or residency of or parenting time with a child pursuant to K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218, and amendments thereto, under this article shall give written notice to the other parent not less than 30 days prior to: (1) Changing the residence of the child; or (2) removing the child from this state for a period of time exceeding 90 days. Such notice shall be sent by restricted mail, return receipt requested, to the last known address of the other parent.

(b) Failure to give notice as required by subsection (a) is an indirect civil contempt punishable as provided by law. In addition, the court may assess, against the parent required to give notice, reasonable attorney fees and any other expenses incurred by the other parent by reason of the failure to give notice.

(c) A change of the residence or the removal of a child as described in subsection (a) may be considered a material change of circumstances which justifies modification of a prior order of legal custody, residency, child support or parenting time. In determining any motion seeking a modification of a prior order based on change of residence or removal as described in (a), the court shall consider all factors the court deems appropriate including, but not limited to: (1) The effect of the move on the best interests of the child; (2) the effect of the move on any party having rights granted pursuant to K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218, and amendments thereto under this article; and (3) the increased cost the move will impose on any party seeking to exercise rights granted under K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218, and amendments thereto this article.

(d) A parent entitled to the legal custody or residency of a child pursuant to K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218, and amendments thereto, under this article shall not be required to give the notice required by this section to the other parent when the other parent has been convicted of any crime specified in article 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or K.S.A. 2011 Supp. 21-5401 through 21-5609, 21-6104, 21-6325, 21-6326, 21-6419, 21-6420 or 21-6421, and amendments thereto, in which the child is the victim of such crime.

Sec. 54. K.S.A. 2011 Supp. 23-3301 is hereby amended to read as follows: 23-3301. (a) In an action under article 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, grandparents and stepparents may be granted visitation rights.

(b) The court may modify an order granting or denying parenting time or visitation rights whenever modification would serve the best interests of the child.

(c) Repeated unreasonable denial of or interference with visitation rights or parenting time granted pursuant to this section may be considered a material change of circumstances which justifies modification of a prior order of legal custody, residency, visitation or parenting time.

(d)(1) The court may order exchange or visitation to take place at a child exchange and visitation center, as established in K.S.A. 75-720, and amendments thereto.

(2) Any party may petition the court to modify an order granting visitation rights or

parenting time to require that the exchange or transfer of children for visitation or parenting time take place at a child exchange and visitation center, as established in K.S.A. 75-720, and amendments thereto. The court may modify an order granting visitation whenever modification would serve the best interests of the child.

(b) The district court may grant the grandparents of an unmarried minor child reasonable visitation rights to the child during the child's minority upon a finding that the visitation rights would be in the child's best interests and when a substantial relationship between the child and the grandparent has been established.

(c) The district court may grant the parents of a deceased person visitation rights, or may enforce visitation rights previously granted, pursuant to this section, even if the surviving parent has remarried and the surviving parent's spouse has adopted the child. Visitation rights may be granted pursuant to this subsection without regard to whether the adoption of the child occurred before or after the effective date of this act.

Sec. 55. K.S.A. 2011 Supp. 23-3302 is hereby amended to read as follows: 23-3302. ~~(a) The district court may grant the grandparents of an unmarried minor child reasonable visitation rights to the child during the child's minority upon a finding that the visitation rights would be in the child's best interests and when a substantial relationship between the child and the grandparent has been established.~~

(b) The district court may grant the parents of a deceased person visitation rights, or may enforce visitation rights previously granted, pursuant to this section, even if the surviving parent has remarried and the surviving parent's spouse has adopted the child. Visitation rights may be granted pursuant to this subsection without regard to whether the adoption of the child occurred before or after the effective date of this act.

(a) The court may modify an order granting or denying parenting time or visitation rights whenever modification would serve the best interests of the child.

(b) Repeated unreasonable denial of or interference with visitation rights or parenting time granted under section 24, and amendments thereto, may be considered a material change of circumstances which justifies modification of a prior order of legal custody, residency or visitation rights.

(c) (1) The court may order exchange or visitation to take place at a child exchange and visitation center, as established in K.S.A. 75-720, and amendments thereto.

(2) Any party may petition the court to modify an order granting visitation rights to require that the exchange or transfer of children for visitation take place at a child exchange and visitation center, as established in K.S.A. 75-720, and amendments thereto. The court may modify an order granting visitation whenever modification would serve the best interests of the child.

Sec. 56. K.S.A. 2011 Supp. 23-3304 is hereby amended to read as follows: 23-3304. Costs and reasonable attorney fees shall be awarded to the respondent in an action filed pursuant to ~~K.S.A. 38-129 et seq. K.S.A. 2011 Supp. 22-3302 et seq., and amendments thereto,~~ unless the court determines that justice and equity otherwise require.

Sec. 57. K.S.A. 2011 Supp. 23-3403 is hereby amended to read as follows: 23-3403. (a) Any order custody or parenting time order, or order relating to the best interests of a child, issued pursuant to the revised Kansas code for care of children or the revised Kansas juvenile justice code, ~~shall be binding and shall take precedence over any order under this act or K.S.A. 2011 Supp. 23-2701 through 23-2718, 23-2802, 23-2901 through 23-2905, 23-3001 through 23-3006, 23-3119, 23-3120, 23-3201~~

through ~~23-3222, 23-3301, 23-3402, 23-3403, 23-3510 and 28-179~~ article 32 or 33 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto ~~(divoree)~~, or K.S.A. 60-1610, prior to its repeal, until jurisdiction under the revised Kansas code for care of children or the revised Kansas juvenile justice code is terminated.

(b) An order granting visitation rights under article 33 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, or parenting time ~~pursuant to this section under article 32 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto~~, may be enforced in accordance with the uniform child custody jurisdiction and enforcement act, or ~~K.S.A. 2011 Supp. 23-3401, and amendments thereto~~ this article.

Sec. 58. K.S.A. 2011 Supp. 38-1518 is hereby amended to read as follows: 38-1518. (a) Fingerprints or photographs shall not be taken of any person under 18 years of age who is taken into custody for any purpose, except:

- (1) As authorized by K.S.A. 2011 Supp. 38-2313, and amendments thereto; or
- (2) if authorized by a judge of the district court having jurisdiction.

(b) Fingerprints and photographs taken under subsection (a)(2) shall be kept readily distinguishable from those of persons of the age of majority.

(c) Fingerprints and photographs taken under subsection (a)(2) may be sent to a state or federal repository only if authorized by a judge of the district court having jurisdiction.

(d) Nothing in this section shall preclude the custodian of the child from authorizing photographs or fingerprints of the child to be used in any action under the Kansas parentage act, K.S.A. 2011 Supp. 23-2201 et seq., and amendments thereto.

(e) This section shall be part of and supplemental to the Kansas code for care of children.

Sec. 59. K.S.A. 2011 Supp. 38-2201 is hereby amended to read as follows: 38-2201. K.S.A. 2011 Supp. 38-2201 through 38-2283, and amendments thereto, shall be known as and may be cited as the revised Kansas code for care of children.

(a) Proceedings pursuant to this code shall be civil in nature and all proceedings, orders, judgments and decrees shall be deemed to be pursuant to the parental power of the state. Any orders pursuant to this code shall take precedence over any similar order under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, article 11 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto ~~(determination of parentage)~~, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto ~~(adoption and relinquishment act)~~, article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto ~~(guardians and conservators)~~, ~~article 16 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto (divoree)~~, or article 31 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto ~~(protection from abuse act)~~, until jurisdiction under this code is terminated.

(b) The code shall be liberally construed to carry out the policies of the state which are to:

- (1) Consider the safety and welfare of a child to be paramount in all proceedings under the code;
- (2) provide that each child who comes within the provisions of the code shall receive the care, custody, guidance control and discipline that will best serve the child's welfare and the interests of the state, preferably in the child's home and recognizing that the child's relationship with such child's family is important to the child's well being;

(3) make the ongoing physical, mental and emotional needs of the child decisive considerations in proceedings under this code;

(4) acknowledge that the time perception of a child differs from that of an adult and to dispose of all proceedings under this code without unnecessary delay;

(5) encourage the reporting of suspected child abuse and neglect;

(6) investigate reports of suspected child abuse and neglect thoroughly and promptly;

(7) provide for the protection of children who have been subject to physical, mental or emotional abuse or neglect or sexual abuse;

(8) provide preventative and rehabilitative services, when appropriate, to abused and neglected children and their families so, if possible, the families can remain together without further threat to the children;

(9) provide stability in the life of a child who must be removed from the home of a parent; and

(10) place children in permanent family settings, in absence of compelling reasons to the contrary.

(c) Nothing in this code shall be construed to permit discrimination on the basis of disability.

(1) The disability of a parent shall not constitute a basis for a determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the disability and harm to the child.

(2) In cases involving a parent with a disability, determinations made under this code shall consider the availability and use of accommodations for the disability, including adaptive equipment and support services.

Sec. 60. K.S.A. 2011 Supp. 38-2202 is hereby amended to read as follows: 38-2202. As used in the revised Kansas code for care of children, unless the context otherwise indicates:

(a) "Abandon" or "abandonment" means to forsake, desert or, without making appropriate provision for substitute care, cease providing care for the child.

(b) "Adult correction facility" means any public or private facility, secure or nonsecure, which is used for the lawful custody of accused or convicted adult criminal offenders.

(c) "Aggravated circumstances" means the abandonment, torture, chronic abuse, sexual abuse or chronic, life threatening neglect of a child.

(d) "Child in need of care" means a person less than 18 years of age at the time of filing of the petition or issuance of an *ex parte* protective custody order pursuant to K.S.A. 2011 Supp. 38-2242, and amendments thereto, who:

(1) Is without adequate parental care, control or subsistence and the condition is not due solely to the lack of financial means of the child's parents or other custodian;

(2) is without the care or control necessary for the child's physical, mental or emotional health;

(3) has been physically, mentally or emotionally abused or neglected or sexually abused;

(4) has been placed for care or adoption in violation of law;

(5) has been abandoned or does not have a known living parent;

(6) is not attending school as required by K.S.A. 72-977 or 72-1111, and

amendments thereto;

(7) except in the case of a violation of K.S.A. 41-727, subsection (j) of K.S.A. 74-8810, subsection (m) or (n) of K.S.A. 79-3321, or subsection (a)(14) of K.S.A. 2011 Supp. 21-6301, and amendments thereto, or, except as provided in paragraph (12), does an act which, when committed by a person under 18 years of age, is prohibited by state law, city ordinance or county resolution but which is not prohibited when done by an adult;

(8) while less than 10 years of age, commits any act which if done by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2011 Supp. 21-5102, and amendments thereto;

(9) is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian;

(10) is willfully and voluntarily absent at least a second time from a court ordered or designated placement, or a placement pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee;

(11) has been residing in the same residence with a sibling or another person under 18 years of age, who has been physically, mentally or emotionally abused or neglected, or sexually abused;

(12) while less than 10 years of age commits the offense defined in ~~or~~ subsection (a)(14) of K.S.A. 2011 Supp. 21-6301, and amendments thereto; or

(13) has had a permanent custodian appointed and the permanent custodian is no longer able or willing to serve.

(e) "Citizen review board" is a group of community volunteers appointed by the court and whose duties are prescribed by K.S.A. 2011 Supp. 38-2207 and 38-2208, and amendments thereto.

(f) "Civil custody case" includes any case filed under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, article 11, of chapter 38 of the Kansas Statutes Annotated, and amendments thereto ~~(determination of parentage)~~, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto ~~(adoption and relinquishment act)~~, or article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto ~~(guardians and conservators)~~, ~~or article 16 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto (divorce)~~.

(g) "Court-appointed special advocate" means a responsible adult other than an attorney guardian *ad litem* who is appointed by the court to represent the best interests of a child, as provided in K.S.A. 2011 Supp. 38-2206, and amendments thereto, in a proceeding pursuant to this code.

(h) "Custody" whether temporary, protective or legal, means the status created by court order or statute which vests in a custodian, whether an individual or an agency, the right to physical possession of the child and the right to determine placement of the child, subject to restrictions placed by the court.

(i) "Extended out of home placement" means a child has been in the custody of the secretary and placed with neither parent for 15 of the most recent 22 months beginning 60 days after the date at which a child in the custody of the secretary was removed from the home.

(j) "Educational institution" means all schools at the elementary and secondary levels.

(k) "Educator" means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in subsection (a) of K.S.A. 72-89b03, and amendments thereto.

(l) "Harm" means physical or psychological injury or damage.

(m) "Interested party" means the grandparent of the child, a person with whom the child has been living for a significant period of time when the child in need of care petition is filed, and any person made an interested party by the court pursuant to K.S.A. 2011 Supp. 38-2241, and amendments thereto, or Indian tribe seeking to intervene that is not a party.

(n) "Jail" means:

(1) An adult jail or lockup; or

(2) a facility in the same building or on the same grounds as an adult jail or lockup, unless the facility meets all applicable standards and licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

(o) "Juvenile detention facility" means any secure public or private facility used for the lawful custody of accused or adjudicated juvenile offenders which must not be a jail.

(p) "Juvenile intake and assessment worker" means a responsible adult authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

(q) "Kinship care" means the placement of a child in the home of the child's relative or in the home of another adult with whom the child or the child's parent already has a close emotional attachment.

(r) "Law enforcement officer" means any person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

(s) "Multidisciplinary team" means a group of persons, appointed by the court under K.S.A. 2011 Supp. 38-2228, and amendments thereto, which has knowledge of the circumstances of a child in need of care.

(t) "Neglect" means acts or omissions by a parent, guardian or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child's parents or other custodian. Neglect may include, but shall not be limited to:

(1) Failure to provide the child with food, clothing or shelter necessary to sustain the life or health of the child;

(2) failure to provide adequate supervision of a child or to remove a child from a situation which requires judgment or actions beyond the child's level of maturity, physical condition or mental abilities and that results in bodily injury or a likelihood of harm to the child; or

(3) failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening. A parent legitimately practicing religious beliefs who does not provide specified medical treatment for a child because of religious beliefs shall not for that reason be considered a negligent parent; however, this exception shall not preclude a court from entering an order pursuant to subsection (a)(2) of K.S.A. 2011 Supp. 38-2217, and amendments thereto.

(u) "Parent" when used in relation to a child or children, includes a guardian and every person who is by law liable to maintain, care for or support the child.

(v) "Party" means the state, the petitioner, the child, any parent of the child and an Indian child's tribe intervening pursuant to the Indian child welfare act.

(w) "Permanency goal" means the outcome of the permanency planning process which may be reintegration, adoption, appointment of a permanent custodian or another planned permanent living arrangement.

(x) "Permanent custodian" means a judicially approved permanent guardian of a child pursuant to K.S.A. 2011 Supp. 38-2272, and amendments thereto.

(y) "Physical, mental or emotional abuse" means the infliction of physical, mental or emotional harm or the causing of a deterioration of a child and may include, but shall not be limited to, maltreatment or exploiting a child to the extent that the child's health or emotional well-being is endangered.

(z) "Placement" means the designation by the individual or agency having custody of where and with whom the child will live.

(aa) "Relative" means a person related by blood, marriage or adoption but, when referring to a relative of a child's parent, does not include the child's other parent.

(bb) "Secretary" means the secretary of social and rehabilitation services or the secretary's designee.

(cc) "Secure facility" means a facility which is operated or structured so as to ensure that all entrances and exits from the facility are under the exclusive control of the staff of the facility, whether or not the person being detained has freedom of movement within the perimeters of the facility, or which relies on locked rooms and buildings, fences or physical restraint in order to control behavior of its residents. No secure facility shall be in a city or county jail.

(dd) "Sexual abuse" means any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child or another person. Sexual abuse shall include allowing, permitting or encouraging a child to engage in prostitution or to be photographed, filmed or depicted in pornographic material.

(ee) "Shelter facility" means any public or private facility or home other than a juvenile detention facility that may be used in accordance with this code for the purpose of providing either temporary placement for children in need of care prior to the issuance of a dispositional order or longer term care under a dispositional order.

(ff) "Transition plan" means, when used in relation to a youth in the custody of the secretary, an individualized strategy for the provision of medical, mental health, education, employment and housing supports as needed for the adult and, if applicable, for any minor child of the adult, to live independently and specifically provides for the supports and any services for which an adult with a disability is eligible including, but

not limited to, funding for home and community based services waivers.

(gg) "Youth residential facility" means any home, foster home or structure which provides 24-hour-a-day care for children and which is licensed pursuant to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 61. K.S.A. 2011 Supp. 38-2203 is hereby amended to read as follows: 38-2203. (a) Proceedings concerning any child who may be a child in need of care shall be governed by this code, except in those instances when the court knows or has reason to know that an Indian child is involved in the proceeding, in which case, the Indian child welfare act of 1978-~~25~~ U.S.C. § 1901 *et seq.*, applies. The Indian child welfare act may apply to: The filing to initiate a child in need of care proceeding-~~(K.S.A. 2011 Supp. 38-2234, and amendments thereto);~~ *ex parte* custody orders-~~(K.S.A. 2011 Supp. 38-2242, and amendments thereto);~~ temporary custody hearing-~~(K.S.A. 2011 Supp. 38-2243, and amendments thereto);~~ adjudication-~~(K.S.A. 2011 Supp. 38-2247, and amendments thereto);~~ burden of proof-~~(K.S.A. 2011 Supp. 38-2250, and amendments thereto);~~ disposition-~~(K.S.A. 2011 Supp. 38-2255, and amendments thereto);~~ permanency hearings-~~(K.S.A. 2011 Supp. 38-2264, and amendments thereto);~~ termination of parental rights-~~(K.S.A. 2011 Supp. 38-2267, 38-2268 and 38-2269, and amendments thereto);~~ establishment of permanent custodianship-~~(K.S.A. 2011 Supp. 38-2268 and 38-2272, and amendments thereto);~~ the placement of a child in any foster, pre-adoptive and adoptive home and the placement of a child in a guardianship arrangement under article 30 of chapter 59-~~article 30~~ of the Kansas Statutes Annotated, and amendments thereto.

(b) Subject to the uniform child custody jurisdiction and enforcement act, ~~K.S.A. 38-1336 through 38-1377~~ K.S.A. 2011 Supp. 23-37,101 through 23-37,405, and amendments thereto, the district court shall have original jurisdiction of proceedings pursuant to this code.

(c) The court acquires jurisdiction over a child by the filing of a petition pursuant to this code or upon issuance of an *ex parte* order pursuant to K.S.A. 2011 Supp. 38-2242, and amendments thereto. When the court acquires jurisdiction over a child in need of care, jurisdiction may continue until the child has: (1) Become 18 years of age, or until June 1 of the school year during which the child became 18 years of age if the child is still attending high school unless there is no court approved transition plan, in which event jurisdiction may continue until a transition plan is approved by the court or until the child reaches the age of 21; (2) been adopted; or (3) been discharged by the court. Any child 18 years of age or over may request, in writing to the court, that the jurisdiction of the court cease. The court shall give notice of the request to all parties and interested parties and 30 days after receipt of the request, jurisdiction will cease.

(d) When it is no longer appropriate for the court to exercise jurisdiction over a child, the court, upon its own motion or the motion of a party or interested party at a hearing or upon agreement of all parties or interested parties, shall enter an order discharging the child. Except upon request of the child pursuant to subsection (c), the court shall not enter an order discharging a child until June 1 of the school year during which the child becomes 18 years of age if the child is in an out-of-home placement, is still attending high school and has not completed the child's high school education.

(e) When a petition is filed under this code, a person who is alleged to be under 18 years of age shall be presumed to be under that age for the purposes of this code, unless the contrary is proved.

(f) A court's order issued in a proceeding pursuant to this code, shall take precedence over such orders in a civil custody case, a proceeding under article 31 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto (~~the protection from abuse act~~), or a comparable case in another jurisdiction, except as provided by ~~K.S.A. 38-1336 et seq.~~ K.S.A. 2011 Supp. 23-37.101 through 23-37.405, and amendments thereto (~~the uniform child custody jurisdiction and enforcement act~~).

Sec. 62. K.S.A. 2011 Supp. 38-2220 is hereby amended to read as follows: 38-2220. (a) If the court determines that the information contained in the petition concerning parentage of the child may be incomplete or incorrect, the court shall determine whether the question has been previously adjudicated and whether service of process should be made on some additional person.

(b) If it appears that the issue of parentage needs to be adjudicated, the court shall stay child support proceedings, if any are pending in the case, with respect to that alleged parent and child relationship, until the dispute is resolved by agreement, by a separate action under the Kansas parentage act, ~~K.S.A. 38-1110 et seq.~~ K.S.A. 2011 Supp. 23-2201 et seq., and amendments thereto, or otherwise. Nothing in this subsection shall be construed to limit the power of the court to carry out the purposes of the code.

Sec. 63. K.S.A. 2011 Supp. 38-2221 is hereby amended to read as follows: 38-2221. (a) Fingerprints or photographs of a person alleged or adjudicated to be a child in need of care may be taken:

(1) By a person authorized to investigate an allegation or suspicion of child abuse or neglect to obtain and preserve evidence or to determine the identity of a child;

(2) as authorized by K.S.A. 38-1611, and amendments thereto; or

(3) if authorized by a judge of the district court having jurisdiction.

(b) Fingerprints and photographs taken under subsection (a)(3): (1) Shall be kept separate from those of persons of the age of majority; and

(2) may be sent to a state or federal repository only if authorized by a judge of the district court having jurisdiction.

(c) Nothing in this section shall preclude the custodian of the child from authorizing photographs or fingerprints of the child to:

(1) Be used in any action under the Kansas parentage act, K.S.A. 2011 Supp. 23-2201 et seq., and amendments thereto;

(2) assist in the apprehension of a runaway child;

(3) assist in the adoption or other permanent placement of a child; or

(4) provide the child or the child's parents with a history of the child's life and development.

(d) For purposes of this section, the term photograph means an image or likeness of a child made or reproduced by any medium or means.

Sec. 64. K.S.A. 2011 Supp. 38-2223 is hereby amended to read as follows: 38-2223. (a) *Persons making reports.* (1) When any of the following persons has reason to suspect that a child has been harmed as a result of physical, mental or emotional abuse or neglect or sexual abuse, the person shall report the matter promptly as provided in subsections (b) and (c);

(A) The following persons providing medical care or treatment: Persons licensed to practice the healing arts, dentistry and optometry; persons engaged in postgraduate training programs approved by the state board of healing arts; licensed professional or

practical nurses; and chief administrative officers of medical care facilities;

(B) the following persons licensed by the state to provide mental health services: Licensed psychologists, licensed masters level psychologists, licensed clinical psychotherapists, licensed social workers, licensed marriage and family therapists, licensed clinical marriage and family therapists, licensed professional counselors, licensed clinical professional counselors and registered alcohol and drug abuse counselors;

(C) teachers, school administrators or other employees of an educational institution which the child is attending and persons licensed by the secretary of health and environment to provide child care services or the employees of persons so licensed at the place where the child care services are being provided to the child; ~~and~~

(D) firefighters, emergency medical services personnel, law enforcement officers, juvenile intake and assessment workers, court services officers ~~and~~, community corrections officers, case managers appointed under K.S.A. 23-1001 et seq. K.S.A. 2011 Supp. 23-3508, and amendments thereto, and mediators appointed under K.S.A. 23-602 K.S.A. 2011 Supp. 23-3502, and amendments thereto; and

(E) any person employed by or who works as a volunteer for any organization, whether for profit or not-for-profit, that provides social services to pregnant teenagers, including, but not limited to, counseling, adoption services and pregnancy education and maintenance.

(2) In addition to the reports required under subsection (a)(1), any person who has reason to suspect that a child may be a child in need of care may report the matter as provided in subsection (b) and (c).

(b) *Form of report.* (1) The report may be made orally and shall be followed by a written report if requested. Every report shall contain, if known: The names and addresses of the child and the child's parents or other persons responsible for the child's care; the location of the child if not at the child's residence; the child's gender, race and age; the reasons why the reporter suspects the child may be a child in need of care; if abuse or neglect or sexual abuse is suspected, the nature and extent of the harm to the child, including any evidence of previous harm; and any other information that the reporter believes might be helpful in establishing the cause of the harm and the identity of the persons responsible for the harm.

(2) When reporting a suspicion that a child may be in need of care, the reporter shall disclose protected health information freely and cooperate fully with the secretary and law enforcement throughout the investigation and any subsequent legal process.

(c) *To whom made.* Reports made pursuant to this section shall be made to the secretary, except as follows:

(1) When the department of social and rehabilitation services is not open for business, reports shall be made to the appropriate law enforcement agency. On the next day that the department is open for business, the law enforcement agency shall report to the department any report received and any investigation initiated pursuant to K.S.A. 2011 Supp. 38-2226, and amendments thereto. The reports may be made orally or, on request of the secretary, in writing.

(2) Reports of child abuse or neglect occurring in an institution operated by the secretary of social and rehabilitation services or the commissioner of juvenile justice shall be made to the attorney general. All other reports of child abuse or neglect by persons employed by or of children of persons employed by the department of social

and rehabilitation services shall be made to the appropriate law enforcement agency.

(d) *Death of child.* Any person who is required by this section to report a suspicion that a child is in need of care and who knows of information relating to the death of a child shall immediately notify the coroner as provided by K.S.A. 22a-242, and amendments thereto.

(e) *Violations.* (1) Willful and knowing failure to make a report required by this section is a class B misdemeanor. It is not a defense that another mandatory reporter made a report.

(2) Intentionally preventing or interfering with the making of a report required by this section is a class B misdemeanor.

(3) Any person who willfully and knowingly makes a false report pursuant to this section or makes a report that such person knows lacks factual foundation is guilty of a class B misdemeanor.

(f) *Immunity from liability.* Anyone who, without malice, participates in the making of a report to the secretary or a law enforcement agency relating to a suspicion a child may be a child in need of care or who participates in any activity or investigation relating to the report or who participates in any judicial proceeding resulting from the report shall have immunity from any civil liability that might otherwise be incurred or imposed.

Sec. 65. K.S.A. 2011 Supp. 38-2255 is hereby amended to read as follows: 38-2255. (a) *Considerations.* Prior to entering an order of disposition, the court shall give consideration to:

- (1) The child's physical, mental and emotional condition;
 - (2) the child's need for assistance;
 - (3) the manner in which the parent participated in the abuse, neglect or abandonment of the child;
 - (4) any relevant information from the intake and assessment process; and
 - (5) the evidence received at the dispositional hearing.
- (b) *Custody with a parent.* The court may place the child in the custody of either of the child's parents subject to terms and conditions which the court prescribes to assure the proper care and protection of the child, including, but not limited to:
- (1) Supervision of the child and the parent by a court services officer;
 - (2) participation by the child and the parent in available programs operated by an appropriate individual or agency; and
 - (3) any special treatment or care which the child needs for the child's physical, mental or emotional health and safety.

(c) *Removal of a child from custody of a parent.* The court shall not enter the initial order removing a child from the custody of a parent pursuant to this section unless the court first finds probable cause that: (1) (A) The child is likely to sustain harm if not immediately removed from the home;

- (B) allowing the child to remain in home is contrary to the welfare of the child; or
- (C) immediate placement of the child is in the best interest of the child; and
- (2) reasonable efforts have been made to maintain the family unit and prevent the unnecessary removal of the child from the child's home or that an emergency exists which threatens the safety to the child.

The court shall not enter an order removing a child from the custody of a parent pursuant to this section based solely on the finding that the parent is homeless.

(d) *Custody of a child removed from the custody of a parent.* If the court has made the findings required by subsection (c), the court shall enter an order awarding custody to a relative of the child or to a person with whom the child has close emotional ties who shall not be required to be licensed under article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, to any other suitable person, to a shelter facility, to a youth residential facility or, if the child is 15 years of age or younger, or 16 or 17 years of age if the child has no identifiable parental or family resources or shows signs of physical, mental, emotional or sexual abuse, to the secretary. Custody awarded under this subsection shall continue until further order of the court.

(1) When custody is awarded to the secretary, the secretary shall consider any placement recommendation by the court and notify the court of the placement or proposed placement of the child within 10 days of the order awarding custody. After providing the parties or interested parties notice and opportunity to be heard, the court may determine whether the secretary's placement or proposed placement is contrary to the welfare or in the best interests of the child. In making that determination the court shall consider the health and safety needs of the child and the resources available to meet the needs of children in the custody of the secretary. If the court determines that the placement or proposed placement is contrary to the welfare or not in the best interests of the child, the court shall notify the secretary, who shall then make an alternative placement.

(2) The custodian designated under this subsection shall notify the court in writing at least 10 days prior to any planned placement with a parent. The written notice shall state the basis for the custodian's belief that placement with a parent is no longer contrary to the welfare or best interest of the child. Upon reviewing the notice, the court may allow the custodian to proceed with the planned placement or may set the date for a hearing to determine if the child shall be allowed to return home. If the court sets a hearing on the matter, the custodian shall not return the child home without written consent of the court.

(3) The court may grant any person reasonable rights to visit the child upon motion of the person and a finding that the visitation rights would be in the best interests of the child.

(4) The court may enter an order restraining any alleged perpetrator of physical, mental or emotional abuse or sexual abuse of the child from residing in the child's home; visiting, contacting, harassing or intimidating the child, other family member or witness; or attempting to visit, contact, harass or intimidate the child, other family member or witness. Such restraining order shall be served by personal service pursuant to subsection (a) of K.S.A. 2011 Supp. 38-2237, and amendments thereto, on any alleged perpetrator to whom the order is directed.

(5) The court shall provide a copy of any orders entered within 10 days of entering the order to the custodian designated under this subsection.

(e) *Further determinations regarding a child removed from the home.* If custody has been awarded under subsection (d) to a person other than a parent, a permanency plan shall be provided or prepared pursuant to K.S.A. 2011 Supp. 38-2264, and amendments thereto. If a permanency plan is provided at the dispositional hearing, the court may determine whether reintegration is a viable alternative or, if reintegration is not a viable alternative, whether the child should be placed for adoption or a permanent custodian appointed. In determining whether reintegration is a viable alternative, the

court shall consider:

(1) Whether a parent has been found by a court to have committed one of the following crimes or to have violated the law of another state prohibiting such crimes or to have aided and abetted, attempted, conspired or solicited the commission of one of these crimes: (A) Murder in the first degree, K.S.A. 21-3401, prior to its repeal, or K.S.A. 2011 Supp. 21-5402, and amendments thereto; (B) murder in the second degree, K.S.A. 21-3402, prior to its repeal, or K.S.A. 2011 Supp. 21-5403, and amendments thereto; (C) capital murder, K.S.A. 21-3439, prior to its repeal, or K.S.A. 2011 Supp. 21-5401, and amendments thereto; (D) voluntary manslaughter, K.S.A. 21-3403, prior to its repeal, or K.S.A. 2011 Supp. 21-5404, and amendments thereto; or (E) a felony battery that resulted in bodily injury;

(2) whether a parent has subjected the child or another child to aggravated circumstances;

(3) whether a parent has previously been found to be an unfit parent in proceedings under this code or in comparable proceedings under the laws of another state or the federal government;

(4) whether the child has been in extended out of home placement;

(5) whether the parents have failed to work diligently toward reintegration;

(6) whether the secretary has provided the family with services necessary for the safe return of the child to the home; and

(7) whether it is reasonable to expect reintegration to occur within a time frame consistent with the child's developmental needs.

(f) *Proceedings if reintegration is not a viable alternative.* If the court determines that reintegration is not a viable alternative, proceedings to terminate parental rights and permit placement of the child for adoption or appointment of a permanent custodian shall be initiated unless the court finds that compelling reasons have been documented in the case plan why adoption or appointment of a permanent custodian would not be in the best interests of the child. If compelling reasons have not been documented, the county or district attorney shall file a motion within 30 days to terminate parental rights or a motion to appoint a permanent custodian within 30 days and the court shall hold a hearing on the motion within 90 days of its filing. No hearing is required when the parents voluntarily relinquish parental rights or consent to the appointment of a permanent custodian.

(g) *Additional Orders.* In addition to or in lieu of any other order authorized by this section:

(1) The court may order the child and the parents of any child who has been adjudicated a child in need of care to attend counseling sessions as the court directs. The expense of the counseling may be assessed as an expense in the case. No mental health provider shall charge a greater fee for court-ordered counseling than the provider would have charged to the person receiving counseling if the person had requested counseling on the person's own initiative.

(2) If the court has reason to believe that a child is before the court due, in whole or in part, to the use or misuse of alcohol or a violation of K.S.A. 2011 Supp. 21-5701 through 21-5717, and amendments thereto, by the child, a parent of the child, or another person responsible for the care of the child, the court may order the child, parent of the child or other person responsible for the care of the child to submit to and complete an alcohol and drug evaluation by a qualified person or agency and comply with any

recommendations. If the evaluation is performed by a community-based alcohol and drug safety program certified pursuant to K.S.A. 8-1008, and amendments thereto, the child, parent of the child or other person responsible for the care of the child shall pay a fee not to exceed the fee established by that statute. If the court finds that the child and those legally liable for the child's support are indigent, the fee may be waived. In no event shall the fee be assessed against the secretary.

(3) If child support has been requested and the parent or parents have a duty to support the child, the court may order one or both parents to pay child support and, when custody is awarded to the secretary, the court shall order one or both parents to pay child support. The court shall determine, for each parent separately, whether the parent is already subject to an order to pay support for the child. If the parent is not presently ordered to pay support for any child who is subject to the jurisdiction of the court and the court has personal jurisdiction over the parent, the court shall order the parent to pay child support in an amount determined under K.S.A. 2011 Supp. 38-2277, and amendments thereto. Except for good cause shown, the court shall issue an immediate income withholding order pursuant to ~~K.S.A. 23-4,105 et seq.~~ K.S.A. 2011 Supp. 23-3101 et seq., and amendments thereto, for each parent ordered to pay support under this subsection, regardless of whether a payor has been identified for the parent. A parent ordered to pay child support under this subsection shall be notified, at the hearing or otherwise, that the child support order may be registered pursuant to K.S.A. 2011 Supp. 38-2279, and amendments thereto. The parent shall also be informed that, after registration, the income withholding order may be served on the parent's employer without further notice to the parent and the child support order may be enforced by any method allowed by law. Failure to provide this notice shall not affect the validity of the child support order.

Sec. 66. K.S.A. 2011 Supp. 38-2264 is hereby amended to read as follows: 38-2264. (a) A permanency hearing is a proceeding conducted by the court or by a citizen review board for the purpose of determining progress toward accomplishment of a permanency plan as established by K.S.A. 2011 Supp. 38-2263, and amendments thereto.

(b) The court or a citizen review board shall hear and the court shall determine whether and, if applicable, when the child will be:

- (1) Reintegrated with the child's parents;
- (2) placed for adoption;
- (3) placed with a permanent custodian; or
- (4) if the secretary has documented compelling reasons why it would not be in the child's best interests for a placement in one of the placements pursuant to paragraphs (1), (2) or (3) placed in another planned permanent arrangement.

(c) The court shall enter a finding as to whether reasonable efforts have been made by appropriate public or private agencies to rehabilitate the family and achieve the permanency goal in place at the time of the hearing.

(d) A permanency hearing shall be held within 12 months of the date the court authorized the child's removal from the home and not less frequently than every 12 months thereafter.

(e) If the court determines at any time other than during a permanency hearing that reintegration may not be a viable alternative for the child, a permanency hearing shall be held no later than 30 days following that determination.

(f) When the court finds that reintegration continues to be a viable alternative, the court shall determine whether and, if applicable, when the child will be returned to the parent. The court may rescind any of its prior dispositional orders and enter any dispositional order authorized by this code or may order that a new plan for the reintegration be prepared and submitted to the court. If reintegration cannot be accomplished as approved by the court, the court shall be informed and shall schedule a hearing pursuant to this section. No such hearing is required when the parents voluntarily relinquish parental rights or consent to appointment of a permanent custodian.

(g) If the court finds reintegration is no longer a viable alternative, the court shall consider whether: (1) The child is in a stable placement with a relative; (2) services set out in the case plan necessary for the safe return of the child have been made available to the parent with whom reintegration is planned; or (3) compelling reasons are documented in the case plan to support a finding that neither adoption nor appointment of a permanent custodian are in the child's best interest. If reintegration is not a viable alternative and either adoption or appointment of a permanent custodian might be in the best interests of the child, the county or district attorney or the county or district attorney's designee shall file a motion to terminate parental rights or a motion to appoint a permanent custodian within 30 days and the court shall set a hearing on such motion within 90 days of the filing of such motion.

(h) If the court enters an order terminating parental rights to a child, or an agency has accepted a relinquishment pursuant to K.S.A. 59-2124, and amendments thereto, the requirements for permanency hearings shall continue until an adoption or appointment of a permanent custodian has been accomplished. If the court determines that reasonable efforts or progress have not been made toward finding an adoptive placement or appointment of a permanent custodian or placement with a fit and willing relative, the court may rescind its prior orders and make others regarding custody and adoption that are appropriate under the circumstances. Reports of a proposed adoptive placement need not contain the identity of the proposed adoptive parents.

(i) If permanency with one parent has been achieved without the termination of the other parent's rights, the court may, prior to dismissing the case, enter child custody orders, including residency and parenting time that the court determines to be in the best interests of the child. The court shall complete a parenting plan pursuant to ~~K.S.A. 60-1625~~ K.S.A. 2011 Supp. 23-3213, and amendments thereto.

(1) Before entering a custody order under this subsection, the court shall inquire whether a custody order has been entered or is pending in a civil custody case by a court of competent jurisdiction within the state of Kansas.

(2) If a civil custody case has been filed or is pending, a certified copy of the custody, residency and parenting time orders shall be filed in the civil custody case. The court in the civil custody case may, after consultation with the court in the child in need of care case, enter an order declaring that the custody order in the child in need of care case shall become the custody order in the civil custody case.

(3) A district court, on its own motion or upon the motion of any party, may order the consolidation of the child in need of care case with any open civil custody case involving the child and both of the child's parents. Custody, residency and parenting time orders entered in consolidated child in need of care and civil custody cases take precedence over any previous orders affecting both parents and the child that were

entered in the civil custody case regarding the same or related issues. Following entry of a custody order in a consolidated case, the court shall dismiss the child in need of care case and, if necessary, return the civil custody case to the original court having jurisdiction over it.

(4) If no civil custody case has been filed, the court may direct the parties to file a civil custody case and to file the custody orders from the child in need of care case in that case. Costs of the civil custody case may be assessed to the parties.

(5) Nothing in this subsection shall operate to expand access to information that is confidential under K.S.A. 38-2209, and amendments thereto, and the confidentiality of such information shall be preserved in all filings in a civil custody case.

(j) When permanency has been achieved to the satisfaction of the court, the court shall enter an order closing the case.

Sec. 67. K.S.A. 2011 Supp. 38-2304 is hereby amended to read as follows: 38-2304. (a) Except as provided in K.S.A. 2011 Supp. 38-2347, and amendments thereto, proceedings concerning a juvenile shall be governed by the provisions of this code.

(b) The district court shall have original jurisdiction to receive and determine proceedings under this code.

(c) When a complaint is filed under this code, the juvenile shall be presumed to be subject to this code, unless the contrary is proved.

(d) Once jurisdiction is acquired by the district court over an alleged juvenile offender, except as otherwise provided in subsection (e), jurisdiction shall continue until one of the following occurs:

(1) The complaint is dismissed;

(2) the juvenile is adjudicated not guilty at trial;

(3) the juvenile, after being adjudicated guilty and sentenced:

(i) Successfully completes the term of probation or order of assignment to community corrections;

(ii) is discharged by the commissioner pursuant to K.S.A. 2011 Supp. 38-2376, and amendments thereto;

(iii) reaches the juvenile's 21st birthday and no exceptions apply that extend jurisdiction beyond age 21;

(4) the court terminates jurisdiction; or

(5) the offender is convicted of a new felony while the offender is incarcerated in a juvenile correctional facility pursuant to K.S.A. 38-1671, prior to its repeal, or K.S.A. 2011 Supp. 38-2373, and amendments thereto, for an offense, which if committed by an adult would constitute the commission of a felony.

(e) Once jurisdiction is acquired by the district court over an alleged juvenile offender, it shall continue beyond the juvenile offender's 21st birthday but no later than the juvenile offender's 23rd birthday if either or both of the following conditions apply:

(1) The juvenile offender is sentenced pursuant to K.S.A. 2011 Supp. 38-2369, and amendments thereto, and the term of the sentence including successful completion of aftercare extends beyond the juvenile offender's 21st birthday; or

(2) the juvenile offender is sentenced pursuant to an extended jurisdiction juvenile prosecution and continues to successfully serve the sentence imposed pursuant to the revised Kansas juvenile justice code.

(f) Termination of jurisdiction pursuant to this section shall have no effect on the juvenile offender's continuing responsibility to pay restitution ordered.

(g) (1) If a juvenile offender, at the time of sentencing, is in an out of home placement in the custody of the secretary of social and rehabilitation services under the Kansas code for care of children, the sentencing court may order the continued placement of the juvenile offender as a child in need of care unless the offender was adjudicated for a felony or a second or subsequent misdemeanor. If the adjudication was for a felony or a second or subsequent misdemeanor, the continued placement cannot be ordered unless the court finds there are compelling circumstances which, in the best interest of the juvenile offender, require that the placement should be continued. In considering whether compelling circumstances exist, the court shall consider the reports and recommendations of the foster placement, the contract provider, the secretary of social and rehabilitation services, the presentence investigation and all other relevant factors. If the foster placement refuses to continue the juvenile in the foster placement the court shall not order continued placement as a child in need of care.

(2) If a placement with the secretary of social and rehabilitation services is continued after sentencing, the secretary shall not be responsible for any costs of sanctions imposed under this code.

(3) If the juvenile offender is placed in the custody of the juvenile justice authority, the secretary of social and rehabilitation services shall not be responsible for furnishing services ordered in the child in need of care proceeding during the time of the placement pursuant to the revised Kansas juvenile justice code. Nothing in this subsection shall preclude the juvenile offender from accessing other services provided by the department of social and rehabilitation services or any other state agency if the juvenile offender is otherwise eligible for the services.

(h) A court's order issued in a proceeding pursuant to this code, shall take precedence over such orders in a proceeding under ~~article 11 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto (parentage act), a proceeding under article 16 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto (divorce), chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code,~~ a proceeding under article 31 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto (~~protection from abuse act~~), a proceeding under article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto (~~adoption and relinquishment act~~), a proceeding under article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto (~~guardians and conservators~~), or a comparable case in another jurisdiction, except as provided by ~~K.S.A. 38-1336 K.S.A. 2011 Supp. 23-37,101 et seq., and amendments thereto (uniform child custody jurisdiction and enforcement act).~~

Sec. 68. K.S.A. 2011 Supp. 38-2313 is hereby amended to read as follows: 38-2313. (a) Fingerprints or photographs shall not be taken of any juvenile who is taken into custody for any purpose, except that:

(1) Fingerprints or photographs of a juvenile may be taken if authorized by a judge of the district court having jurisdiction;

(2) a juvenile's fingerprints shall be taken, and photographs of a juvenile may be taken, immediately upon taking the juvenile into custody or upon first appearance or in any event before final sentencing, before the court for an offense which, if committed by an adult, would constitute the commission of a felony, a class A or B misdemeanor or assault, as defined in subsection (a) of K.S.A. 2011 Supp. 21-5412, and amendments thereto;

(3) fingerprints or photographs of a juvenile may be taken under K.S.A. 21-2501, and amendments thereto, if the juvenile has been: (A) Prosecuted as an adult pursuant to K.S.A. 2011 Supp. 38-2347, and amendments thereto; or (B) taken into custody for an offense described in subsection (n)(1) or (n)(2) of K.S.A. 2011 Supp. 38-2302, and amendments thereto;

(4) fingerprints or photographs shall be taken of any juvenile admitted to a juvenile correctional facility; and

(5) photographs may be taken of any juvenile placed in a juvenile detention facility. Photographs taken under this paragraph shall be used solely by the juvenile detention facility for the purposes of identification, security and protection and shall not be disseminated to any other person or agency except after an escape and necessary to assist in apprehension.

(b) Fingerprints and photographs taken under subsection (a)(1) or (a)(2) shall be kept readily distinguishable from those of persons of the age of majority. Fingerprints and photographs taken under subsections (a)(3) and (a)(4) may be kept in the same manner as those of persons of the age of majority.

(c) Fingerprints and photographs of a juvenile shall not be sent to a state or federal repository, except that:

(1) Fingerprints and photographs may be sent to the state and federal repository if authorized by a judge of the district court having jurisdiction;

(2) a juvenile's fingerprints shall, and photographs of a juvenile may, be sent to the state and federal repository if taken under subsection (a)(2) or (a)(4); and

(3) fingerprints or photographs taken under subsection (a)(3) shall be processed and disseminated in the same manner as those of persons of the age of majority.

(d) Fingerprints or photographs of a juvenile may be furnished to another juvenile justice agency, as defined by K.S.A. 2011 Supp. 38-2325, and amendments thereto, if the other agency has a legitimate need for the fingerprints or photographs.

(e) Any fingerprints or photographs of an alleged juvenile offender taken under the provisions of subsection (a)(2) of K.S.A. 38-1611, prior to its repeal, may be sent to a state or federal repository on or before December 31, 2006.

(f) Any law enforcement agency that willfully fails to submit any fingerprints or photographs required by this section shall be liable to the state for the payment of a civil penalty, recoverable in an action brought by the attorney general, in an amount not exceeding \$500 for each report not made. Any civil penalty recovered under this subsection shall be paid into the state general fund.

(g) The director of the Kansas bureau of investigation shall adopt any rules and regulations necessary to implement, administer and enforce the provisions of this section, including time limits within which fingerprints shall be sent to a state or federal repository when required by this section.

(h) Nothing in this section shall preclude the custodian of a juvenile from authorizing photographs or fingerprints of the juvenile to be used in any action under the Kansas parentage act, K.S.A. 2011 Supp. 23-2201 et seq., and amendments thereto.

Sec. 69. K.S.A. 2011 Supp. 38-2318 is hereby amended to read as follows: 38-2318. When there is a dispute with respect to parentage, the court may stay child support proceedings, if any are pending in the case, until the dispute is resolved by a separate action under the Kansas parentage act, K.S.A. 2011 Supp. 23-2201 et seq., and amendments thereto. Nothing in this section shall be construed to limit the power of the

court to carry out the purposes of the revised Kansas juvenile justice code.

Sec. 70. K.S.A. 2011 Supp. 38-2362 is hereby amended to read as follows: 38-2362. (a) When sentencing a juvenile offender, the court may order a juvenile offender's parent to participate in counseling, mediation sessions or an alcohol and drug evaluation and treatment program ordered as part of the juvenile offender's sentence under K.S.A. 2011 Supp. 38-2361, and amendments thereto, or to participate in parenting classes.

(1) Upon entering an order requiring a juvenile offender's parent to attend counseling sessions or mediation, the court shall give the parent notice of the order. The notice shall inform the parent of the parent's right to request a hearing within 14 days after entry of the order and the parent's right to employ an attorney to represent the parent at the hearing or, if the parent is financially unable to employ an attorney, the parent's right to request the court to appoint an attorney to represent the parent.

(2) If the parent does not request a hearing within 14 days after entry of the order, the order shall take effect at that time.

(3) If the parent requests a hearing, the court shall set the matter for hearing and, if requested, shall appoint an attorney to represent the parent. The expense and fees of the appointed attorney may be allowed and assessed as provided by K.S.A. 2011 Supp. 38-2306, and amendments thereto.

(b) In addition to any other orders provided for by this section, the parent of a juvenile offender may be held responsible for the costs of sanctions or the support of the juvenile offender as follows:

(1) The board of county commissioners of a county may provide by resolution that the parent of any juvenile offender placed under a house arrest program pursuant to subsection (a)(9) of K.S.A. 2011 Supp. 38-2361, and amendments thereto, shall be required to pay to the county the cost of such house arrest program. The board of county commissioners shall prepare a sliding financial scale based on the ability of the parent to pay for such a program.

(2) If child support has been requested and a parent has a duty to support the juvenile offender, the court may order, and when custody is placed with the commissioner shall order, one or both parents to pay child support. The court shall determine, for each parent separately, whether the parent already is subject to an order to pay support for the juvenile. If the parent currently is not ordered to pay support for the juvenile and the court has personal jurisdiction over the parent, the court shall order the parent to pay child support in an amount determined under K.S.A. 2011 Supp. 38-2319, and amendments thereto. Except for good cause shown, the court shall issue an immediate income withholding order pursuant to ~~K.S.A. 23-4,105~~ K.S.A. 2011 Supp. 23-3101 et seq., and amendments thereto, for each parent ordered to pay support under this subsection, regardless of whether a payor has been identified for the parent. A parent ordered to pay child support under this subsection shall be notified, at the hearing or otherwise, that the child support order may be registered pursuant to K.S.A. 2011 Supp. 38-2321, and amendments thereto. The parent also shall be informed that, after registration, the income withholding order may be served on the parent's employer without further notice to the parent and the child support order may be enforced by any method allowed by law. Failure to provide this notice shall not affect the validity of the child support order.

Sec. 71. K.S.A. 2011 Supp. 39-7,135 is hereby amended to read as follows: 39-7,135. (a) The department of social and rehabilitation services, the title IV-D agency for

the state, shall maintain a central unit for collection and disbursement of support payments to meet the requirements of title IV-D and this section. Such central unit shall be known as the Kansas payment center. The name "Kansas payment center" shall be reserved for use by the state of Kansas for the functions of the central unit and shall not be used by any entity without the consent of the secretary of social and rehabilitation services.

The department may contract with another entity for development, enhancement or operation, in whole or in part, of such central unit. The Kansas payment center shall be subject to the following conditions and limitations:

(1) The Kansas payment center shall be subject to the Kansas supreme court rule concerning official child support and maintenance records established pursuant to subsection (c).

(2) No contract shall include provisions allowing the contractor to be paid, in whole or in part, on the basis of an amount per phone call received by the center nor allowing the contractor to be paid an amount per check issued for checks that were issued in error by the center. Nothing in this paragraph shall be construed to prevent the secretary of social and rehabilitation services from compensating on the basis of an amount per phone call any contractor that does not process receipts or disbursements under this section.

(3) Any contract for processing receipts or disbursements under this section shall include penalty provisions for noncompliance with federal regulations relating to the timeliness of collections and disbursements and shall include a monetary penalty of \$100 for each erroneous transaction, whether related to collection or disbursement. Penalties shall be collected as and when assessed. Of the penalty, \$25 shall be allocated to the obligee and \$75 shall be allocated to the department of social and rehabilitation services.

(4) Designees of the secretary of social and rehabilitation services and designees of the office of judicial administration shall have full access to all data, subject to the provisions of title IV-D of the federal social security act, 42 U.S.C. § 651 *et seq.* Designees of the secretary of social and rehabilitation services, all district court clerks and court trustees shall have access to records of the Kansas payment center sufficient to allow them to assist in the process of matching support payments to the correct accounts.

(5) The Kansas payment center shall provide sufficient customer service staff during regular business hours. Obligors and obligees shall be provided 24-hour access to information about the status of receipts and disbursements, including, but not limited to, date of receipt by the center, date of processing by the center and date of disbursement to the obligee.

(b) The Kansas payment center shall have, by operation of law, a limited power of attorney to perform the specific act of endorsing and negotiating all drafts, checks, money orders or other negotiable instruments representing support payments received by the center. Nothing in this subsection shall be construed as affecting the property rights or interests of any person in such negotiable instruments. The provisions of this subsection shall apply to any negotiable instrument received by the center on or after October 1, 2000.

(c) The Kansas supreme court, by court rule, shall establish the procedure for the creation, maintenance and correction of official child support and maintenance records

for use as official court records.

(d) The department shall collaborate with the Kansas supreme court to maintain the Kansas payment center, which shall include all support payments subject to the requirements of title IV-D of the federal social security act, 42 U.S.C. § 651 *et seq.*, and, except as specifically directed otherwise by the court pursuant to K.S.A. 2011 Supp. 23-2712, ~~23-2715, 23-2716, and 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218~~ and articles 29, 30 and 31 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, all other support payments due under a court order entered in this state.

(e) Any provision in any support order or income withholding order entered in this state which requires remittance of support payments to the clerk of the district court or district court trustee shall be deemed to require remittance of support payments to the Kansas payment center, regardless of the date the support or income withholding order was entered.

(f) (1) Except as otherwise provided in this subsection, payments received by the Kansas payment center which cannot be matched to any account nor returned to the payor shall be transferred to the state treasurer in accordance with the unclaimed property act.

(2) Except as otherwise provided in this subsection, disbursements which cannot be delivered to the payee after a good faith effort to locate the payee shall be transferred to the state treasurer in accordance with the unclaimed property act.

(3) To the extent that the secretary of social and rehabilitation services would be required to treat as federal program income any amount transferable to the state treasurer pursuant to this subsection or the unclaimed property act, such amount shall not be presumed abandoned but shall be held by the secretary until the amount may be delivered to the true owner. The secretary and the state treasurer shall collaborate on procedures for locating the true owner and confirming claims to amounts so held.

Sec. 72. K.S.A. 39-7,138 is hereby amended to read as follows: 39-7,138. The following definitions shall apply in any IV-D administrative proceeding related to K.S.A. 39-7,137 through 39-7,152, and amendments thereto, except where the context requires otherwise.

(a) "Account" means a demand deposit account, checking or negotiable withdrawal order account, savings account, time deposit account or money-market mutual fund account.

(b) "Arrearages" means past due support under any support order of any tribunal of this or any other state, including but not limited to the unpaid balance of any costs awarded, public assistance debt or accrued interest.

(c) "Business day" means a day on which state offices in Kansas are open for regular business.

(d) "Cash asset" means any intangible property that consistently maintains a fair market value of one dollar per unit. It shall be presumed that any account held by a financial institution and from which the obligor may make cash withdrawals, with or without penalty, consists entirely of cash assets.

(e) "Current support" includes but is not limited to the duty to provide for a child's ongoing medical needs through cash, insurance coverage or other means. "Current support" does not include any periodic amount specified to defray arrearages.

(f) "Custodial parent" means the parent or other person receiving IV-D services on

the child's behalf and may include an agency acting in loco parentis, a guardian, or a blood or adoptive relative with whom the child resides.

(g) "Duty of support" means any duty to support another person that is imposed or imposed by law or by any order, decree or judgment of any tribunal, whether interlocutory or final or whether incidental to a proceeding for divorce, judicial separation, separate maintenance or otherwise, including but not limited to the duty to provide current support, the duty to provide medical support, the duty to pay birth expenses, the duty to pay a public assistance debt and the duty to pay arrearages.

(h) "Financial institution" means any financial institution as defined in 469A of the federal social security act ~~(42 U.S.C. § 469A)~~, and amendments thereto.

(i) "Holder" means any person who is or may be in possession or control of any cash asset of the responsible parent.

(j) "IV-D" or "title IV-D" means part D of title IV of the federal social security act ~~(42 U.S.C. § 651 et seq.)~~, and amendments thereto, as in effect on May 1, 1997. "IV-D services" means those services the secretary provides pursuant to title IV-D.

(k) "Party" means the secretary, the responsible parent, the custodial parent or the child or any assignee or other successor in interest to any of them.

(l) "Public assistance debt" means the obligation to reimburse public assistance as described in K.S.A. 39-718b or 39-719, and amendments thereto or in any similar law of this or any other state.

(m) "Responsible parent" means, if a child is receiving or has received IV-D services from the secretary, the mother, father or alleged father of the child.

(n) "Secretary" means the secretary of social and rehabilitation services or a designee of the secretary.

(o) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States. The term "state" includes an Indian tribe and includes any jurisdiction declared a foreign reciprocating country by the United States secretary of state and any foreign jurisdiction that has established procedures for issuance and enforcement of child support orders which are substantially similar to the procedures of this state. It shall be presumed that a foreign jurisdiction which is the subject of an unrevoked declaration by the attorney general pursuant to ~~K.S.A. 23-4,101~~ K.S.A. 2011 Supp. 23-3601, and amendments thereto, is a state as defined in this subsection.

(p) "Support order" means any order by which a person's duty of support is established, including but not limited to any order modifying a prior support order.

(q) "Tribunal" means any court, administrative agency or quasi-judicial entity authorized to establish, modify or enforce support orders or to determine parentage. With respect to support orders entered in this state, the courts are the tribunals in Kansas.

Sec. 73. K.S.A. 2011 Supp. 39-7,145 is hereby amended to read as follows: 39-7,145. (a) This section shall not apply if an action to establish the father's duty of support on behalf of the child is pending before any tribunal. As used in this section, "mother" means the natural mother of the child whose parentage is in issue.

(b) Except as otherwise provided in subsection (d), genetic tests may be ordered by the secretary if the alleged father consents and the necessary persons are available for testing. Except as otherwise provided in subsection (e), the secretary shall pay the costs

of genetic tests, subject to recoupment from the father if paternity is established. For purposes of this section, a person receiving title IV-D services is not available for testing if a claim for good cause not to cooperate under title IV-D is pending or has been determined in the person's favor or if the person ceases to receive title IV-D services for any reason.

(c) A copy of the order for genetic tests shall be served upon persons required to comply with the order only by personal service or registered mail, return receipt requested. The order shall specify the time and place the person is required to appear for testing, which shall be at least ten days after the date the order is entered.

(d) If a presumption of paternity arises pursuant to subsection (a) of ~~K.S.A. 38-1114~~ K.S.A. 2011 Supp. 23-2208, and amendments thereto, because the mother married or attempted to marry any man, the secretary shall not order genetic testing unless a court of this state or an appropriate tribunal in another state has found that determining the child's biological father is in the child's best interests. If a tribunal subsequently determines that the prohibition of this subsection applied at the time genetic tests were ordered by the secretary, any support order based in whole or in part upon the genetic tests may be set aside only as provided in K.S.A. 60-260, and amendments thereto.

(e) Upon receiving the results of genetic testing, the secretary shall promptly send a copy of the results to the parties, together with notice of the time limits for requesting any additional genetic tests or for challenging the results pursuant to ~~K.S.A. 38-1118~~ K.S.A. 2011 Supp. 23-2212, and amendments thereto, how to make such request or challenge, and any associated costs. The notice shall state the consequences pursuant to ~~K.S.A. 38-1118~~ K.S.A. 2011 Supp. 23-2212, and amendments thereto, of failing to act within the time allowed by the statute. Any additional genetic tests shall be at the expense of the person making the request for additional genetic tests. Failure of the person requesting additional tests to make advance payment as required by the secretary shall be deemed withdrawal of the request.

(f) Any person required to comply with an order issued pursuant to this section may request: (1) An administrative hearing pursuant to K.S.A. 75-3306, and amendments thereto, by complying with procedures established by the secretary within ten days after entry of the order; or (2) a *de novo* court review pursuant to K.S.A. 39-7,139, and amendments thereto. If the order is served on the person by mail, the time for requesting review shall be extended by three days. An order issued pursuant to this section shall be subject to defenses that would apply if the order had been issued by a court of this state. If the request for review is made within the time allowed, the effect of the order shall be stayed with respect to the person requesting review pending resolution of the review.

(g) An order issued pursuant to this section whose effect has not been stayed may be enforced pursuant to the civil enforcement provisions of the Kansas judicial review act, K.S.A. 77-601; *et seq.*, and amendments thereto, after the time for compliance with the order has expired.

Sec. 74. K.S.A. 39-7,147 is hereby amended to read as follows: 39-7,147. (a) Except as otherwise provided in ~~K.S.A. 23-4,107~~ or ~~K.S.A. 39-7,149~~ or ~~K.S.A. 2011 Supp. 23-3103~~, and amendments thereto, if no income withholding order is in effect to enforce a support order in a title IV-D case, an income withholding order may be entered by the secretary. A notice of intent to initiate income withholding, as described in ~~K.S.A. 23-4,107~~ K.S.A. 2011 Supp. 23-3103, and amendments thereto, shall be served on the responsible parent at least seven days before the secretary issues the

income withholding order. If the amount of arrearages is less than the amount of current support due for one month, the requirements of subsection (d) must be met. The income withholding order shall conform to the requirements of the income withholding act and amendments thereto and shall have the same force and effect as an income withholding order issued by a district court of this state.

(b) If an income withholding order is issued by the secretary to enforce a support order entered by a court of this state, the original document shall be delivered for filing to the clerk of the court that entered the support order. Thereafter, if the secretary is no longer providing title IV-D services in the case, the clerk of the district court shall use the income withholding order issued by the secretary in the same manner as an income withholding order issued by the court.

(c) If an income withholding order is issued by the secretary to enforce a support order entered by a tribunal of another state, the secretary shall transmit a copy of the income withholding order to the tribunal of the other state.

(d) If there are no arrearages or the amount of arrearages under the support order is less than the amount of current support due for one month, the secretary may initiate income withholding only if:

- (1) Any arrearages are owed;
- (2) a medical child support order exists;
- (3) the secretary determines that immediate issuance of the income withholding order was required by ~~K.S.A. 23-4-107~~ K.S.A. 2011 Supp. 23-3103, and amendments thereto, or by a similar law of another state, but no income withholding order was entered;
- (4) the responsible parent consents;
- (5) required payments have been received after the due date at least twice within the preceding 12 months, regardless of whether any arrearages are owed; or
- (6) the support order was entered by a tribunal of another state.

(e) If the support order was entered by or registered with a court of this state, the notice of intent to initiate income withholding shall be served on the responsible parent by only personal service or registered mail, return receipt requested. In all other cases, the notice of intent to initiate income withholding shall be served upon the responsible parent only by personal service or registered mail, return receipt requested.

Sec. 75. K.S.A. 44-514 is hereby amended to read as follows: 44-514. (a) Except as provided in subsection (b), ~~K.S.A. 23-4-146~~ and the income withholding act, K.S.A. 2011 Supp. 23-3101 et seq., and amendments thereto, no claim for compensation, or compensation agreed upon, awarded, adjudged, or paid, shall be assignable or subject to levy, execution, attachment, garnishment, or any other remedy or procedure for the recovery or collection of a debt, and this exemption cannot be waived.

(b) Claims for compensation, or compensation agreed upon, adjudged or paid, which are paid to a worker on a weekly basis or by lump sum shall be subject to enforcement of an order for support by means of voluntary or involuntary assignment of a portion of the compensation.

(1) Any involuntary assignment shall be obtained by motion filed within the case which is the basis of the existing order of support.

(A) Any motion seeking an involuntary assignment of compensation shall be served on the claimant and the claimant's counsel to the workers compensation claim, if known, the motion shall set forth:

- (i) The amount of the current support order to be enforced;
- (ii) the amount of any arrearage alleged to be owed under the support order;
- (iii) the identity of the payer of the compensation to the claimant, if known; and
- (iv) whether the assignment requested seeks to attach compensation for current support or arrearages or both.

(B) Motions for involuntary assignments of compensation shall be granted. The relief granted for:

(i) Current support shall be collectible from benefits paid on a weekly basis but shall not exceed 25% of the workers gross weekly compensation excluding any medical compensation and rehabilitation costs paid directly to providers.

(ii) Past due support shall be collectible from lump-sum settlements, judgments or awards but shall not exceed 40% of a lump sum, excluding any medical compensation and rehabilitation costs paid directly to providers.

(2) In any proceeding under this subsection, the court may also consider the modification of the existing support order upon proper notice to the other interested parties.

(3) Any order of involuntary assignment of compensation shall be served upon the payer of compensation and shall set forth the:

- (A) Amount of the current support order;
- (B) amount of the arrearage owed, if any;
- (C) applicable percentage limitations;
- (D) name and address of the payee to whom assigned sums shall be disbursed by the payer; and

(E) date the assignment is to take effect and the conditions for termination of the assignment.

(4) For the purposes of this section, "order for support" means any order of any Kansas court, authorized by law to issue such an order, which provides for the payment of funds for the support of a child or for maintenance of a spouse or ex-spouse, and includes such an order which provides for payment of an arrearage accrued under a previously existing order and reimbursement orders, including but not limited to, an order established pursuant to K.S.A. 39-718a ~~and amendments thereto, prior to its repeal~~; K.S.A. 39-718b, and amendments thereto; or an order established pursuant to the uniform interstate family support act, K.S.A. 2011 Supp. 23-36,101 et seq., and amendments thereto.

(5) For all purposes under this section, each obligation to pay child support or order for child support shall be satisfied prior to satisfaction of any obligation to pay or order for maintenance of a spouse or ex-spouse.

Sec. 76. K.S.A. 2011 Supp. 59-2136 is hereby amended to read as follows: 59-2136. (a) The provisions of this section shall apply where a relinquishment or consent to an adoption has not been obtained from a parent and K.S.A. 59-2124 and 59-2129, and amendments thereto, state that the necessity of a parent's relinquishment or consent can be determined under this section.

(b) Insofar as practicable, the provisions of this section applicable to the father also shall apply to the mother and those applicable to the mother also shall apply to the father.

(c) In stepparent adoptions under subsection (d), the court may appoint an attorney to represent any father who is unknown or whose whereabouts are unknown. In all other

cases, the court shall appoint an attorney to represent any father who is unknown or whose whereabouts are unknown. If no person is identified as the father or a possible father, the court shall order publication notice of the hearing in such manner as the court deems appropriate.

(d) In a stepparent adoption, if a mother consents to the adoption of a child who has a presumed father under subsection (a)(1), (2) or (3) of ~~K.S.A. 38-1114~~ K.S.A. 2011 Supp. 23-2208, and amendments thereto, or who has a father as to whom the child is a legitimate child under prior law of this state or under the law of another jurisdiction, the consent of such father must be given to the adoption unless such father has failed or refused to assume the duties of a parent for two consecutive years next preceding the filing of the petition for adoption or is incapable of giving such consent. In determining whether a father's consent is required under this subsection, the court may disregard incidental visitations, contacts, communications or contributions. In determining whether the father has failed or refused to assume the duties of a parent for two consecutive years next preceding the filing of the petition for adoption, there shall be a rebuttable presumption that if the father, after having knowledge of the child's birth, has knowingly failed to provide a substantial portion of the child support as required by judicial decree, when financially able to do so, for a period of two years next preceding the filing of the petition for adoption, then such father has failed or refused to assume the duties of a parent. The court may consider the best interests of the child and the fitness of the nonconsenting parent in determining whether a stepparent adoption should be granted.

(e) Except as provided in subsection (d), if a mother desires to relinquish or consents to the adoption of such mother's child, a petition shall be filed in the district court to terminate the parental rights of the father, unless the father's relationship to the child has been previously terminated or determined not to exist by a court. The petition may be filed by the mother, the petitioner for adoption, the person or agency having custody of the child or the agency to which the child has been or is to be relinquished. Where appropriate, the request to terminate parental rights may be contained in a petition for adoption. If the request to terminate parental rights is not filed in connection with an adoption proceeding, venue shall be in the county in which the child, the mother or the presumed or alleged father resides or is found. In an effort to identify the father, the court shall determine by deposition, affidavit or hearing, the following:

(1) Whether there is a presumed father under ~~K.S.A. 38-1114~~ K.S.A. 2011 Supp. 23-2208, and amendments thereto;

(2) whether there is a father whose relationship to the child has been determined by a court;

(3) whether there is a father as to whom the child is a legitimate child under prior law of this state or under the law of another jurisdiction;

(4) whether the mother was cohabitating with a man at the time of conception or birth of the child;

(5) whether the mother has received support payments or promises of support with respect to the child or in connection with such mother's pregnancy; and

(6) whether any man has formally or informally acknowledged or declared such man's possible paternity of the child.

If the father is identified to the satisfaction of the court, or if more than one man is identified as a possible father, each shall be given notice of the proceeding in

accordance with subsection (f).

(f) Notice of the proceeding shall be given to every person identified as the father or a possible father by personal service, certified mail return receipt requested or in any other manner the court may direct. Proof of notice shall be filed with the court before the petition or request is heard.

(g) If, after the inquiry, the court is unable to identify the father or any possible father and no person has appeared claiming to be the father and claiming custodial rights, the court shall enter an order terminating the unknown father's parental rights with reference to the child without regard to subsection (h). If any person identified as the father or possible father of the child fails to appear or, if appearing, fails to claim custodial rights, such person's parental rights with reference to the child shall be terminated without regard to subsection (h).

(h) (1) When a father or alleged father appears and asserts parental rights, the court shall determine parentage, if necessary pursuant to the Kansas parentage act, K.S.A. 2011 Supp. 23-2201 et seq., and amendments thereto. If a father desires but is financially unable to employ an attorney, the court shall appoint an attorney for the father. Thereafter, the court may order that parental rights be terminated, upon a finding by clear and convincing evidence, of any of the following:

(A) The father abandoned or neglected the child after having knowledge of the child's birth;

(B) the father is unfit as a parent or incapable of giving consent;

(C) the father has made no reasonable efforts to support or communicate with the child after having knowledge of the child's birth;

(D) the father, after having knowledge of the pregnancy, failed without reasonable cause to provide support for the mother during the six months prior to the child's birth;

(E) the father abandoned the mother after having knowledge of the pregnancy;

(F) the birth of the child was the result of rape of the mother; or

(G) the father has failed or refused to assume the duties of a parent for two consecutive years next preceding the filing of the petition.

(2) In making a finding whether parental rights shall be terminated under this subsection, the court may:

(A) Consider and weigh the best interest of the child; and

(B) disregard incidental visitations, contacts, communications or contributions.

(3) In determining whether the father has failed or refused to assume the duties of a parent for two consecutive years next preceding the filing of the petition for adoption, there shall be a rebuttable presumption that if the father, after having knowledge of the child's birth, has knowingly failed to provide a substantial portion of the child support as required by judicial decree, when financially able to do so, for a period of two years next preceding the filing of the petition for adoption, then such father has failed or refused to assume the duties of a parent.

(i) A termination of parental rights under this section shall not terminate the right of the child to inherit from or through the parent. Upon such termination, all the rights of birth parents to such child, including their right to inherit from or through such child, shall cease.

Sec. 77. K.S.A. 2011 Supp. 60-308 is hereby amended to read as follows: 60-308.
(a) *Proof and effect.* (1) Service of process may be made on any party outside this state. If on a party domiciled in this state or on a party that has submitted to the jurisdiction of

the courts of this state, such service provides personal jurisdiction over that party; otherwise it provides in rem jurisdiction over specifically identified property that party has in this state.

(2) The service of process must be made: (A) In the same manner as service within this state, by an officer authorized to serve process in this state or in the state where the party is served; or (B) by a party or the party's attorney pursuant to subsection (c) of K.S.A. 60-303, and amendments thereto. No order of a court is required. The server must file an affidavit or a declaration pursuant to K.S.A. 53-601, and amendments thereto, or any other competent proof, stating the time, manner and place of service. The court may consider the affidavit, declaration or any other competent proof in determining whether service has been properly made.

(3) No default may be entered until the expiration of at least 30 days after service. A default judgment rendered on service outside this state may be set aside only on a showing that is timely and sufficient under subsection (b) of K.S.A. 60-260, and amendments thereto, to set aside a default judgment.

(b) *Submitting to jurisdiction.* (1) Any person, whether or not a citizen or resident of this state, who in person or through an agent or instrumentality does any of the following acts, thereby submits the person and, if an individual, the individual's representative, to the jurisdiction of the courts of this state for any claim for relief arising from the act:

- (A) Transacting any business in this state;
- (B) committing a tortious act in this state;
- (C) owning, using or possessing real estate located in this state;
- (D) contracting to insure any person, property or risk located in this state at the time of contracting;
- (E) entering into an express or implied contract, by mail or otherwise, with a resident of this state to be performed in whole or in part by either party in this state;
- (F) acting in this state as director, manager, trustee or other officer of any corporation organized under the laws of or having a place of business in this state or as executor or administrator of any estate in this state;
- (G) causing to persons or property in this state an injury arising out of an act or omission outside this state by the defendant if, at the time of the injury, either:
 - (i) The defendant was engaged in solicitation or service activities in this state; or
 - (ii) products, materials or things processed, serviced or manufactured by the defendant anywhere were used or consumed in this state in the ordinary course of trade or use;
- (H) living in a marital relationship in this state notwithstanding subsequent departure from this state, for all obligations arising for maintenance, child support or property settlement under ~~article 16 of this chapter~~ the Kansas family law code, chapter 23 of the Kansas Statutes Annotated, and amendments thereto, if the other party to the marital relationship continues to reside in this state;
- (I) serving as insurer of a person at the time of an act by the person which is the subject of an action in a court of competent jurisdiction in this state which results in judgment being taken against the person;
- (J) having sexual intercourse in this state, in an action seeking to adjudge the person to be a parent of a child and in an action to require the person to provide support for a child as provided by law, if: (i) The conception of the child results from the act;

and (ii) the other party to the act or the child continues to reside in this state;

(K) entering into an express or implied arrangement, whether by contract, tariff or otherwise, with a corporation or partnership residing or doing business in this state under which the corporation or partnership has supplied transportation services or communication service or equipment, including telephonic communication services, for a business or commercial user when the services supplied to the user are managed, operated or monitored in this state, provided that the person is given reasonable notice that arranging or continuing the transportation services or communication services may result in jurisdiction under this section; or

(L) having contact with this state which would support jurisdiction consistent with the constitutions of the United States and of this state.

(2) A person submits to the jurisdiction of the courts of this state for a claim for relief which did not arise in this state if substantial, continuous and systematic contact with this state is established which would support jurisdiction consistent with the constitutions of the United States and of this state.

(c) *Section not exclusive.* Nothing in this section affects the right to serve process in any other manner provided by law.

Sec. 78. K.S.A. 2011 Supp. 60-703 is hereby amended to read as follows: 60-703. The order of attachment shall be issued by a judge of the district court upon the filing of a petition stating the claim and the filing of an affidavit, or an affidavit and bond as required in this article, except that no order of attachment shall be issued before judgment on plaintiff's claim where the property of the defendant to be attached is in the possession of a third party and is in the form of earnings due and owing to the defendant. The filing of an affidavit stating one or more grounds of attachment is required in every case. A bond is required in every case except in actions instituted on behalf of the state of Kansas or a county of the state. The order of attachment may be issued and executed on Sunday, a legal holiday, or a day on which the office of the clerk of the court is not accessible if the affidavit states that the party seeking the attachment will lose the benefit thereof unless the writ be issued or served on such day. The provisions of this section shall not be applicable to garnishments authorized pursuant to ~~K.S.A. 60-1607~~ 2011 Supp. 23-2707, and amendments thereto.

Sec. 79. K.S.A. 60-2308 is hereby amended to read as follows: 60-2308. (a) Money received by any debtor as pensioner of the United States within three months next preceding the issuing of an execution, or attachment, or garnishment process, cannot be applied to the payment of the debts of such pensioner when it appears by the affidavit of the debtor or otherwise that such pension money is necessary for the maintenance of the debtor's support or a family support wholly or in part by the pension money. The filing of the affidavit by the debtor, or making proof as provided in this section, shall be *prima facie* evidence of the necessity of such pension money for such support. It shall be the duty of the court in which such proceeding is pending to release all moneys held by such attachment or garnishment process, immediately upon the filing of such affidavit, or the making of such proof.

(b) Except as provided in subsection (c), any money or other assets payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan which is qualified under sections 401(a), 403(a), 403(b), 408, 408A or 409 of the federal internal revenue code of 1986, and amendments thereto, shall be exempt from any and all claims of creditors of the beneficiary or participant. Any such

plan shall be conclusively presumed to be a spendthrift trust under these statutes and the common law of the state.

(c) Any plan or arrangement described in subsection (b) shall not be exempt from the claims of an alternate payee under a qualified domestic relations order. However, the interest of any and all alternate payees under a qualified domestic relations order shall be exempt from any and all claims of any creditor, other than the state department of social and rehabilitation services, of the alternate payee. As used in this subsection, the terms "alternate payee" and "qualified domestic relations order" have the meaning ascribed to them in section 414(p) of the federal internal revenue code of 1986, and amendments thereto.

(d) The provisions of subsections (b) and (c) shall apply to any proceeding which: (1) Is filed on or after July 1, 1986; or (2) was filed on or after January 1, 1986, and is pending or on appeal July 1, 1986.

(e) Money held by the central unit for collection and disbursement of support payments designated pursuant to ~~K.S.A. 23-4,118~~ K.S.A. 2011 Supp. 39-7,135, and amendments thereto, the state department of social and rehabilitation services, any clerk of a district court or any district court trustee in connection with a court order for the support of any person, whether the money is identified as child support, spousal support, alimony or maintenance, shall be exempt from execution, attachment or garnishment process.

(f) (1) The provisions of this subsection shall apply to any proceeding which:

(A) Is filed on or after January 1, 2002; or

(B) was filed prior to January 1, 2002, and is pending on or on appeal after January 1, 2002.

(2) Except as provided by paragraphs (3) and (4) of this subsection, if the designated beneficiary of a family postsecondary education savings account established pursuant to ~~K.S.A. 2005 2011~~ Supp. 75-640 et seq., and amendments thereto, is a lineal descendant of the account owner, all moneys in the account shall be exempt from any claims of creditors of the account owner or designated beneficiary.

(3) The provisions of paragraph (2) of this subsection shall not apply to:

(A) Claims of any creditor of an account owner, as to amounts contributed within a one-year period preceding the date of the filing of a bankruptcy petition under 11 U.S.C. ~~section §~~ 101 et seq.; or

(B) claims of any creditor of an account owner, as to amounts contributed within a one-year period preceding an execution on judgment for such claims against the account owner.

(4) The provisions of paragraph (2) of this subsection shall not apply to:

(A) Claims of any creditor of an account owner, as to amounts exceeding \$5,000 contributed within a period of time which is more than one year but less than two years preceding the date of the filing of a bankruptcy petition under 11 U.S.C. ~~section §~~ 101 et seq.; or

(B) claims of any creditor of an account owner, as to amounts exceeding \$5,000 contributed within a period of time which is more than one year but less than two years preceding an execution on judgment for such claims against the account owner.

Sec. 80. K.S.A. 2011 Supp. 60-2403 is hereby amended to read as follows: 60-2403. (a) (1) Except as provided in subsection (b) or (d), if a renewal affidavit is not filed or if execution, including any garnishment proceeding, support enforcement

proceeding or proceeding in aid of execution, is not issued, within five years from the date of the entry of any judgment in any court of record in this state, including judgments in favor of the state or any municipality in the state, or within five years from the date of any order reviving the judgment or, if five years have intervened between the date of the last renewal affidavit filed or execution proceedings undertaken on the judgment and the time of filing another renewal affidavit or undertaking execution proceedings on it, the judgment, including court costs and fees therein shall become dormant, and shall cease to operate as a lien on the real estate of the judgment debtor. When a judgment becomes and remains dormant for a period of two years, it shall be the duty of the judge to release the judgment of record when requested to do so.

(2) A "renewal affidavit" is a statement under oath, signed by the judgment creditor or the judgment creditor's attorney, filed in the proceedings in which the judgment was entered and stating the remaining balance due and unpaid on the judgment.

(3) A "support enforcement proceeding" means any civil proceeding to enforce any judgment for payment of child support or maintenance and includes, but is not limited to, any income withholding proceeding under the income withholding act, ~~K.S.A. 23-4,105 through 23-4,118~~ K.S.A. 2011 Supp. 23-3101 *et seq.*, and amendments thereto, ~~or the interstate income withholding act, K.S.A. 23-4,125 through 23-4,137 and amendments thereto~~, any contempt proceeding and any civil proceeding under the uniform interstate family support act, ~~K.S.A. 23-9,101~~ K.S.A. 2011 Supp. 23-36,101 *et seq.*, and amendments thereto.

(b) Except for those judgments which have become void as of July 1, 2007, no judgment for the support of a child shall be or become dormant for any purpose except as provided in this subsection. If a judgment would have become dormant under the conditions set forth in subsection (a), the judgment shall cease to operate as a lien on the real estate of the judgment debtor as of the date the judgment would have become dormant, but the judgment shall not be released of record pursuant to subsection (a).

(c) The time within which action must be taken to prevent a judgment from becoming dormant does not run during any period in which the enforcement of the judgment by legal process is stayed or prohibited.

(d) If a renewal affidavit is not filed or if execution is not issued, within 10 years from the date of the entry of any judgment of restitution in any court of record in this state, the judgment, including court costs and fees therein shall become dormant, and shall cease to operate as a lien on the real estate of the judgment debtor. Except as provided in subsection (b), when a judgment becomes and remains dormant for a period of two years, it shall be the duty of the judge to release the judgment of record when requested to do so.

Sec. 81. K.S.A. 2011 Supp. 60-2803 is hereby amended to read as follows: 60-2803. (a) When a money judgment rendered in a civil action in a court of this state is satisfied, the judgment creditor or the assignee of the judgment creditor shall file satisfaction and release of the judgment within 21 days after receipt of written demand therefor, sent by restricted mail as defined by K.S.A. 60-103, and amendments thereto. Such satisfaction and release shall be filed with the clerk of the court in which the judgment was entered and with the clerk of any other court in which the judgment was filed.

(b) If a judgment creditor or the assignee of a judgment creditor refuses or neglects to enter satisfaction and release of a judgment when required by this section, such

judgment creditor or assignee shall be liable to the judgment debtor, or other interested person demanding the satisfaction or release, in damages in the amount of \$100, together with a reasonable attorney's fee for preparing and prosecuting the action to recover such damages.

(c) The provisions of this section shall not apply if the judgment is satisfied by payment through the office of the clerk of the district court, the district court trustee or any central unit for collection and disbursement of support payments designated pursuant to ~~K.S.A. 23-4,118~~ K.S.A. 2011 Supp. 39-7,135, and amendments thereto.

Sec. 82. K.S.A. 60-3103 is hereby amended to read as follows: 60-3103. Any district court shall have jurisdiction over all proceedings under the protection from abuse act. The right of a person to obtain relief under the protection from abuse act shall not be affected by the person's leaving the residence or household to avoid further abuse. Any petition under this act seeking orders regarding a custody determination, as defined in ~~K.S.A. 38-1337~~ K.S.A. 2011 Supp. 23-37,102, and amendments thereto, shall state that information required by ~~K.S.A. 38-1356~~ K.S.A. 2011 Supp. 23-37,209, and amendments thereto, and the basis under which child-custody jurisdiction is sought to be invoked.

Sec. 83. K.S.A. 2011 Supp. 60-3107 is hereby amended to read as follows: 60-3107. (a) The court may approve any consent agreement to bring about a cessation of abuse of the plaintiff or minor children or grant any of the following orders:

(1) Restraining the defendant from abusing, molesting or interfering with the privacy or rights of the plaintiff or of any minor children of the parties. Such order shall contain a statement that if such order is violated, such violation may constitute assault as defined in subsection (a) of K.S.A. 2011 Supp. 21-5412, and amendments thereto, battery as defined in subsection (a) of K.S.A. 2011 Supp. 21-5413, and amendments thereto, domestic battery as defined in K.S.A. 2011 Supp. 21-5414, and amendments thereto, and violation of a protective order as defined in K.S.A. 2011 Supp. 21-5924, and amendments thereto.

(2) Granting possession of the residence or household to the plaintiff to the exclusion of the defendant, and further restraining the defendant from entering or remaining upon or in such residence or household, subject to the limitation of subsection (d). Such order shall contain a statement that if such order is violated, such violation shall constitute criminal trespass as defined in subsection (a)(1)(C) of K.S.A. 2011 Supp. 21-5808, and amendments thereto, and violation of a protective order as defined in K.S.A. 2011 Supp. 21-5924, and amendments thereto. The court may grant an order, which shall expire 60 days following the date of issuance, restraining the defendant from cancelling utility service to the residence or household.

(3) Requiring defendant to provide suitable, alternate housing for the plaintiff and any minor children of the parties.

(4) Awarding temporary custody and residency and establishing temporary parenting time with regard to minor children.

(5) Ordering a law enforcement officer to evict the defendant from the residence or household.

(6) Ordering support payments by a party for the support of a party's minor child, if the party is the father or mother of the child, or the plaintiff, if the plaintiff is married to the defendant. Such support orders shall remain in effect until modified or dismissed by the court or until expiration and shall be for a fixed period of time not to exceed one

year. On the motion of the plaintiff, the court may extend the effect of such order for 12 months.

(7) Awarding costs and attorney fees to either party.

(8) Making provision for the possession of personal property of the parties and ordering a law enforcement officer to assist in securing possession of that property, if necessary.

(9) Requiring any person against whom an order is issued to seek counseling to aid in the cessation of abuse.

(10) Ordering or restraining any other acts deemed necessary to promote the safety of the plaintiff or of any minor children of the parties.

(b) No protection from abuse order shall be entered against the plaintiff unless:

(1) The defendant properly files a written cross or counter petition seeking such a protection order;

(2) the plaintiff had reasonable notice of the written cross or counter petition by personal service as provided in subsection (d) of K.S.A. 60-3104, and amendments thereto; and

(3) the issuing court made specific findings of abuse against both the plaintiff and the defendant and determined that both parties acted primarily as aggressors and neither party acted primarily in self-defense.

(c) Any order entered under the protection from abuse act shall not be subject to modification on *ex parte* application or on motion for temporary orders in any action filed pursuant to K.S.A. 60-1601 *et seq.*, prior to such section's repeal or transfer, or K.S.A. 38-1101 *et seq.*, and amendments thereto, or articles 22 or 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto. Orders previously issued in an action filed pursuant to K.S.A. 60-1601 *et seq.*, prior to such section's repeal or transfer, or K.S.A. 38-1101 *et seq.*, and amendments thereto, or articles 22 or 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, shall be subject to modification under the protection from abuse act only as to those matters subject to modification by the terms of K.S.A. 2011 Supp. ~~23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218~~ and article 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, and on sworn testimony to support a showing of good cause. Immediate and present danger of abuse to the plaintiff or minor children shall constitute good cause. If an action is filed pursuant to K.S.A. 2011 Supp. ~~23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and or 23-3218~~ or articles 22 or 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, during the pendency of a proceeding filed under the protection from abuse act or while an order issued under the protection from abuse act is in effect, the court, on final hearing or on agreement of the parties, may issue final orders authorized by K.S.A. 2011 Supp. ~~23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218~~ and articles 22 and 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, that are inconsistent with orders entered under the protection from abuse act. Any inconsistent order entered pursuant to this subsection shall be specific in its terms, reference the protection from abuse order and parts thereof being modified and a copy thereof shall be filed in both actions. The court shall consider whether the actions should be consolidated in accordance with K.S.A. 60-242,

and amendments thereto. Any custody or parenting time order, or order relating to the best interests of a child, issued pursuant to the revised Kansas code for care of children or the revised Kansas juvenile justice code, shall be binding and shall take precedence over any such custody or parenting order involving the same child issued under the protection from abuse act, until jurisdiction under the revised Kansas code for care of children or the revised Kansas juvenile justice code is terminated. Any inconsistent custody or parenting order issued in the revised Kansas code for care of children case or the revised Kansas juvenile justice code case shall be specific in its terms, reference any preexisting protection from abuse order and the custody being modified, and a copy of such order shall be filed in the preexisting protection from abuse case.

(d) If the parties to an action under the protection from abuse act are not married to each other and one party owns the residence or household, the court shall not have the authority to grant possession of the residence or household under subsection (a)(2) to the exclusion of the party who owns it.

(e) Subject to the provisions of subsections (b), (c) and (d), a protective order or approved consent agreement shall remain in effect until modified or dismissed by the court and shall be for a fixed period of time not to exceed one year, except that, on motion of the plaintiff, such period may be extended for one additional year.

(f) The court may amend its order or agreement at any time upon motion filed by either party.

(g) No order or agreement under the protection from abuse act shall in any manner affect title to any real property.

(h) If a person enters or remains on premises or property violating an order issued pursuant to subsection (a)(2), such violation shall constitute criminal trespass as defined in subsection (a)(1)(C) of K.S.A. 2011 Supp. 21-5808, and amendments thereto, and violation of a protective order as defined in K.S.A. 2011 Supp. 21-5924, and amendments thereto. If a person abuses, molests or interferes with the privacy or rights of another violating an order issued pursuant to subsection (a)(1), such violation may constitute assault as defined in subsection (a) of K.S.A. 2011 Supp. 21-5412, and amendments thereto, battery as defined in subsection (a) of K.S.A. 2011 Supp. 21-5413, and amendments thereto, domestic battery as defined in K.S.A. 2011 Supp. 21-5414, and amendments thereto, and violation of a protective order as defined in K.S.A. 2011 Supp. 21-5924, and amendments thereto.

Sec. 84. K.S.A. 65-2409a is hereby amended to read as follows: 65-2409a. (a) A certificate of birth for each live birth which occurs in this state shall be filed with the state registrar within five days after such birth and shall be registered by such registrar if such certificate has been completed and filed in accordance with this section. If a birth occurs on a moving conveyance, a birth certificate shall indicate as the place of birth the location where the child was first removed from the conveyance.

(b) When a birth occurs in an institution, the person in charge of the institution or the person's designated representative shall obtain the personal data, prepare the certificate, secure the signatures required by the certificate and file such certificate with the state registrar. The physician in attendance or, in the absence of the physician, the person in charge of the institution or that person's designated representative shall certify to the facts of birth and provide the medical information required by the certificate within five days after the birth. When a birth occurs outside an institution, the certificate shall be prepared and filed by one of the following in the indicated order of priority: (1)

The physician in attendance at or immediately after the birth, or in the absence of such a person; (2) any other person in attendance at or immediately after the birth, or in the absence of such a person; or (3) the father, the mother or, in the absence of the father and the inability of the mother, the person in charge of the premises where the birth occurred.

(c) If the mother was married at the time of either conception or birth, or at any time between conception and birth, the name of the husband shall be entered on the certificate as the father of the child unless paternity has been determined otherwise by a court of competent jurisdiction, in which case the name of the father as determined by the court shall be entered. If the mother was not married either at the time of conception or of birth, or at any time between conception and birth, the name of the father shall not be entered on the certificate of birth without the written consent of the mother and of the person to be named as the father on a form provided by the state registrar pursuant to ~~K.S.A. 38-1138~~ K.S.A. 2011 Supp. 23-2204, and amendments thereto, unless a determination of paternity has been made by a court of competent jurisdiction, in which case the name of the father as determined by the court shall be entered.

(d) One of the parents of any child shall sign the certificate of live birth to attest to the accuracy of the personal data entered thereon, in time to permit its filing within the five days prescribed above.

(e) Except as otherwise provided by this subsection, a fee of \$4 shall be paid for each certificate of live birth filed with the state registrar. Such fee shall be paid by the parent or parents of the child. If a birth occurs in an institution, the person in charge of the institution or the person's designated representative shall be responsible for collecting the fee and shall remit such fee to the secretary of health and environment not later than the 15th day following the end of the calendar quarter during which the birth occurred. If a birth occurs other than in an institution, the person completing the birth certificate shall be responsible for collecting the fee and shall remit such fee to the secretary of health and environment not later than the 15th day of the month following the birth.

The fee provided for by this subsection shall not be required to be paid if the parent or parents of the child are at the time of the birth receiving assistance, as defined by K.S.A. 39-702, and amendments thereto, from the secretary of social and rehabilitation services.

(f) Except as provided in this subsection, when a certificate of birth is filed pursuant to this act, each parent shall furnish the social security number or numbers issued to the parent. Social security numbers furnished pursuant to this subsection shall not be recorded on the birth certificate. A parent shall not be required to furnish such person's social security number pursuant to this subsection if no social security number has been issued to the parent; the social security number is unknown; or the secretary determines that good cause, as defined in federal regulations promulgated pursuant to title IV-D of the federal social security act, exists for not requiring the social security number. Nothing in this subsection shall delay the filing or issuance of the birth certificate.

Sec. 85. K.S.A. 2011 Supp. 74-147 is hereby amended to read as follows: 74-147. (a) Any notice to a licensing body served pursuant to K.S.A. 20-1204a, and amendments thereto, shall have attached a copy of the court order finding the licensee in contempt of court in a child support proceeding. Any notice to a licensing body

served pursuant to ~~K.S.A. 60-1622~~ K.S.A. 2011 Supp. 23-3119, and amendments thereto, shall have attached a copy of the warrant or subpoena outstanding against the licensee. Any notice to a licensing body served pursuant to K.S.A. 2011 Supp. ~~60-1622a 23-3120~~, and amendments thereto, shall have attached a copy of the court order stating the findings of fact required by K.S.A. 2011 Supp. ~~60-1622a 23-3120~~, and amendments thereto. The notice shall advise the licensing body of the duty to comply with K.S.A. 74-146 and 74-147, and amendments thereto; shall provide the name of the licensee and information which will assist the licensing body to identify the correct person; and shall provide the name, mailing address and telephone number of the person serving the notice. If inadequate identifying information is included in the notice, the licensing body shall promptly contact the person serving the notice to request additional information.

(b) If a licensing body receives a notice pursuant to subsection (a), the licensing body shall, within 30 days after receiving the notice, notify the licensee of the licensing body's intent to suspend or to withhold issuance or renewal of the licensee's authorization to practice a profession in this state and of the licensee's rights and duties under this section. If the licensing body does not receive sufficient information with the notice to identify the correct licensee, the 30 days shall commence when sufficient identifying information is received.

(c) If the licensing body receives a notice pursuant to subsection (a), the licensing body shall provide the licensee a temporary license, authorizing the individual to practice a profession in this state, if the licensee is otherwise eligible. The temporary license shall be valid for a period of six months from the date the notice to the licensee pursuant to subsection (b) was issued. A temporary license issued under this section shall not be extended, except that the licensing body may extend the temporary license up to 30 days to prevent extreme hardship for a person being served by the licensee. If the licensee does not furnish a release pursuant to subsection (c) within the time required by the licensing body, the licensing body shall proceed to suspend, terminate, deny or refuse to renew the licensee's authority to practice a profession in this state.

(d) If an authorization to practice a profession in this state is suspended, denied or not renewed pursuant to this section, any funds paid by the licensee shall not be refunded by the licensing body.

(e) If a temporary license has been issued pursuant to subsection (c), the licensee shall obtain a release from the court that authorized the notice to the licensing body, as a condition for the issuance or renewal of the licensee's authorization to practice a profession in this state. The licensing body may require the licensee to furnish the release before the temporary license expires.

(f) In any review of the licensing body's actions pursuant to K.S.A. 74-146 and 74-147, and amendments thereto, conducted by the licensing body at the request of the licensee, the issues shall be limited to the identity of the licensee and the validity of notices pursuant to this section. The licensing body shall have no jurisdiction over issues related to the support obligation of the licensee.

(g) The licensing body shall immediately terminate any proceedings, concerning a court order for support of a child, against a licensee upon presentation by the licensee of a notice of compliance from the court that authorized the initial notice as provided in subsection (a). The court shall issue a notice of compliance to the licensee if the licensee has contacted the court and is attempting to comply with a payment plan. If the

licensee's license has been suspended or not renewed, and the licensee has provided the notice of compliance from the court and otherwise qualifies for the license, the licensing body shall reinstate the license or issue the renewal license to the licensee.

Sec. 86. K.S.A. 2011 Supp. 74-4923 is hereby amended to read as follows: 74-4923. (a) No alteration, amendment or repeal of this act shall affect the then existing rights of members and beneficiaries but shall be effective only as to rights which would otherwise accrue under this act as a result of services rendered by an employee after the alteration, amendment or repeal. This subsection shall not apply to any alteration or amendment of this act which provides greater benefits to members or beneficiaries, but any increase of benefits shall only be applicable to benefits payable on the first day of the month coinciding with or following the effective date of the alteration or amendment.

(b) Any annuity, benefits, funds, property or rights created by, or accruing to any person under the provisions of K.S.A. 74-4901 *et seq.* or 74-4951 *et seq.*, and amendments thereto, including, but not limited to, for all taxable years beginning after December 31, 2000, amounts received as a lump-sum payment at retirement as provided by K.S.A. 74-4918, 74-4964 or 74-4964a, and amendments thereto, and all earnings thereof, shall be exempt from any tax of the state of Kansas or any political subdivision or taxing body of the state, and such lump-sum payment at retirement, and all earnings thereof, shall retain such tax exempt status even if a retirant elects to roll over such lump-sum payment at retirement, and earnings, into a qualified retirement account whether segregated from or commingled with other retirement funds; shall not be subject to execution, garnishment or attachment, or, except as otherwise provided, any other process or claim whatsoever; and shall be unassignable, except that within 30 days after the death of a retirant the lump-sum death benefit payable to a retirant's beneficiary pursuant to the provisions of K.S.A. 74-4989, and amendments thereto, may be assignable to a funeral establishment providing funeral services to the retirant by the beneficiary of such retirant. Any annuity or benefit or accumulated contributions due and owing to any person under the provisions of K.S.A. 74-4901 *et seq.* or 74-4951 *et seq.*, and amendments thereto, are subject to claims of an alternate payee under a qualified domestic relations order. As used in this subsection, the terms "alternate payee" and "qualified domestic relations order" shall have the meaning ascribed to them in section 414(p) of the federal internal revenue code. The provisions of this act shall apply to any qualified domestic relations order which is in effect on or after July 1, 1994. The Kansas public employees retirement system shall not be a party to any action under ~~article 16 of chapter 60~~ the Kansas family law code, chapter 23 of the Kansas Statutes Annotated, and amendments thereto, but is subject to orders from such actions issued by the district court of the county where such action was filed and may also accept orders which it deems to be qualified under this subsection from courts having jurisdiction of such actions outside the state of Kansas. Such orders from such actions shall specify either a specific amount or specific percentage of the amount of the pension or benefit or any accumulated contributions due and owing from the system to be distributed by the system pursuant to this act.

(c) In any case where a state agency is owed a debt or where a participating employer under the Kansas public employees retirement system or under the Kansas police and firemen's retirement system has been required to pay and has paid an arrearage obligation of the amount of contributions of a member which were not paid at

the time required and where the employment of the member by the state agency or participating employer has been terminated and the member is eligible to withdraw accumulated contributions in accordance with K.S.A. 74-4917 and 74-4963, and amendments thereto, the state agency or participating employer shall be paid from the member's account in the fund an amount equal to the debt or the amount of contributions of the member paid by the participating employer pursuant to an arrearage obligation, upon application to the board therefor accompanied by certification of the amount to be paid to the state agency or participating employer. If any application and certification under this subsection are not received by the board prior to the withdrawal of accumulated contributions by the member, the board shall not be liable to pay and shall not pay any amount from the fund pursuant to any such application and certification.

Sec. 87. K.S.A. 74-7334 is hereby amended to read as follows: 74-7334. (a) There is hereby created in the state treasury the crime victims assistance fund. All moneys credited to the fund pursuant to K.S.A. 12-4117, 19-101e, 19-4707 and 20-367, and amendments thereto, shall be used solely for the purpose of making grants for on-going operating expenses of programs, including court-appointed special advocate programs, providing: (1) Temporary emergency shelter for victims of child abuse and neglect; (2) counseling and assistance to those victims; or (3) educational services directed at reducing the incidence of child abuse and neglect and diminishing its impact on the victim. The remainder of moneys credited to the fund shall be used for the purpose of supporting the operation of state agency programs which provide services to the victims of crime and making grants to existing programs or to establish and maintain new programs providing services to the victims of crime.

(b) All expenditures from the crime victims assistance fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the attorney general or by a person or persons designated by the attorney general.

(c) The attorney general may apply for, receive and accept moneys from any source for the purposes for which moneys in the crime victims assistance fund may be expended. Upon receipt of any such moneys, the attorney general shall remit the entire amount to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the crime victims assistance fund.

(d) Grants made to programs with funds derived from K.S.A. 12-4117, 19-101e, 19-4707 and 20-367, and amendments thereto, shall be based on the numbers of persons served by the program and shall be made only to programs aimed at preventing child abuse and neglect or providing residential services or facilities to victims of child abuse or neglect. In order for programs to qualify for funding under this section, they must:

- (1) Meet the requirements of section 501(c) of the internal revenue code of 1986;
- (2) be registered and in good standing as a nonprofit corporation;
- (3) meet normally accepted standards for nonprofit organizations;
- (4) have trustees who represent the racial, ethnic and socioeconomic diversity of the county or counties served;
- (5) have received 50% or more of their funds from sources other than funds distributed through the fund, which other sources may be public or private and may

include contributions of goods or services, including materials, commodities, transportation, office space or other types of facilities or personal services;

- (6) demonstrate ability to successfully administer programs;
- (7) make available an independent certified audit of the previous year's financial records;
- (8) have obtained appropriate licensing or certification, or both;
- (9) serve a significant number of residents of the county or counties served;
- (10) not unnecessarily duplicate services already adequately provided to county residents; and
- (11) agree to comply with reporting requirements of the attorney general.

The attorney general may adopt rules and regulations establishing additional standards for eligibility and accountability for grants made pursuant to this section.

(e) All moneys credited to the fund pursuant to ~~K.S.A. 23-108a~~ K.S.A. 2011 Supp. 23-2510, and amendments thereto, shall be set aside to use as matching funds for meeting any federal requirement for the purpose of establishing child exchange and visitation centers as provided in K.S.A. 75-720, and amendments thereto. If no federal funds are made available to the state for the purpose of establishing such child exchange and visitation centers, then such moneys may be used as otherwise provided in this section. Only those moneys credited to the fund pursuant to ~~K.S.A. 23-108a~~ K.S.A. 2011 Supp. 23-2510, and amendments thereto, may be used for such matching funds. No state general fund moneys shall be used for such matching funds.

Sec. 88. K.S.A. 2011 Supp. 65-6608, as amended by section 1 of 2012 Senate Bill No. 290 is hereby amended to read as follows: 65-6608. As used in the addictions counselor licensure act:

(a) "Board" means the behavioral sciences regulatory board created under K.S.A. 74-7501, and amendments thereto.

(b) "Addiction counseling" means the utilization of special skills to assist persons with addictions, and to assist such persons' families and friends to achieve resolution of addiction through the exploration of the disease and its ramifications, the examination of attitudes and feelings, the consideration of alternative solutions and decision making, as these relate specifically to addiction. Evaluation and assessment, treatment including treatment plan development, crisis intervention, referral, record keeping and clinical consultation specifically related to addiction are within the scope of addiction counseling. Additionally, at the clinical level of licensure, addiction counseling includes independent practice and the diagnosis and treatment of substance use disorders.

(c) "Licensed addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person shall engage in the practice of addiction counseling ~~only~~ in a state-licensed or certified alcohol and other drug treatment program or in completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to sections 1 through 13, and amendments thereto, unless otherwise exempt for licensure under subsection (m) of K.S.A. 59-29b46, and amendments thereto.

(d) "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by

rules and regulations and is licensed under this act.

Sec. 89. On July 1, 2012, K.S.A. 2011 Supp. 23-3508 is hereby repealed.

Sec. 90. K.S.A. 13-1246a, 20-1204a, 20-2618, 23-4,125, 23-4,126, 23-4,127, 23-4,128, 23-4,129, 23-4,130, 23-4,131, 23-4,132, 23-4,133, 23-4,134, 23-4,135, 23-4,136, 23-4,137, 39-7,138, 39-7,147, 44-514, 60-2308, 60-3103, 65-2409a and 74-7334 and K.S.A. 2011 Supp. 12-4509, 12-5005, 20-164, 20-165, 20-302b, 21-5414, 21-5808, 21-5924, 21-6604, as amended by section 1 of 2012 House Bill No. 2465, 22-4616, 23-2217, 23-2704, 23-2706, 23-2709, 23-2710, 23-2715, 23-2717, 23-2802, 23-2902, 23-2905, 23-3001, 23-3004, 23-3005, 23-3207, 23-3208, 23-3215, 23-3219, 23-3221, 23-3222, 23-3301, 23-3302, 23-3304, 23-3403, 38-1518, 38-2201, 38-2202, 38-2203, 38-2220, 38-2221, 38-2223, 38-2255, 38-2255b, 38-2264, 38-2304, 38-2313, 38-2318, 38-2362, 39-7,135, 39-7,145, 59-2136, 60-308, 60-703, 60-1613, 60-2403, 60-2803, 60-3107, 65-6608, as amended by section 1 of 2012 Senate Bill No. 290, 74-147 and 74-4923 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in line 1, in the title, by striking all after "AN ACT" and inserting:

"concerning domestic relations; enacting the batterer intervention program certification act; relating to case management; recodification of the Kansas family law code; amending K.S.A. 13-1246a, 20-1204a, 20-2618, 39-7,138, 39-7,147, 44-514, 60-2308, 60-3103, 65-2409a and 74-7334 and K.S.A. 2011 Supp. 12-4509, 12-5005, 20-164, 20-165, 20-302b, 21-5414, 21-5808, 21-5924, 21-6604, as amended by section 1 of 2012 House Bill No. 2465, 22-4616, 23-2217, 23-2704, 23-2706, 23-2709, 23-2710, 23-2715, 23-2717, 23-2802, 23-2902, 23-2905, 23-3001, 23-3004, 23-3005, 23-3207, 23-3208, 23-3215, 23-3219, 23-3221, 23-3222, 23-3301, 23-3302, 23-3304, 23-3403, 23-3508, 38-1518, 38-2201, 38-2202, 38-2203, 38-2220, 38-2221, 38-2223, 38-2255, 38-2264, 38-2304, 38-2313, 38-2318, 38-2362, 39-7,135, 39-7,145, 59-2136, 60-308, 60-703, 60-2403, 60-2803, 60-3107, 65-6608, as amended by section 1 of 2012 Senate Bill No. 290, 74-147 and 74-4923 and repealing the existing sections; also repealing K.S.A. 23-4,125, 23-4,126, 23-4,127, 23-4,128, 23-4,129, 23-4,130, 23-4,131, 23-4,132, 23-4,133, 23-4,134, 23-4,135, 23-4,136 and 23-4,137 and K.S.A. 2011 Supp. 38-2255b and 60-1613.";

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

Senator Owens moved the Senate adopt the Conference Committee Report on **SB 304**.

On roll call, the vote was: Yeas 35; Nays 1; Present and Passing 0; Absent or Not Voting 4.

Yeas: Abrams, Apple, Bruce, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Kelly, King, Kultala, Longbine, Love, Lynn, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V.

Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Huntington.

Absent or Not Voting: Brungardt, Kelsey, Marshall, Masterson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **S Sub for HB 2157** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 8 through 36;

By striking all on pages 2 through 12 and inserting:

"New Section 1. Sections 1 through 5, and amendments thereto, shall be known and may be cited as the competitive bid protection act.

New Sec. 2. The purposes of the competitive bid protection act are to: (a) Provide for the efficient procurement of goods and services by governmental entities;

(b) promote the economical, nondiscriminatory and efficient administration and completion of state and state-funded or state-assisted construction projects by governmental entities;

(c) provide for fair and open competition for construction contracts, awarded by governmental entities;

(d) prohibit requirements for certain terms in construction contracts awarded by governmental entities;

(e) prohibit the expenditure of public funds under certain conditions;

(f) prohibit certain terms in procurement documents by governmental entities for public facilities; and

(g) provide powers and duties for certain public officers, employees and contractors.

New Sec. 3. (a) Unless otherwise required by law, each governmental entity within this state that contracts for public works construction shall ensure that neither the awarding governmental entity nor any agent responsible for procuring a contract directly between the governmental entity and a contractor shall not:

(1) Require any bidder, contractor, subcontractor or material supplier to enter into or agree to enter into any prehire agreement, project labor agreement, collective bargaining agreement or any other similar agreement with one or more labor organizations on the same or other related construction projects; or

(2) discriminate against or treat differently any bidder, contractor, subcontractor or material supplier for becoming, refusing to become or remaining signatories or otherwise to agree to enter into any prehire agreement, project labor agreement, collective bargaining agreement or any other similar agreement with one or more labor organizations on the same or other related construction projects.

(b) Nothing in this section shall prohibit:

(1) Any bidder, contractor, subcontractor, construction manager, design-builder or material supplier of any tier from voluntarily entering into agreements described in paragraph (1) of subsection (a); or

(2) any contractor, construction manager or design builder from requiring its

subcontractors or material suppliers of any tier to enter into a collective bargaining agreement.

New Sec. 4. No provision of this act shall be construed to:

(a) Prohibit any employer or other party from entering into any agreement or engaging in any other activity protected by the national labor relations act, 29 U.S.C. §§ 151 to 169; and

(b) interfere with labor relations of any party that is protected under the national labor relations act, 29 U.S.C. §§ 151 to 169.

New Sec. 5. For the purposes of this act:

(a) "Governmental entity" means a state agency or a municipality as the context requires.

(b) "Municipality" means the same as specified in K.S.A. 12-105a, and amendments thereto.

(c) "State agency" means the same as specified in K.S.A. 75-3728a, and amendments thereto.

Sec. 6. K.S.A. 2011 Supp. 75-3740 is hereby amended to read as follows: 75-3740.

(a) Except as provided by K.S.A. 75-3740b, and amendments thereto, and subsection (g), all contracts and purchases made by or under the supervision of the director of purchases or any state agency for which competitive bids are required shall be awarded to the lowest responsible bidder, taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids.

(b) The director of purchases shall have power to decide as to the lowest responsible bidder for all purchases, but if:

(1) The dollar amount of the bid received from the lowest responsible bidder from within the state is identical to the dollar amount of the bid received from the lowest responsible bidder from without the state, the contract shall be awarded to the bidder from within the state; and

(2) in the case of bids for paper products specified in K.S.A. 75-3740b, and amendments thereto, the dollar amounts of the bids received from two or more lowest responsible bidders are identical, the contract shall be awarded to the bidder whose bid is for those paper products containing the highest percentage of recycled materials.

(c) Any or all bids may be rejected, and a bid shall be rejected if it contains any material alteration or erasure made after the bid is opened. The director of purchases may reject the bid of any bidder who is in arrears on taxes due the state, who is not properly registered to collect and remit taxes due the state or who has failed to perform satisfactorily on a previous contract with the state. The secretary of revenue is hereby authorized to exchange such information with the director of purchases as is necessary to effectuate the preceding sentence notwithstanding any other provision of law prohibiting disclosure of the contents of taxpayer records or information. Prior to determining the lowest responsible bidder on contracts for construction of buildings or for major repairs or improvements to buildings for state agencies, the director of purchases shall consider: (1) The criteria and information developed by the secretary of administration, with the advice of the state building advisory commission to rate contractors on the basis of their performance under similar contracts with the state, local governmental entities and private entities, in addition to other criteria and information available; and (2) the recommendations of the project architect, or, if there is no project architect, the recommendations of the secretary of administration or the agency

architect for the project as provided in K.S.A. 75-1254, and amendments thereto. In any case where competitive bids are required and where all bids are rejected, new bids shall be called for as in the first instance, unless otherwise expressly provided by law or the state agency elects not to proceed with the procurement.

(d) Before the awarding of any contract for construction of a building or the making of repairs or improvements upon any building for a state agency, the director of purchases shall receive written approval from the state agency for which the building construction project has been approved, that the bids generally conform with the plans and specifications prepared by the project architect, by the secretary of administration or by the agency architect for the project, as the case may be, so as to avoid error and mistake on the part of the contractors. In all cases where material described in a contract can be obtained from any state institution, the director of purchases shall exclude the same from the contract.

(e) All bids with the names of the bidders and the amounts thereof, together with all documents pertaining to the award of a contract, shall be made a part of a file or record and retained by the director of purchases for five years, unless reproduced as provided in K.S.A. 75-3737, and amendments thereto, and shall be open to public inspection at all reasonable times.

(f) As used in this section and in K.S.A. 75-3741, and amendments thereto, "project architect" shall have the meaning ascribed thereto in K.S.A. 75-1251, and amendments thereto.

(g) When a state agency is receiving bids to purchase passenger motor vehicles, such agency shall follow the procedures prescribed in subsection (b)(1), except in the case where one of the responsible bidders offers motor vehicles which are assembled in Kansas. In such a case, 3% of the bid of the responsible bidder which offers motor vehicles assembled in Kansas shall be subtracted from the bid amount, and that amount shall be used to determine the lowest bid pursuant to subsection (b)(1). This subsection shall only apply to bids which match the exact motor vehicle specifications of the agency purchasing passenger motor vehicles.

Sec. 7. K.S.A. 2011 Supp. 75-3740 is hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the statute book.":

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in lines 2 through 5, and inserting "concerning competitive bidding; relating to purchase of motor vehicles by state agencies; enacting the competitive bid protection act; amending K.S.A. 2011 Supp. 75-3740 and repealing the existing section.":

And your committee on conference recommends the adoption of this report.

LES DONOVAN

PAT APPLE

Conferees on part of Senate

RICHARD CARLSON

MARVIN KLEEB

Conferees on part of House

Senator Donovan moved the Senate adopt the Conference Committee Report on **S Sub for HB 2157**.

On roll call, the vote was: Yeas 25; Nays 9; Present and Passing 2; Absent or Not Voting 4.

Yeas: Abrams, Apple, Donovan, Emler, Faust-Goudeau, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, McGinn, Merrick, Olson, Ostmeyer, Pilcher-Cook, Pyle, A. Schmidt, Steineger, Taddiken, Wagle.

Nays: Bruce, Morris, Owens, Petersen, Reitz, V. Schmidt, Schodorf, Umbarger, Vratil.

Present and Passing: Francisco, Teichman.

Absent or Not Voting: Brungardt, Kelsey, Marshall, Masterson.

The Conference Committee Report was adopted.

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Tuesday, May 15, 2012.

Journal of the Senate

SIXTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, May 15, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.

The roll was called with forty senators present.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

There is a pertinent question
That we should ask You, Lord,
In the midst of controversy
Which may produce discord.

It seems a simple question,
But it could produce some light
If we simply ask ourselves,
“Is what we're doing right?”

Somewhere along the line, O God,
It's easy to lose sight,
And ask some other questions
Instead of, “Is it right?”

“Is it smart?” or “Is it safe?”
“Expedient?” or “Dynamite?”
Are some questions we might ask
Instead of, “Is it right?”

It may be true that “What is right?”
Could be a hard thing to define,
That's when we should ask You, Lord,
To define it for us every time.

And after You've approved it, Lord,
Though it could provoke a fight.
Help us answer the question,
“Is what we're doing right?”

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

MESSAGE FROM THE GOVERNOR

SB 14, SB 262 approved May 14, 2012.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 306**.

The House adopts the Conference Committee report on **Substitute SB 307**.

On motion of Senator Emler the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

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

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **House Substitute for SB 425**.

On motion of Senator Emler the Senate recessed until 2:45 p.m.

The Senate met pursuant to recess with Senator Morris in the chair.

INTRODUCTION OF ORIGINAL MOTION AND SENATE RESOLUTIONS.

Pursuant to subsection (b) of Senate Rule 11, I move to withdraw **House Bill 2764** from the Committee on **Financial Institutions and Insurance** and have it placed on the Calendar under that order of business General Orders. The reasons for withdrawal include:

1. **HB 2764** passed the House on March 21, 2012 by a vote of 92-30 and was referred to the Committee on Financial Institutions and Insurance on March 28, 2012. The bill contains important public policy, but has not been considered by the Committee on Financial Institutions and Insurance.

2. The underlying coverage in **HB 2764** is identical to the coverage contained in **Senate Substitute for House Bill 2160** in the 2010 Legislative Session. That measure passed this chamber in 2010, placing the coverage for the treatment and diagnosis of autism spectrum disorder in the state employee health plan, by a vote of 40-0 on March 18, 2010. **Senate Substitute for House Bill 2160** was the product of many hours of work of the Chair of the Financial Institutions and Insurance.

3. **HB 2764** contains the same precise coverage limitations for Autism Spectrum Disorder as **Senate Substitute for House Bill 2060** and would now extend that coverage, with those limitations, to any individual or group health insurance policy, plan, contract, fraternal benefit society, or health maintenance organization that provides coverage for accident and health services on and after July 1, 2012, (for policies issued, amended or renewed) to provide coverage for the treatment and diagnosis of autism spectrum disorders (ASDs) for covered individuals.

4. **HB 2764** is not new subject matter for this chamber, extending coverage to private insurance, following a successful test track with the State Employee Health Plan, and should be withdrawn as requested and placed on General Orders for debate.

Senator Rob Olson
District 23

ORIGINAL MOTION

Senator Emler moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **H Sub for SB 287; SB 306; Sub SB 307; H Sub for SB 425; S Sub for HB 2597.**

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **H Sub for SB 287** submits the following report:

The Senate accedes to all House amendments to the bill and your committee on conference further agrees to amend the bill, as printed as House Substitute for Senate Bill No. 287 as follows:

On page 4, in line 2, after "administrator" by inserting "and approved by the governor"; in line 4, by striking "geographic"; by striking all in lines 5 through 7 and inserting "The administrator's salary schedule for unclassified positions shall be reported to the credit union council annually."; in line 19, by striking the second "and" and inserting a comma; in line 20, before the period by inserting "and shall receive compensation in accordance with an equitable salary schedule established by the administrator and approved by the governor for all unclassified positions"; in line 25, by striking "geographic";

On page 6, following line 13, by inserting the following:

"Sec. 4. K.S.A. 2011 Supp. 9-508 is hereby amended to read as follows: 9-508. As used in this act:

(a) "Agent" means an entity or person designated by the licensee, or by an exempt entity, to engage in the business of transmitting money on behalf of the licensee, or an exempt entity, at one or more physical locations throughout the state or through the internet;

~~(a)~~(b) "commissioner" means the state bank commissioner;

~~(b)~~(c) "electronic instrument" means a card or other tangible object for the transmission or payment of money, including a stored value card or device which contains a microprocessor chip, magnetic stripe or other means for the storage of information, that is prefunded and for which the value is decremented upon each use, but does not include a card or other tangible object that is redeemable by the issuer in goods or services;

~~(e)~~(d) "monetary value" means a medium of exchange, whether or not redeemable in money;

~~(d)~~(e) "money transmission" means to engage in the business of the sale or issuance of payment instruments or of receiving money or monetary value for transmission to a location within or outside the United States by wire, facsimile, electronic means or any other means;

~~(e)~~(f) "outstanding payment instrument" means any payment instrument issued by the licensee which has been sold in the United States directly by the licensee or any money order or instrument issued by the licensee which has been sold by an agent of the licensee in the United States, which has been reported to the licensee as having been sold and which has not yet been paid by or for the licensee;

~~(f)~~(g) "payment instrument" means any electronic or written check, draft, money order, travelers check or other electronic or written instrument or order for the transmission or payment of money, sold or issued to one or more persons, whether or not such instrument is negotiable. The term "payment instrument" does not include any credit card voucher, any letter of credit or any instrument which is redeemable by the issuer in goods or services;

~~(g)~~(h) "permissible investments" means:

- (1) Cash;
- ~~(2) certificates of deposit or other debt obligations of a financial institution, either domestic or foreign;~~
- ~~(3) bills of exchange or time drafts drawn on and accepted by a commercial bank, otherwise known as bankers' acceptances, which are eligible for purchase by member banks of the federal reserve system;~~
- ~~(4) any investment bearing a rating of one of the three highest grades as defined by a nationally recognized organization that rates such securities;~~
- ~~(5) investment securities that are obligations of the United States, its agencies or instrumentalities, or obligations that are guaranteed fully as to principal and interest of the United States, or any general obligations of any state, municipality or any political subdivision thereof;~~
- ~~(6) deposits in a demand or interest bearing account with a domestic federally insured depository institution, including certificates of deposit;~~
- ~~(3) debt obligations of a domestic federally insured depository institution;~~
- ~~(4) any investment bearing a rating of one of the three highest grades as defined by a nationally recognized organization that rates such securities;~~
- ~~(5) investment grade bonds and other legally created general obligations of a state, an agency or political subdivision of a state, the United States or an instrumentality of the United States;~~
- ~~(6) obligations that a state, an agency or political subdivision of a state, the United States or an instrumentality of the United States has unconditionally agreed to purchase, insure or guarantee and that bear a rating of one of the three highest grades as defined by a nationally recognized organization that rates securities;~~
- (7) shares in a money market mutual fund, interest-bearing bills or notes or bonds, debentures or stock traded on any national securities exchange or on a national over-the-counter market, or mutual funds primarily composed of such securities or a fund composed of one or more permissible investments as set forth herein;

(7) ~~any demand borrowing agreement or agreements made to a corporation or a subsidiary of a corporation whose capital stock is listed on a national exchange;~~

(8) ~~receivables which are due to a licensee from its authorized such licensee's agents pursuant to a contract, which are not past due or doubtful of collection and which do not exceed in the aggregate 20% of the total required permissible investments pursuant to K.S.A. 9-513b, and amendments thereto; or~~

(9) any other investment or security device approved by the commissioner.

~~(h)(i) "Person" means any individual, partnership, association, joint-stock association, trust, corporation or any other form of business enterprise authorized to do business in this state; and~~

~~(i)(j) "stored value" means monetary value that is evidenced by an electronic record.~~

Sec. 5. K.S.A. 2011 Supp. 9-509 is hereby amended to read as follows: 9-509. (a) No person shall engage in the business of selling, issuing or delivering its payment instrument, check, draft, money order, personal money order, bill of exchange, evidence of indebtedness or other instrument for the transmission or payment of money or otherwise engage in the business of money transmission with a resident of this state, or, except as provided in K.S.A. 9-510, and amendments thereto, act as agent for another in the transmission of money as a service or for a fee or other consideration, unless such person obtains a license from the commissioner.

~~(b)(1) An application for a license shall be submitted on forms prescribed by the commissioner. The application shall be accompanied by an application fee as established by rules and regulations adopted by the commissioner in the form and manner prescribed by the commissioner. The application shall be accompanied by nonrefundable fees established by the commissioner for the license and each agent location. Such fees shall be due annually on July 1. A license shall be renewed by filing with the commissioner a complete application and nonrefundable application fees at least 30 days prior to expiration of the license as reflected on the face of the license certificate. The commissioner shall determine the amount of such fees to provide sufficient funds to meet the budget requirements of administering and enforcing the act for each fiscal year. For the purposes of this subsection, "each agent location" means each physical location within the state where money transmission is conducted, including, but not limited to, branch offices, authorized vendor offices, delegate offices, kiosks and drop boxes.~~

~~(2) The commissioner may require fingerprinting of any individual, officer, director, partner, member, shareholder or any other person related to the application deemed necessary by the commissioner. Such fingerprints may be submitted to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The fingerprints shall be used to identify the person and to determine whether the person has a record of arrests and convictions in this state or other jurisdiction. The commissioner may use information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the person to be issued or to maintain a license, or in the case of an applicant company, the persons associated with the company. Whenever the commissioner requires fingerprinting, any associated costs shall be paid by the applicant or the parties to the application. If the applicant is a publicly traded corporation or a subsidiary of a publicly traded~~

corporation, no fingerprint check shall be required.

(3) In addition, each person submitting an application shall meet the following requirements:

(A) The net worth of such person shall be at all times not less than \$250,000, as shown by an audited financial statement and certified to by an owner, a partner or officer of the corporation or other entity ~~in a form prescribed by the commissioner and filed in the commissioner's office~~ filed in the form and manner prescribed by the commissioner. The commissioner may require any person to file a statement at any other time upon request;

(B) such person shall deposit and at all times keep on deposit with the state treasurer, or a bank in this state approved by the commissioner, cash or securities satisfactory to the commissioner in an amount not less than \$200,000. The commissioner may increase the amount of cash or securities required up to a maximum of \$500,000 upon the basis of the impaired financial condition of a person, as evidenced by a reduction in net worth, financial losses or other relevant criteria as determined by the commissioner;

(C) in lieu of the deposit of cash or securities required by paragraph (B), such person may give a surety bond in an amount equal to that required for the deposit of cash or securities, in a form satisfactory to the commissioner and issued by a company authorized to do business in this state, which bond shall be payable to the office of the state bank commissioner and be filed with the commissioner. ~~The deposit of cash or securities or surety bond shall be for the protection and benefit of purchasers of money transmission services, purchasers or holders of payment instruments furnished by such person or for the protection of those for whom such person has agreed to act as agent in the transmission of monetary value and to secure the faithful performance of the obligations of such person in respect to the receipt, handling, transmission and payment of monetary value. The aggregate liability of the surety for all breaches of the conditions of the bond shall, in no event, exceed the amount of such bond. The surety on the bond shall have the right to cancel such bond upon giving 30 days' notice to the commissioner and thereafter shall be relieved of liability for any breach of condition occurring after the effective date of the cancellation. The commissioner or any aggrieved party may enforce claims against such deposit of cash or securities or surety bond. So long as the depositing person is not in violation of this act, such person shall be permitted to receive all interest and dividends on the deposit and shall have the right to substitute other securities satisfactory to the commissioner. If the deposit is made with a bank, any custodial fees shall be paid by such person; and~~

(D) such person shall submit a list to the commissioner of the names and addresses of other persons who are authorized to act as ~~selling~~ agents for transactions with Kansas residents.

(c) ~~The commissioner shall have the authority to examine the books and records of any person operating in accordance with the provisions of this act at such person's expense to verify compliance with state and federal law~~ deposit of cash, securities or surety bond required by this section shall be subject to:

(1) Payment to the commissioner for the protection and benefit of purchasers of money transmission services, purchasers or holders of payment instruments furnished by such person, and those for whom such person has agreed to act as agent in transmission of monetary value and to secure the faithful performance of the obligations

of such person in respect to the receipt, handling, transmission and payment of monetary value; and

(2) payment to the commissioner for satisfaction of any expenses, fines, fees or refunds due pursuant to this act, levied by the commissioner or that become lawfully due pursuant to a final judgment or order.

(d) The aggregate liability of the surety for all breaches of the conditions of the bond, in no event, shall exceed the amount of such bond. The surety on the bond shall have the right to cancel such bond upon giving 30 days notice to the commissioner and thereafter shall be relieved of liability for any breach of condition occurring after the effective date of the cancellation. The commissioner or any aggrieved party may enforce claims against such deposit of cash or securities or surety bond. So long as the depositing person is not in violation of this act, such person shall be permitted to receive all interest and dividends on the deposit and shall have the right to substitute other securities satisfactory to the commissioner. If the deposit is made with a bank, any custodial fees shall be paid by such person.

(e) (1) The commissioner shall have the authority to examine the books and records of any person operating in accordance with the provisions of this act, at such person's expense, to verify compliance with state and federal law.

(2) For purposes of investigation, examination or other proceeding under this act, the commissioner may administer or cause to be administered oaths, subpoena witnesses and documents, compel the attendance of witnesses, take evidence and require the production of any document that the commissioner determines to be relevant to the inquiry.

Sec. 6. K.S.A. 2011 Supp. 9-510 is hereby amended to read as follows: 9-510. ~~Any person complying with the provisions of this act may engage in such business.~~ A licensee may engage in the business of money transmission at one or more locations in this state and through or by means of such agents as such person may designate and appoint from time to time. A verified list of agents shall be furnished annually to the commissioner by persons operating hereunder, on a date prescribed by the commissioner. No such agent shall be required to comply with the licensing provisions of this act.

Sec. 7. K.S.A. 2011 Supp. 9-511 is hereby amended to read as follows: 9-511. ~~This act shall not apply to banks, building and loan associations, savings and loan associations, savings banks or credit unions organized under the laws of and subject to the supervision of this state, another state or the United States, or to the government of the United States and its agencies, or to the state of Kansas and its agencies. This act also shall not apply to the distribution, transmission or payment of money as a part of the lawful practice of law, bookkeeping, accounting or real estate sales or brokerage or as an incidental and necessary part of any lawful business activity.~~ This act shall not apply to:

(a) (1) Banks, building and loan associations, savings and loan associations, savings banks or credit unions, including agents of any of these business entities, organized under the laws of and subject to the supervision of this state, another state or the United States;

(2) the government of the United States and its agencies, including agents of the government and its agencies; or

(3) the state of Kansas and its agencies, including agents of the state of Kansas and

its agencies.

(b) This act also shall not apply to the distribution, transmission or payment of money as a part of the lawful practice of law, bookkeeping, accounting or real estate sales or brokerage or as an incidental and necessary part of any lawful business activity.

Sec. 8. K.S.A. 2011 Supp. 9-512 is hereby amended to read as follows: 9-512. (a) The commissioner, after notice and an opportunity for hearing, may issue an order to address any violation of this act:

(1) Assessing a fine against any person who violates this act, or rules and regulations adopted thereto, in an amount not to exceed \$5,000 per violation;

(2) assessing the agency's operating costs and expenses for investigating and enforcing this act;

(3) requiring the person to pay restitution for any loss arising from the violation or requiring the person to disgorge any profits arising from the violation;

(4) barring the person from future application for licensure pursuant to the act; and

(5) requiring such affirmative action as in the judgment of the commissioner which will carry out the purposes of this act.

(b) The commissioner may enter into a consent order at any time with a person to resolve a matter arising under this act, rules and regulations adopted thereto, or an order issued pursuant to this act.

(c) Any person who knowingly violates any provision of this act shall be guilty of a severity level 9, nonperson felony. Each transaction in violation of this act and each day that a violation continues shall be a separate offense except that whenever a corporation shall violate any provision of this act, such violation shall be deemed to be also that of the. Whenever a corporation violates any provision of this act, such violation shall be attributed to individual directors, officers; and agents of such corporation who shall have authorized, ordered; or done performed any of the acts constituting such violation in whole or in part.

(b)(d) A corporation and its directors, officers; and agents may each be prosecuted separately for violations of this act and the acquittal or conviction of one such director, officer or agent shall not abate the prosecution of the others.

(e)(c) Violations of this act also may be enjoined or the violators ousted from continuing such violations by proceedings brought by the county attorney of the proper county or by the attorney general, regardless of whether or not criminal proceedings have been instituted. Whenever it appears that a person has violated, or is likely to violate, this act, rules and regulations adopted thereunder, or an order issued pursuant to this act, then the commissioner may bring an action for injunctive relief to enjoin the violation or enforce compliance, regardless of whether or not criminal proceedings have been instituted. Any person who engages in activities that are regulated and require a license under this act shall be considered to have consented to the jurisdiction of the courts of this state for all actions arising under this act.

Sec. 9. K.S.A. 2011 Supp. 9-513 is hereby amended to read as follows: 9-513.

(a) If any sentence, clause, provision or section of this act or the applicability thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the validity of the remainder of this act or its applicability to other persons or circumstances. It shall be presumed conclusively that the legislature would have enacted the remainder of this act without the sentence, clause, provision or section held invalidly enacted or applied.

(b)—This act shall be interpreted by the commissioner for the purpose of protecting the citizens of this state, against financial loss, who purchase payment instruments or who give money or control of their funds or credit into the custody of another person for transmission, regardless of whether the transmitter has any office, facility, agent or other physical presence in the state.

Sec. 10. K.S.A. 2011 Supp. 9-513a is hereby amended to read as follows: 9-513a.

~~(a) The commissioner shall not issue a license unless the commissioner is of the opinion that the person will be able to and will perform its obligations to purchasers of money transmission services and purchasers, payees and holders of money orders sold by it and its agents, and that the financial responsibility, character, reputation, experience and general fitness of the person, its senior officers, directors and principal stockholders are such to warrant belief that the business will be operated efficiently, fairly and in the public interest.~~

~~(b) The commissioner may, after notice and an opportunity for a hearing, revoke a license if the commissioner finds:~~

~~(1) The person may be financially unable to perform its obligations or that the person has willfully failed without reasonable cause to pay or provide for payment of any of its obligations related to the person's money transmission business;~~

~~(2) the person no longer meets a requirement for initial granting of a license;~~

~~(3) the person or a senior officer, director or a stockholder who owns more than 10% of the money transmission business' outstanding stock has been convicted of a crime involving fraud, dishonesty or deceit;~~

~~(4) there has been entry of a federal or state administrative order against the person for violation of any law or any regulation applicable to the conduct of the person's money transmission business;~~

~~(5) a refusal by the person to permit an investigation by the commissioner;~~

~~(6) a failure to pay to the commissioner any fee required by this act; or~~

~~(7) a failure to comply with any order of the commissioner. The commissioner, after notice and an opportunity for a hearing, may deny, suspend, revoke or refuse to renew a license issued pursuant to this act, or issue a cease and desist order if the commissioner finds any of the following are applicable to any person who is required to be licensed under this act or such person's agent:~~

~~(a) The financial responsibility, character, reputation, experience and general fitness of the person, such person's senior officers, directors and principal stockholders are such to warrant the belief that the business may not be operated efficiently, fairly and in the public interest;~~

~~(b) the person may be financially unable to perform such person's obligations or that the person has willfully failed without reasonable cause to pay or provide for payment of any of such person's obligations related to the person's money transmission business;~~

~~(c) the person no longer meets a requirement for initial granting of a license;~~

~~(d) the person has filed with the commissioner any document or statement falsely representing or omitting a material fact;~~

~~(e) the person concealed a fact or a condition exists which would clearly have justified the commissioner's refusal to grant a license had the fact or condition been known to exist at the time the application for the license was made;~~

~~(f) the person or a senior officer, director or a stockholder who owns more than~~

10% of the money transmission business' outstanding stock has been convicted of a crime involving fraud, dishonesty or deceit;

(g) there has been entry of a federal or state administrative order against the person for violation of any rule and regulation applicable to the conduct of the person's money transmission business;

(h) the person refused to permit an examination or investigation by the commissioner;

(i) a failure to pay to the commissioner any fee required by this act;

(j) the person has engaged in any transaction, practice or business conduct that is fraudulent or deceptive in connection with the business of money transmission;

(k) the person advertises, displays, distributes, broadcasts or televises any false, misleading or deceptive statement or representation with regard to rates, terms or conditions for the transmission of money;

(l) the person fails to keep and maintain sufficient records to permit an audit to satisfactorily disclose to the commissioner the licensee's compliance with the provisions of the act;

(m) the person has been the subject of any disciplinary action by this or any other state or federal agency;

(n) a final judgment has been entered against the person in a civil action and the commissioner finds the conduct on which the judgment is based indicates that it would be contrary to the public interest to permit such person to be licensed; or

(o) the person has violated any order issued by the commissioner, any provision of this act, any rule and regulation adopted thereto, or any other state or federal law applicable to money transmission.

Sec. 11. K.S.A. 2011 Supp. 9-513c is hereby amended to read as follows: 9-513c.

(a) Notwithstanding any other provision of law, all information or reports obtained and prepared by the commissioner in the course of licensing or examining a person engaged in money transmission business shall be confidential and may not be disclosed by the commissioner except as provided in subsection (b) or (c).

(b) The commissioner shall have the authority to share supervisory information, including reports of examinations, with other state or federal agencies having regulatory authority over the person's money transmission business and shall have the authority to conduct joint examinations with other regulatory agencies.

(c) The commissioner may provide for the release of information to law enforcement agencies or prosecutorial agencies or offices who shall maintain the confidentiality of the information.

(d) The commissioner may accept a report of examination or investigation from another state or federal licensing agency, in which the accepted report is an official report of the commissioner. Acceptance of an examination or investigation report does not waive any fee required by this act.

(e) Nothing shall prohibit the commissioner from releasing to the public a list of persons licensed or their agents or from releasing aggregated financial data on such persons.

~~(e)~~(f) The provisions of subsection (a) shall expire on July 1, 2016, unless the legislature acts to reauthorize such provisions. The provisions of subsection (a) shall be reviewed by the legislature prior to July 1, 2016.

Sec. 12. K.S.A. 9-1722 is hereby amended to read as follows: 9-1722. (a) A notice

of a proposed bank acquisition filed pursuant to K.S.A. 9-1721, and amendments thereto, shall contain the following information:

(1) The identity, personal history, business background and experience of each person by whom or on whose behalf the acquisition is to be made, including such person's material business activities and affiliations during the past five years and a description of any material pending legal or administrative proceedings in which the person is a party and any criminal indictment or conviction of such person by a state or federal court;

(2) a statement of the assets and liabilities of each person by whom or on whose behalf the acquisition is to be made, as of the end of the fiscal year for each of the five fiscal years immediately preceding the date of the notice, together with related statements of income and source and application of funds for each of the fiscal years then concluded and an interim statement of the assets and liabilities for each such person, together with related statements of income and source and application of funds, as of a date not more than 90 days prior to the date of the filing of the notice. Individuals who own 10% or more shares in a bank holding company, as defined in K.S.A. 9-519, and amendments thereto, shall file the financial information required by this paragraph;

(3) the terms and conditions of the proposed acquisition and the manner in which the acquisition is to be made;

(4) the identity, source and amount of the funds or other considerations used or to be used in making the acquisition and, if any part of these funds or other considerations has been or is to be borrowed or otherwise obtained for the purpose of making the acquisition, a description of the transaction, the names of the parties, and any arrangements, agreements or understandings with such persons;

(5) any plans or proposals which any acquiring party making the acquisition may have to liquidate the bank, to sell its assets or merge it with any company or to make any other major change in its business or corporate structure or management;

(6) the identification of any person employed, retained or to be compensated by the acquiring party or by any person on such person's behalf to make solicitations or recommendations to stockholders for the purpose of assisting in the acquisition and a brief description of the terms of such employment, retainer or arrangement for compensation;

(7) copies of all invitations or tenders or advertisements making a tender offer to stockholders for purchase of their stock to be used in connection with the proposed acquisition; and

(8) any additional relevant information in such forms as the department may require by specific request in connection with any particular notice.

(b) With regard to any trust company which files a notice pursuant to this section, the commissioner may require fingerprinting of any proposed officer, director, shareholder or any other person deemed necessary by the commissioner. Such fingerprints may be submitted to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The fingerprints shall be used to identify the person and to determine whether the person has a record of arrests and convictions in this state or other jurisdiction. The commissioner may use information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the

qualifications and fitness of the persons proposing to acquire the trust company. Whenever the commissioner requires fingerprinting, any associated costs shall be paid by the applicant or the parties to the application.

(c) The commissioner may accept an application filed with the federal reserve bank or federal deposit insurance corporation in lieu of a statement filed pursuant to subsection (a). The commissioner may, in addition to such application, request additional relevant information.

~~(e)~~(d) At the time of filing a notice of a proposed bank acquisition pursuant to K.S.A. 9-1721, and amendments thereto, or an application filed pursuant to subsection ~~(b)~~(c), the applicant shall pay to the commissioner a fee in an amount established by rules and regulations adopted by the commissioner.

Sec. 13. K.S.A. 9-1801 is hereby amended to read as follows: 9-1801. (a) No bank or trust company shall be organized or incorporated under the laws of this state, nor shall any such institution transact either a banking business or a trust business in this state, until the application for its incorporation and application for authority to do business has been submitted to and approved by the board. The board shall approve or disapprove the organization and establishment of any such institution in the city or town in which the same is sought to be located. The form for making any such application shall be prescribed by the board and any application made to the board shall contain such information as it shall require. The board may require fingerprinting of any officer, director, incorporator or any other person of the proposed trust company related to the application deemed necessary by the board. Such fingerprints may be submitted to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The fingerprints shall be used to identify the person and to determine whether the person has a record of arrests and convictions in this state or other jurisdiction. The commissioner may use information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the persons associated with the applicant trust company to be issued a charter. Whenever the board requires fingerprinting, any associated costs shall be paid by the applicant or the parties to the application. The board shall not approve any such application until it first investigates and examines such application and the applicants.

(b) If upon the dissolution, insolvency or appointment of a receiver of any bank, trust company, national bank association, savings and loan association, savings bank or credit union, it is the opinion of the commissioner that by reason of the loss of services in the community, an emergency exists which may result in serious inconvenience or losses to the depositors or the public interest in the community, the commissioner may accept and approve an application for incorporation and application for authority to do business from applicants for the organization and establishment of a successor bank or trust company.

Sec. 14. K.S.A. 2011 Supp. 75-3135 is hereby amended to read as follows: 75-3135. (a) The bank commissioner shall receive an annual salary to be fixed by the governor with the approval of the state finance council. The bank commissioner is hereby authorized to appoint two deputy commissioners who shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary fixed by the bank commissioner in accordance with an equitable salary schedule established by the bank commissioner and approved by the governor for all unclassified positions. The

average of the salaries shall not exceed the average compensation of corresponding state regulatory positions in similar areas. The bank commissioner's salary schedule shall be reported to the state banking board annually.

(b) (1) The deputy commissioner of the banking division shall supervise all banks and trust companies as directed by the bank commissioner and shall perform such other duties as may be required by the bank commissioner.

(2) The deputy commissioner of the consumer and mortgage lending division shall supervise all consumer and mortgage lending functions as directed by the bank commissioner and shall perform such other duties as may be required by the bank commissioner.

(c) If the office of the bank commissioner is vacant or if the bank commissioner is absent or unable to act, the deputy commissioner of the banking division shall be the acting bank commissioner.

(d) (1) The deputy commissioner of the banking division shall have at least five years' experience as a state bank officer or five years' experience as a state or federal regulator.

(2) The deputy commissioner of consumer and mortgage lending shall have at least five years' experience in consumer or mortgage lending, regulatory, legal or related experience.

(e) The bank commissioner is also authorized to appoint or contract for, in accordance with the civil service law, such special assistants and other employees as are necessary to properly discharge the duties of the office.

Sec. 15. K.S.A. 2011 Supp. 75-3135a is hereby amended to read as follows: 75-3135a. (a) (1) Subject to the provisions of appropriation acts, the bank commissioner may appoint regional managers ~~and~~ financial examiner administrators, case managers, examiners and a business manager within the office of the state bank commissioner as determined necessary by the bank commissioner to effectively carry out the mission of the office. ~~All regional managers and financial examiner administrators~~ Each regional manager, financial examiner administrator, case manager, examiner or business manager appointed after the effective date of this act shall be in the unclassified service under the Kansas civil service act, shall have special training and qualifications for such positions, shall serve at the pleasure of the bank commissioner ~~and shall receive compensation fixed by the bank commissioner and approved by the governor and shall receive compensation in accordance with an equitable salary schedule established by the bank commissioner and approved by the governor for all unclassified positions.~~

(2) The average of the amount of compensation in the bank commissioner's salary schedule for such appointed positions in the unclassified service shall not exceed the average compensation of corresponding state regulatory positions in similar areas. The bank commissioner's salary schedule for unclassified positions shall be reported to the state banking board annually.

(b) Nothing in subsection (a) shall affect the classified status of any person employed in the office of the state bank commissioner on the day immediately preceding the effective date of this act. The provisions of this subsection shall not be construed to limit the powers of the bank commissioner pursuant to K.S.A. 75-2948, and amendments thereto.

Sec. 16. K.S.A. 50-1116 is hereby amended to read as follows: 50-1116. (a) K.S.A. 50-1116 through 50-1135, and amendments thereto, shall be known and may be cited as

the Kansas credit services organization act.

(b) Any ~~person-individual~~ licensed to practice law in this state acting within the course and scope of such ~~person's-individual's~~ practice as an attorney, and such individual's law firm, shall be exempt from the provisions of this act.

Sec. 17. K.S.A. 50-1117 is hereby amended to read as follows: 50-1117. Definitions as used in this act: (a) "Commissioner" means the state bank commissioner.

(b) "Consumer" means an individual who is a resident of this state.

(c) "Credit services organization" means a person who engages in, or holds out to the public as willing to engage in, the business of debt management services for a fee, compensation or gain, or in the expectation of a fee, compensation or gain.

(d) "Debt management service" means:

(1) Receiving or offering to receive funds from a consumer for the purpose of distributing the funds among such consumer's creditors in full or partial payment of such consumer's debts;

(2) improving or offering to improve a consumer's credit record, history or rating;
or

(3) negotiating or offering to negotiate to defer or reduce a consumer's obligations with respect to credit extended by others.

(e) "Insolvent" means a person whose debts exceed their assets.

(f) "Law firm" means a lawyer or lawyers in a law partnership, professional corporation, sole proprietorship or other association authorized to practice law; or lawyers employed in a legal services organization or the legal department of a corporation or other organization.

(g) "Person" means any individual, corporation, partnership, association, unincorporated organization or other form of entity, however organized, including a nonprofit entity.

~~(g)~~(h) "Related interest" means a person:

(1) With respect to an individual who is:

(A) The spouse of the individual;

(B) a brother, brother-in-law, sister, sister-in-law of the individual;

(C) an ancestor or lineal descendant of the individual or the individual's spouse;
and

(D) any other relative, by blood, adoption or marriage, of the individual or such individual's spouse who shares the same residence with the individual.

(2) With respect to a corporation, partnership, association, unincorporated organization or other form of entity, however organized, including a nonprofit entity, which is:

(A) Directly or indirectly controlling, controlled by or under common control by a person; or

(B) an officer or director of a person or a person performing similar functions.

~~(h)~~(i) "Registrant" means a person who is registered by the commissioner as a credit services organization.

~~(i)~~(j) "Trust account" means an account established by the applicant or registrant in a federally insured financial institution used to hold funds paid by consumers to a credit services organization for disbursement to creditors of consumers that is designated as a trust account or other appropriate designation indicating the funds in the account are:

(1) Not funds of the applicant or registrant or its owners, officers or employees; and

(2) unavailable to creditors of the applicant or registrant.";

And by renumbering sections accordingly;

Also on page 6, in line 14, by striking all after "K.S.A."; by striking all in line 15; in line 16, by striking all before "are" and inserting "9-1722, 9-1801, 17-2204, 17-2234, 17-2246, 17-2250, 17-2251, 17-2252, 17-2253, 17-2254, 17-2255, 17-2256, 17-2257, 17-2258, 17-2259, 17-2261, 17-2265, 17-2266, 17-2267, 50-1116 and 50-1117 and K.S.A. 2011 Supp. 9-508, 9-509, 9-510, 9-511, 9-512, 9-513, 9-513a, 9-513c, 75-3135 and 75-3135a";

Also on page 6, in line 18, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the second "and" and inserting "the powers and duties of certain state officials who regulate certain financial institutions; relating to the powers and duties of the state bank commissioner; relating to the powers and duties of the credit union administrator; amending K.S.A. 9-1722, 9-1801, 17-2204, 17-2234, 17-2246, 50-1116 and 50-1117 and K.S.A. 2011 Supp. 9-508, 9-509, 9-510, 9-511, 9-512, 9-513, 9-513a, 9-513c, 75-3135 and 75-3135a";

And your committee on conference recommends the adoption of this report.

FORREST KNOX

RICHARD J. PROEHL

ROBERT GRANT

Conferees on part of House

RUTH TEICHMAN

TY MASTERSON

ALLEN C. SCHMIDT

Conferees on part of Senate

Senator Teichman moved the Senate adopt the Conference Committee Report on **H Sub for SB 287**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 306** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 6 through 36;

By striking all on page 2 and inserting:

"Section 1. K.S.A. 2011 Supp. 75-5743 is hereby amended to read as follows: 75-

5743. (a) All employers and labor organizations doing business in this state shall submit information concerning each new employee to the secretary of labor within 20 business days of the hiring, rehiring or return to work of the newly hired employee or within 20 business days from the date the newly hired employee first receives wages or other compensation from the employer. The information shall include the newly hired employee's name, address ~~and~~, social security number and the date services for remuneration were first performed by the newly hired employee and the employer's name, address ~~and~~, federal tax identification number and any other information as may be required by section 453A of the social security act, 42 U.S.C. § 653a.

(b) For purposes of this section, the term "newly hired employee" means an employee who has not previously been employed by the employer, or was previously employed by the employer, but has been separated from such prior employment for at least 60 consecutive days.

~~(b)~~(c) The department of social and rehabilitation services shall have access to such information to match the employee's social security number with title IV-D cases.

Sec. 2. K.S.A. 2011 Supp. 75-5743 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, by striking all in lines 1 through 3 and inserting:

"AN ACT concerning employers, labor organizations and certain contractors; amending K.S.A. 2011 Supp. 75-5743 and repealing the existing section.";

And your committee on conference recommends the adoption of this report.

PAT COLLOTON

LANCE KINZER

MELODY McCRAY-MILLER

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

Senator Owens moved the Senate adopt the Conference Committee Report on **SB 306**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **Substitute for SB 307** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, following line 6, by inserting:

"Section 1. K.S.A. 2011 Supp. 21-5107 is hereby amended to read as follows: 21-5107. (a) A prosecution for murder, terrorism or illegal use of weapons of mass destruction may be commenced at any time.

(b) Except as provided in subsection (e), a prosecution for any crime shall be commenced within 10 years after its commission if the victim is the Kansas public employees retirement system.

(c) Except as provided in subsection (e), a prosecution for a sexually violent offense as defined in K.S.A. 22-3717, and amendments thereto, shall be commenced within the limitation of time provided by the law pertaining to such offense or one year from the date on which the identity of the suspect is conclusively established by DNA testing, whichever is later.

(d) Except as provided by subsection (e), a prosecution for any crime, as defined in K.S.A. 2011 Supp. 21-5102, and amendments thereto, not governed by subsections (a), (b) or (c) shall be commenced within five years after it is committed.

(e) The period within which a prosecution shall be commenced shall not include any period in which:

(1) The accused is absent from the state;

(2) the accused is concealed within the state so that process cannot be served upon the accused;

(3) the fact of the crime is concealed;

(4) a prosecution is pending against the defendant for the same conduct, even if the indictment or information which commences the prosecution is quashed or the proceedings thereon are set aside, or are reversed on appeal;

(5) an administrative agency is restrained by court order from investigating or otherwise proceeding on a matter before it as to any criminal conduct defined as a violation of any of the provisions of article 41 of chapter 25 and article 2 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto, which may be discovered as a result thereof regardless of who obtains the order of restraint; or

(6) whether the fact of the crime is concealed by the active act or conduct of the accused, there is substantially competent evidence to believe two or more of the following factors are present:

(A) The victim was a child under 15 years of age at the time of the crime;

(B) the victim was of such age or intelligence that the victim was unable to determine that the acts constituted a crime;

(C) the victim was prevented by a parent or other legal authority from making known to law enforcement authorities the fact of the crime whether or not the parent or other legal authority is the accused; and

(D) there is substantially competent expert testimony indicating the victim psychologically repressed such witness' memory of the fact of the crime, and in the expert's professional opinion the recall of such memory is accurate and free of undue manipulation, and substantial corroborating evidence can be produced in support of the allegations contained in the complaint or information but in no event may a prosecution be commenced as provided in ~~this section~~ subsection (e)(6) later than the date the

victim turns 28 years of age. Corroborating evidence may include, but is not limited to, evidence the defendant committed similar acts against other persons or evidence of contemporaneous physical manifestations of the crime.

(f) An offense is committed either when every element occurs, or, if a legislative purpose to prohibit a continuing offense plainly appears, at the time when the course of conduct or the defendant's complicity therein is terminated. Time starts to run on the day after the offense is committed except if the offense charged is a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, and the victim was under 18 years of age at the time of the offense, then time shall start to run on the day after the victim's 18th birthday.

(g) A prosecution is commenced when a complaint or information is filed, or an indictment returned, and a warrant thereon is delivered to the sheriff or other officer for execution. No such prosecution shall be deemed to have been commenced if the warrant so issued is not executed without unreasonable delay.

(h) As used in this section, "parent or other legal authority" shall include, but not be limited to, natural and stepparents, grandparents, aunts, uncles or siblings.";

On page 2, following line 19, by inserting:

"Sec. 3. K.S.A. 2011 Supp. 21-5909 is hereby amended to read as follows: 21-5909. (a) Intimidation of a witness or victim is preventing or dissuading, or attempting to prevent or dissuade, with an intent to vex, annoy, harm or injure in any way another person or an intent to thwart or interfere in any manner with the orderly administration of justice:

(1) Any witness or victim from attending or giving testimony at any civil or criminal trial, proceeding or inquiry authorized by law; or

(2) any witness, victim or person acting on behalf of a victim from:

(A) Making any report of the victimization of a victim to any law enforcement officer, prosecutor, probation officer, parole officer, correctional officer, community correctional services officer or judicial officer, the secretary of the department of social and rehabilitation services or any agent or representative of the secretary, or any person required to make a report pursuant to K.S.A. 2011 Supp. 38-2223, and amendments thereto;

(B) causing a complaint, indictment or information to be sought and prosecuted, or causing a violation of probation, parole or assignment to a community correctional services program to be reported and prosecuted, and assisting in its prosecution;

(C) causing a civil action to be filed and prosecuted and assisting in its prosecution; or

(D) arresting or causing or seeking the arrest of any person in connection with the victimization of a victim.

(b) Aggravated intimidation of a witness or victim is intimidation of a witness or victim, as defined in subsection (a), when the:

(1) Act is accompanied by an expressed or implied threat of force or violence against a witness, victim or other person or the property of any witness, victim or other person;

(2) act is in furtherance of a conspiracy;

(3) the act is committed by a person who has been previously convicted of corruptly influencing a witness or has been convicted of a violation of this section or any federal or other state's statute which, if the act prosecuted was committed in this

state, would be a violation of this section;

(4) witness or victim is under 18 years of age; or
 (5) act is committed for pecuniary gain or for any other consideration by a person acting upon the request of another person.

(c) (1) Intimidation of a witness or victim is a class B person misdemeanor.

(2) Aggravated intimidation of a witness or victim is a severity level 6, person felony.";

On page 3, in line 40, after "(g)" by inserting "If the defendant, or defendant's attorney in consultation with the defendant, requests a delay and such delay is granted, the delay shall be charged to the defendant regardless of the reasons for making the request, unless there is prosecutorial misconduct related to such delay.";

And by renumbering sections accordingly;

On page 4, in line 22, by striking "21-5109" and inserting "21-5107, 21-5109 and 21-5909";

On page 1, in the title, in line 2, following the first "to" by inserting "the statute of limitations for sexually violent crimes when the victim is a child"; also in line 2, by striking "relating to" and inserting "intimidation of a witness"; in line 4, by striking "21-5109" and inserting "21-5107, 21-5109 and 21-5909";

Senator Owens moved the Senate adopt the Conference Committee Report on **Sub SB 307**.

Senator Vratil made a substitute motion to not adopt the conference committee report on **Sub SB 307** and a new conference committee be appointed.

The President appointed Senators Owens, King and Haley as second conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **H Sub for SB 425** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, in line 8, by striking "2017" and inserting "2013"; in line 9, by striking "2018" and inserting "2014";

MARC RHOADES

KASHA KELLEY

BILL FEUERBORN

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

Senator Owens moved the Senate adopt the Conference Committee Report on **H Sub for SB 425**.

Senator Vratil made a substitute motion to not adopt the conference committee report on **H Sub for SB 425** and a new conference committee be appointed.

The President appointed Senators Owens, King and Haley as second conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **S Sub for HB 2597** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2597, as follows:

On page 2, in line 38, after "(8)" by inserting "(A)"; in line 41, after the period by inserting "(B)";

On page 3, in line 3, by striking all after the period; by striking all in lines 4 through 6; in line 7, by striking all before "Each" and inserting "(C) (i)"; in line 15, by striking all after the period; by striking all in lines 16 through 21; in line 22, before "For" by inserting "(ii)"; in line 27, after the period by inserting "(iii)"; in line 31, after the period, by inserting the following:

"(D) The secretary and the state corporation commission shall enter into a memorandum of agreement for the purposes of:

- (i) Administering the land-spreading application and approval process;
- (ii) monitoring compliance; and
- (iii) establishing mechanisms for enforcement and remedial actions.

(E) On or before January 1, 2014, the secretary, in coordination with the state corporation commission, shall adopt rules and regulation governing land-spreading of waste generated by drilling oil and gas wells. In developing such rules and regulations, the secretary and the state corporation commission shall seek advice and comments from groundwater management districts and other groups or persons knowledgeable and experienced in areas related to this paragraph.

(F)";

Also on page 3, in line 32, by striking all after "report"; in line 33, by striking all before the second "to"; in line 36, after the period by inserting "Such report shall include, but not be limited to, information concerning the implementation and status of land-spreading procedures and the costs associated with the regulation of land-spreading pursuant to this paragraph.

(G) The provisions of this paragraph shall expire on July 1, 2015.";

On page 4, following line 6, by inserting:

"New Sec. 2. (a) The board of county commissioners of each county shall establish a county oil and gas valuation depletion trust fund if the county is to receive moneys from the oil and gas valuation depletion trust fund created under the provisions of K.S.A. 2011 Supp. 79-4231, and amendments thereto. The county treasurer shall be responsible for the administration of such fund.

(b) Upon receipt of an authorization for distribution of county oil and gas valuation depletion trust fund moneys pursuant to K.S.A. 2011 Supp. 79-4231, and amendments thereto, the county treasurer shall release 20% of the moneys credited to such county's trust account to the county general fund for expenditure as directed by the board.

(c) Moneys credited to the county oil and gas valuation depletion trust fund shall be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In making the budgets of such county, the amounts credited to, and the amount on hand

in, such fund and the amount expended therefrom shall be shown thereon for the information of the taxpayers of such county. Moneys in such fund may be invested in accordance with the provisions of K.S.A. 10-131, and amendments thereto, with interest thereon credited to such fund.

Sec. 3. K.S.A. 2011 Supp. 19-101a is hereby amended to read as follows: 19-101a. (a) The board of county commissioners may transact all county business and perform all powers of local legislation and administration it deems appropriate, subject only to the following limitations, restrictions or prohibitions:

(1) Counties shall be subject to all acts of the legislature which apply uniformly to all counties.

(2) Counties may not affect the courts located therein.

(3) Counties shall be subject to acts of the legislature prescribing limits of indebtedness.

(4) In the exercise of powers of local legislation and administration authorized under provisions of this section, the home rule power conferred on cities to determine their local affairs and government shall not be superseded or impaired without the consent of the governing body of each city within a county which may be affected.

(5) Counties may not legislate on social welfare administered under state law enacted pursuant to or in conformity with public law No. 271 – 74th congress, or amendments thereof.

(6) Counties shall be subject to all acts of the legislature concerning elections, election commissioners and officers and their duties as such officers and the election of county officers.

(7) Counties shall be subject to the limitations and prohibitions imposed under K.S.A. 12-187 to 12-195, inclusive, and amendments thereto, prescribing limitations upon the levy of retailers' sales taxes by counties.

(8) Counties may not exempt from or effect changes in statutes made nonuniform in application solely by reason of authorizing exceptions for counties having adopted a charter for county government.

(9) No county may levy *ad valorem* taxes under the authority of this section upon real property located within any redevelopment project area established under the authority of K.S.A. 12-1772, and amendments thereto, unless the resolution authorizing the same specifically authorized a portion of the proceeds of such levy to be used to pay the principal of and interest upon bonds issued by a city under the authority of K.S.A. 12-1774, and amendments thereto.

(10) Counties shall have no power under this section to exempt from any statute authorizing or requiring the levy of taxes and providing substitute and additional provisions on the same subject, unless the resolution authorizing the same specifically provides for a portion of the proceeds of such levy to be used to pay a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto.

(11) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4601 through 19-4625, and amendments thereto.

(12) Except as otherwise specifically authorized by K.S.A. 12-1,101 through 12-1,109, and amendments thereto, counties may not levy and collect taxes on incomes from whatever source derived.

(13) Counties may not exempt from or effect changes in K.S.A. 19-430, and

amendments thereto.

(14) Counties may not exempt from or effect changes in K.S.A. 19-302, 19-502b, 19-503, 19-805 or 19-1202, and amendments thereto.

(15) Counties may not exempt from or effect changes in K.S.A. 19-15,139, 19-15,140 and 19-15,141, and amendments thereto.

(16) Counties may not exempt from or effect changes in the provisions of K.S.A. 12-1223, 12-1225, 12-1225a, 12-1225b, 12-1225c and 12-1226, and amendments thereto, or the provisions of K.S.A. 12-1260 through 12-1270 and 12-1276, and amendments thereto.

(17) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-211, and amendments thereto.

(18) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4001 through 19-4015, and amendments thereto.

(19) Counties may not regulate the production or drilling of any oil or gas well in any manner which would result in the duplication of regulation by the state corporation commission and the Kansas department of health and environment pursuant to chapter 55 and chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any rules and regulations adopted pursuant thereto. Counties may not require any license or permit for the drilling or production of oil and gas wells. Counties may not impose any fee or charge for the drilling or production of any oil or gas well.

(20) Counties may not exempt from or effect changes in K.S.A. 79-41a04, and amendments thereto.

(21) Counties may not exempt from or effect changes in K.S.A. 79-1611, and amendments thereto.

(22) Counties may not exempt from or effect changes in K.S.A. 79-1494, and amendments thereto.

(23) Counties may not exempt from or effect changes in subsection (b) of K.S.A. 19-202, and amendments thereto.

(24) Counties may not exempt from or effect changes in subsection (b) of K.S.A. 19-204, and amendments thereto.

(25) Counties may not levy or impose an excise, severance or any other tax in the nature of an excise tax upon the physical severance and production of any mineral or other material from the earth or water.

(26) Counties may not exempt from or effect changes in K.S.A. 79-2017 or 79-2101, and amendments thereto.

(27) Counties may not exempt from or effect changes in K.S.A. 2-3302, 2-3305, 2-3307, 2-3318, 17-5904, 17-5908, 47-1219, 65-171d, 65-1,178 through 65-1,199, 65-3001 through 65-3028, and amendments thereto.

(28) Counties may not exempt from or effect changes in K.S.A. 2011 Supp. 80-121, and amendments thereto.

(29) Counties may not exempt from or effect changes in K.S.A. 19-228, and amendments thereto.

(30) Counties may not exempt from or effect changes in the wireless enhanced 911 act, in the VoIP enhanced 911 act or in the provisions of K.S.A. 12-5301 through 12-5308, and amendments thereto.

(31) Counties may not exempt from or effect changes in K.S.A. 2011 Supp. 26-601, and amendments thereto.

(32) (A) Counties may not exempt from or effect changes in the Kansas liquor control act except as provided by paragraph (B).

(B) Counties may adopt resolutions which are not in conflict with the Kansas liquor control act.

(33) (A) Counties may not exempt from or effect changes in the Kansas cereal malt beverage act except as provided by paragraph (B).

(B) Counties may adopt resolutions which are not in conflict with the Kansas cereal malt beverage act.

(34) Counties may not exempt from or effect changes in the Kansas lottery act.

(35) Counties may not exempt from or effect changes in the Kansas expanded lottery act.

(36) Counties may neither exempt from nor effect changes to the eminent domain procedure act.

(37) Any county granted authority pursuant to the provisions of K.S.A. 19-5001 through 19-5005, and amendments thereto, shall be subject to the limitations and prohibitions imposed under K.S.A. 19-5001 through 19-5005, and amendments thereto.

(38) Except as otherwise specifically authorized by K.S.A. 19-5001 through 19-5005, and amendments thereto, counties may not exercise any authority granted pursuant to K.S.A. 19-5001 through 19-5005, and amendments thereto, including the imposition or levy of any retailers' sales tax.

(39) Counties may not exempt from or effect changes in section 2, and amendments thereto.

(b) Counties shall apply the powers of local legislation granted in subsection (a) by resolution of the board of county commissioners. If no statutory authority exists for such local legislation other than that set forth in subsection (a) and the local legislation proposed under the authority of such subsection is not contrary to any act of the legislature, such local legislation shall become effective upon passage of a resolution of the board and publication in the official county newspaper. If the legislation proposed by the board under authority of subsection (a) is contrary to an act of the legislature which is applicable to the particular county but not uniformly applicable to all counties, such legislation shall become effective by passage of a charter resolution in the manner provided in K.S.A. 19-101b, and amendments thereto.

(c) Any resolution adopted by a county which conflicts with the restrictions in subsection (a) is null and void.

Sec. 4. K.S.A. 2011 Supp. 79-4231 is hereby amended to read as follows: 79-4231. (a) There is hereby created in the state treasury the oil and gas valuation depletion trust fund. The director of taxation shall administer the oil and gas valuation depletion trust fund. All amounts credited to the oil and gas valuation depletion trust fund pursuant to the provisions of K.S.A. 79-4227, and amendments thereto, less the administration fee imposed under subsection (c), shall be credited to a separate trust account which shall be established within such fund for each county which in ~~fiscal year 2005~~ or any fiscal year ~~thereafter~~ had \$100,000 or more in receipts of the excise tax upon the severance and production of oil and gas. Each county's trust account shall be credited in the proportion that the amount of oil and gas valuation depletion trust fund receipts collected from that county bears to the total amount of moneys credited to the oil and gas valuation depletion trust fund pursuant to K.S.A. 79-4227, and amendments thereto. Commencing July 1, ~~2008~~ 2012, and thereafter on an annual basis, ~~such moneys shall~~

remain credited in such account in trust for such county for distributions pursuant to this section the director of taxation shall certify to the director of accounts and reports the amount due the county from the county's oil and gas depletion trust account on October 1 based on all amounts credited thereto, and the director of accounts and reports shall draw a warrant upon the state treasurer in favor of each such county for the amount credited to such county's trust account. Upon receipt of such warrant, the treasurer of the county shall credit the same to the oil and gas valuation depletion trust fund of the county established in section 2, and amendments thereto. Except that the director of taxation shall transfer all of the moneys credited to the Wilson county trust account to the Wilson county capital improvement fund in any such tax year until the payment of all costs of financing projects authorized pursuant to K.S.A. 2011 Supp. 74-8961, and amendments thereto, has been completed, and at that time the provisions of this subsection related to distributions to the Wilson county treasurer shall be applicable as provided in this subsection.

(b) For any tax year that the oil and gas leasehold *ad valorem* valuation of any county, which has a trust account established and maintained in ~~the a county~~ oil and gas valuation depletion trust fund as provided by ~~this section 2, and amendments thereto,~~ is less than 50% of the oil and gas leasehold *ad valorem* valuation of such county for the second succeeding tax year which commences January 1 following the end of the fiscal year in which the county had \$100,000 or more in receipts of the excise tax upon the production of oil and gas ~~and the county had a trust account established in the oil and gas valuation depletion trust fund as provided by this section,~~ as certified by the property valuation division, on or before January 15 of the year following such tax year, the director of taxation shall ~~distribute~~ certify the oil and gas leasehold *ad valorem* valuation amounts for each county and shall authorize the county treasurer to release 20% of the moneys credited to such county's trust account oil and gas valuation depletion trust fund to the county treasurer general fund of such county, except that the director of taxation shall transfer all of the moneys credited to the Wilson county trust account to the Wilson county capital improvement fund in any such tax year until the payment of all costs of financing projects authorized pursuant to K.S.A. 2011 Supp. 74-8961, and amendments thereto, has been completed, and at that time the provisions of this subsection related to distributions to the Wilson county treasurer shall be applicable as provided in this subsection. In any year in which a county's oil and gas leasehold valuation is 50% or more of the oil and gas leasehold valuation of such county for tax year as described in this subsection, such county shall not receive ~~a an authorization for distribution of trust fund moneys pursuant to this section for such tax year. On an annual basis, the director of taxation shall certify to the director of accounts and reports the counties entitled to a distribution pursuant to this section. The director of accounts and reports shall draw warrants on the state treasurer payable to the county treasurer of each county entitled to payment from such county's trust account in the oil and gas valuation depletion trust fund upon vouchers approved by the director of taxation.~~

(c) The director of taxation shall impose and collect an administration fee for the administration of the oil and gas valuation depletion trust fund, this section and the provisions of K.S.A. 2011 Supp. 79-4227, and amendments thereto, equal to 2% of the amount credited to the oil and gas valuation depletion trust fund. The administration fee shall be imposed and collected prior to crediting any amount to any trust account established and maintained for a county in the oil and gas valuation depletion trust fund.

All amounts collected for the administration fee shall be transferred from the oil and gas valuation depletion trust fund to the state general fund.

(d) All moneys credited to the oil and gas valuation depletion trust fund upon the effective date of this act shall be distributed to each county not later than 30 days following the effective date of this act for deposit in the county's oil and gas valuation depletion trust fund established pursuant to the provisions of section 2, and amendments thereto.;

And by renumbering sections accordingly;

Also on page 4, in line 7, by striking "65-3407c is" and inserting "19-101a, 65-3407c and 79-4231 are";

On page 1, in the title, in line 1, by striking "solid waste; relating to permit exemptions" and inserting "oil and gas"; in line 2, after "Supp." by inserting "19-101a,"; also in line 2, after "65-3407c" by inserting "and 79-4231"; also in line 2, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

RALPH OSTMEYER

CAROLYN MCGINN

MARCI FRANCISCO

Conferees on part of Senate

LARRY R. POWELL

DANIEL J. KERSCHEN

JERRY D. WILLIAMS

Conferees on part of House

Senator Ostmeyer moved the Senate adopt the Conference Committee Report on **S Sub for HB 2597**.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Schodorf.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

MR. PRESIDENT: I am voting in favor of **Senate Substitute for HB 2597** because it provides for so called "industry best practices" for horizontal drilling and moves us forward with needed rural economic development through the oil and gas industry and supporting businesses. However, the spreading of horizontal drilling waste requires close observation, lab and field-site testing, and environmentally sound management practices - both initially and over the long term. Mr. President, as a concerned citizen and as a state senator, I support the responsible expansion of this industry in Kansas with the expectation that those agencies charged with oversight and management will be

staffed and trained to fully perform those responsibilities ensuring the latest environmental safety standards are met. — ALLEN C. SCHMIDT

Senators Kelly and Kultala request the record to show they concur with the “Explanation of Vote” by Senator Schmidt on **Senate Substitute for HB 2597**.

REPORT ON ENROLLED BILLS

H Sub SB 79; SB 83; H Sub for SB 160; SB 300 reported correctly enrolled, properly signed and presented to the Governor on May 15, 2012.

On motion of Senator Emler the Senate recessed until 5:00 p.m.

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

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SENATE CONCURRENT RESOLUTION 1619—
By Committee on Federal and State Affairs

A PROPOSITION to revise article 10 of the constitution of the state of Kansas; relating to reapportionment of congressional districts, legislative districts and state board of education member districts.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 10 of the constitution of the state of Kansas is hereby amended to read as follows:

"Article 10.—~~APPORTIONMENT OF THE LEGISLATURE~~
~~CONGRESSIONAL, LEGISLATIVE AND STATE BOARD OF EDUCATION~~
~~MEMBER DISTRICTS"~~

"§ 1. Reapportionment of senatorial and representative districts required.
~~(a) At its regular session in 1989, the legislature shall by law reapportion the state representative districts, the state senatorial districts or both the state representative and senatorial districts upon the basis of the latest census of the inhabitants of the state taken by authority of chapter 61 of the 1987 Session Laws of Kansas. At its regular session in 1992 2022, and at its regular session every tenth year thereafter, the legislature shall by law reapportion the United States congressional districts, the state senatorial districts and, the state representative districts and the state board of education member districts as provided by this article. Reapportionment of such districts shall be on the basis of the population of the state as established by the most recent census of population taken and published by the United States bureau of the census. Senatorial and, representative and state board of education member districts shall be reapportioned upon the basis of the population of the~~

state adjusted: (1) (a) To exclude nonresident military personnel stationed within the state and nonresident students attending colleges and universities within the state; and (2) (b) to include military personnel stationed within the state who are residents of the state and students attending colleges and universities within the state who are residents of the state in the district of their permanent residence. Bills reapportioning legislative districts shall be published in the Kansas register immediately upon final passage and shall be effective for the next following election of legislators and thereafter until again reapportioned.

~~(b) Within 15 days after the publication of an act reapportioning the legislative districts within the time specified in (a), the attorney general shall petition the supreme court of the state to determine the validity thereof. The supreme court, within 30 days from the filing of the petition, shall enter its judgment. Should the supreme court determine that the reapportionment statute is invalid, the legislature shall enact a statute of reapportionment conforming to the judgment of the supreme court within 15 days.~~

~~(c) Upon enactment of a reapportionment to conform with a judgment under (b), the attorney general shall apply to the supreme court of the state to determine the validity thereof. The supreme court, within 10 days from the filing of such application, shall enter its judgment. Should the supreme court determine that the reapportionment statute is invalid, the legislature shall again enact a statute reapportioning the legislative districts in compliance with the direction of and conforming to the mandate of the supreme court within 15 days after entry thereof.~~

~~(d) Whenever a petition or application is filed under this section, the supreme court, in accordance with its rules, shall permit interested persons to present their views.~~

~~(e) A judgment of the supreme court of the state determining a reapportionment to be valid shall be final until the legislative districts are again reapportioned in accordance herewith.~~

"§ 4. Establishment of redistricting commission. (a) Not later than February 15 of each year ending in one, a redistricting commission shall be established to recommend to the legislature redistricting plans for United States congressional districts, state representative districts, state senatorial districts and state board of education member districts.

(b) The redistricting commission shall consist of the following members:

(1) One shall be appointed by the majority leader of the senate;

(2) one shall be appointed by the majority leader of the house of representatives;

(3) one shall be appointed by the minority leader of the senate;

(4) one shall be appointed by the minority leader of the house of representatives; and

(5) within 30 days after the appointments described in paragraphs (1) through (4) have been made, but not later than March 15 of the year in which the commission is established, the four commission members so appointed shall select, by a vote of at least three members, the fifth commission member, who shall serve as chairperson.

(c) Any vacancy in the membership of the redistricting commission shall be

filled in the same manner as the original appointment or selection.

(d) No person, while a member of the commission, shall:

(1) Hold any federal, state or local office; or

(2) be an employee of the Kansas legislature, state board of education or United States congress.

(e) No person who has been a member of the redistricting commission shall be eligible, within two years after being a member of the commission, to:

(1) Be a member or employee of the Kansas legislature or state board of education; or

(2) hold any appointive office.

(f) The legislature shall provide by law for payment of compensation and expenses of members of the redistricting commission and for adequate staff, office space, equipment and materials for the commission.

(g) The terms of members of the redistricting commission shall expire on July 1 of each year ending in two, and the commission shall be inactive until reestablishment of the commission pursuant to this section.

"§ 5. Commission procedure and recommendations. (a) The redistricting commission shall establish rules and procedures as necessary to carry out the commission's functions. Such rules and procedures shall include rules requiring formal submission to the commission of all communications with commission members. Ex parte communications with members of the commission in relation to the merits of matters before the commission shall be prohibited. Members of the commission shall report any violations of this prohibition to the attorney general and the legislature shall provide by law criminal penalties for such violations.

(b) The redistricting commission shall conduct public hearings throughout the state, including at least one public hearing in each state board of education member district.

(c) In recommending redistricting plans, the redistricting commission shall consider only the requirements of the constitution of the state of Kansas and federal laws, preservation of political subdivisions and preservation of communities of interest. The commission shall avoid placing more than one incumbent in a district except when necessary due to changes in the population of the state. Except as expressly provided in this subsection, the commission shall not intentionally develop districts that favor or discriminate against any individual, political party or group.

"§ 6. Legislative action; court review and action. (a) On or before the first day of the regular legislative session in each year ending in two, the redistricting commission shall introduce in the house of representatives a bill reapportioning the state representative districts and a bill reapportioning the United States congressional districts, and shall introduce in the senate a bill reapportioning the state senatorial districts and a bill reapportioning the state board of education member districts. Such bills shall not be subject to amendment by either chamber of the legislature and each such bill shall be acted upon by each chamber within seven days after such bill is introduced in such chamber.

(b) If a bill introduced pursuant to subsection (a) is not enacted, the redistricting commission, within 10 days after rejection of the bill by either

chamber of the legislature or veto of the bill by the governor, shall introduce another bill reapportioning such districts. If the Kansas supreme court enters a judgment that a bill introduced pursuant to subsection (a) is invalid, the redistricting commission, within 10 days after entry of such judgment, shall introduce another bill reapportioning such districts. Introduction of a bill pursuant to this section shall be in the same chamber as introduction of the original bill pursuant to subsection (a). Such bill shall not be subject to amendment by either chamber and shall be acted upon by each chamber within seven days after the bill is introduced in such chamber.

(c) If a bill introduced pursuant to subsection (b) is not enacted, the redistricting commission, within 10 days after rejection of the bill by either chamber of the legislature or veto of the bill by the governor, shall introduce another bill reapportioning such districts. If the Kansas supreme court enters a judgment that a bill introduced pursuant to subsection (b) is invalid, the redistricting commission, within 10 days after entry of such judgment, shall introduce another bill reapportioning such districts. Introduction of a bill pursuant to this section shall be in the same chamber as introduction of the original bill pursuant to subsection (a). Such bill shall be subject to amendment by either chamber and shall be acted upon by each chamber within 14 days after the bill is introduced in such chamber. When a bill is introduced pursuant to this subsection, the commission shall make the commission's staff and technical resources available to the legislature for use in preparation and consideration of amendments to such bill.

(d) If either chamber of the legislature rejects a bill introduced pursuant to this section, or the governor vetoes such bill, the chamber that rejects the bill, or the governor in the case of a veto, shall transmit to the commission a letter stating the reasons why the bill was not enacted, and the commission shall take such reasons into consideration in introducing a bill pursuant to this section, subject to the requirements of subsection (c) of section 6. Any such letter shall be signed by both the speaker of the house of representatives and the minority leader of the house of representatives or both the president of the senate and the minority leader of the senate.

(e) Reapportionment bills shall be published in the Kansas register immediately upon final passage and approval by the governor. The districts enacted shall be effective for the next following regular election and thereafter until again such districts are reapportioned, except that the senatorial districts shall be effective for the next following regular election at which all senators are elected.

(f) Within 15 days after publication of any reapportionment bills enacted pursuant to this article, the attorney general shall petition the Kansas supreme court to determine the validity of such bill. The Kansas supreme court, in accordance with its rules, shall permit interested persons to present their views. Within 30 days after the filing of such petition, the Kansas supreme court shall enter its judgment. A judgment of the Kansas supreme court determining such bill to be valid shall be final until reapportionment of the districts is again required by this article.

"§ 7. Implementing legislation. The legislature may enact legislation, not in

conflict with the provisions of this article, as reasonably necessary to implement such provisions."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. Current article 10 of the constitution of the state of Kansas governs reapportionment of state legislative districts. It provides for reapportionment by the legislature and requires it be based on the most recent census taken by the United States bureau of the census, adjusted to exclude certain military personnel and certain students residing at colleges and universities. The revision of article 10 would govern reapportionment of the United States congressional districts, state legislative districts and the state board of education member districts. Under the revision a redistricting commission would be established to recommend redistricting plans to the legislature. The legislature would enact a plan which would be subject to review by the Kansas supreme court. There would be strict deadlines for legislative action and if no plan is adopted by the deadline, the Kansas supreme court would reapportion the districts. Reapportionment of state legislative districts would be based on the most recent census taken by the United States bureau of the census, adjusted to exclude certain military personnel and certain students residing at colleges and universities.

"A vote for this amendment would change the procedure for reapportionment of United States congressional, state legislative and state board of education member districts.

"A vote against this amendment would continue the current procedures and basis for reapportionment."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate, and two-thirds of the members elected (or appointed) and qualified to the House of Representatives shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2012 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Wednesday, May 16, 2012.

Journal of the Senate

SEVENTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, May 16, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-nine senators present.
Senator Emler was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

Along with all the criticism
Every now and then
We receive a compliment
By either word or pen.

Occasionally someone will say,
"What you did was good."
And we feel great when we are told,
"You did the best you could."

And I guess you'd have to say
That it's just human nature
To smile when folks seem glad
We're in the legislature.

It's also nice when introduced
As "Outstanding Legislator."
And to be informed sometimes,
"We've never had one better!"

But the compliment we cherish most
Is a simple one it's true:
It's when a child or grandchild says,
"I want to be like you."

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was referred to committee as indicated:

Federal and State Affairs: **SCR 1619**.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **Substitute SB 283**.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **HB 2515**, as amended by House Committee of the Whole, be amended on page 1, by striking all in lines 4 through 34;

By striking all on page 2;

On page 3, by striking all in lines 1 through 19, and inserting the following:

"Section 1. (a) For the fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, June 30, 2015, and June 30, 2016 appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) This act shall be known and may be cited as the omnibus appropriation act of 2012 and shall constitute the omnibus reconciliation spending limit bill for the 2012 regular session of the legislature for purposes of subsection (a) of K.S.A. 75-6702, and amendments thereto.

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155, and amendments thereto.

Sec. 2. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund, for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458, and amendments thereto, to the following claimants:

Babcock, Phillip DBA Babcock Angus 473 Road W3 Norton, KS 67654.....	58.46
Barr, Kathy 9775 W 333 Rd St Lebo, KS 66856.....	\$271.73
Berean Academy PO Box 70 Elbing, KS 67041.....	\$279.07
Block, Richard A 36845 Hedge Ln Paola, KS 66071.....	\$42.84

City Of Oswego PO Box 210 Oswego, KS 67356.....	\$57.02
Claassen, R Dwight 3003 E 1st St Newton, KS 67114.....	\$142.34
Concrete Materials Co LLC PO Box 16204 Wichita, KS 67216.....	\$5,525.44
Edwards Co Highway Dept 730 W 6th St Kinsley, KS 67547.....	\$1,513.04
Elliott, Blake 787 Paint Rd Hope, KS 67451.....	\$92.28
Faidley, Harold 385 Buffalo Rd Longford, KS 67458.....	\$126.84
Faidley, Lon 2539 Justice Rd Solomon, KS 67480.....	\$85.08
Flint Hills Industries DBA Hillsboro Industries 220 Industrial Rd Hillsboro, KS 67063.....	\$55.32
Garten Bros Inc 2305 Fair Rd Abilene, KS 67410.....	\$194.40
Gibson, Rick D 28468 L Rd Circleville, KS 66416.....	\$114.36
Gick & Debbie Fleming Farms 309 S Main St Leon, KS 67074.....	\$488.59
Goering, Terry D 1307 E 20 Hutchinson, KS 67505.....	\$54.60
Harvey, Bradley D 24002 130 Ave Collyer, KS 67631.....	\$28.20
Jacobs, Kevin L 647 N 135th St W Wichita, KS 67235.....	\$430.70
Johnson, Ralph 312 W 5th Brookville, KS 67425.....	\$504.58
Kalivoda, Richard 2534 Nickel Rd	

2870

MAY 16, 2012

Cuba, KS 66940.....	\$177.98
Kearny Co Rd & Bridge Dept PO Box 129	
Lakin, KS 67860.....	\$10,216.91
Ottawa Bus Service Inc 1320 W 149th St	
Olathe, KS 66061.....	\$2,747.16
Peterson Farm & Livestock Inc 10729 S Simpson Rd	
Assaria, KS 67416.....	\$28.36
PPP LLC 1994 US Hwy 24	
Glen Elder, KS 67446.....	\$155.95
R & R Excavating PO Box 41	
Lindsborg, KS 67456.....	\$217.85
Sand Creek Station Golf Course 920 Meadowbrook Dr	
Newton, KS 67114.....	\$96.60
Schmidt, Henry E PO Box 107	
Independence, KS 67301.....	\$24.50
Strobel, John R 31464 N Hwy 59	
Garnett, KS 66032.....	\$432.82
Stucky, Ronald L 543 Cherokee Rd	
Inman, KS 67546.....	\$331.78
Terradyne Country Club LLC 1400 Terradyne	
Andover, KS 67002.....	\$674.35
USD 267 Renwick PO Box 68	
Andale, KS 67001.....	\$9,610.15
USD 315 Colby 600 West Third St	
Colby, KS 67701.....	\$112.20
USD 378 Riley County PO Box 326	
Riley, KS 66531.....	\$2,557.87
USD 466 Scott County PO Box 288	
Scott City, KS 67871.....	\$153.90
USD 512 Shawnee Msn 7235 Antioch Rd	
Shawnee Mission, KS 66204.....	\$10,341.16
Vinze, Ernest	

1064 N 138th St
 Fort Scott, KS 66743.....\$105.00
 Wildcat Concrete Services Inc
 PO Box 750075
 Topeka, KS 66675.....\$214.11
 Winderlin, Robert
 993 Hwy 4
 Scott City, KS 67871.....\$178.85

Sec. 3. (a) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property lost by staff to the following claimant:

Aldrich, Douglas #79156
 PO Box 1568
 Hutchinson, KS 67504.....\$7.76

(b) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property destroyed by staff to the following claimant:

Clay, Patrick #71823
 PO Box 1568
 Hutchinson, KS 67504.....\$4.38

(c) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property lost by staff to the following claimant:

Collins, Timothy #6001034
 PO Box 2
 Lansing, KS 66043.....\$20.00

(d) The department of corrections is hereby authorized and directed to pay the following amount from the Ellsworth correctional facility – facilities operations account of the state general fund for property destroyed by staff to the following claimant:

Cox, Ryan #96107
 6700 40th Rd
 Thayer, KS 66776.....\$52.50

(e) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property lost by staff to the following claimant:

Mills, Leonard #24700
 PO Box 1568
 Hutchinson, KS 67504.....\$12.99

(f) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property bought but never received to the following claimant:

Ponce, Hector #79202
 PO Box 1568
 Hutchinson, KS 67504.....\$29.96

(g) The department of corrections is hereby authorized and directed to pay the

following amount from the Winfield correctional facility – facilities operations account of the state general fund for damage to a vehicle caused by an inmate's operation of a weed eater to the following claimant:

Mayberry, Nancy
13 Roberts Court
Winfield, KS 67156.....\$366.49

Sec. 4. (a) The department of revenue is hereby authorized and directed to pay the following amount from the sales tax refund fund for reimbursement of sales tax paid on a vehicle not subject to sales tax after the statute of limitations had expired to the following claimant:

Boulevard Limousine, LLC
729 N. Stevenson St.
Olathe, KS 66061.....\$4,958.97

(b) The department of revenue is hereby authorized and directed to pay the following amount from the income tax refund fund for a refund of income tax paid to the state of Kansas on income earned in the state of Colorado after the statutory time limit for filing an amended return had expired to the following claimant:

Sharp, David
1441 S. Aldrich Dr.
Andover, KS 67002.....\$5,266.00

(c) The department of revenue is hereby authorized and directed to pay the following amount from the sales tax refund fund for reimbursement of sales tax paid to the state of Kansas that was actually owed to the state of Missouri after the statute of limitations for a refund had expired to the following claimant:

Voss Electric Company
1601 Cushman Drive
Lincoln, NE 68512.....\$6,172.40

Sec. 5. (a) The Kansas highway patrol is hereby authorized and directed to pay the following amount from the Kansas highway patrol operations fund for payment of medical expenses of a prisoner in custody, to the following claimant:

Eagle Med. LLC
PO Box 108
West Plains, MO 65775.....\$2,312.00

Sec. 6. (a) The department of social and rehabilitation services is hereby authorized and directed to pay the following amount from the Larned state hospital fee fund for payment for a wedding ring set that was lost by staff to the following claimant:

Greene, Nick and Kristen
3340 N Main
El Dorado, KS 67042.....\$7,174.17

Sec. 7. (a) The adjutant general is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund for damage to a vehicle caused by a faulty parking gate at the armed forces reserve center to the following claimant:

Manley, Barry
4725 NE Shaffer Rd
Topeka, KS 66617.....\$1,236.61

Sec. 8. (a) Except as otherwise provided by this act, the director of accounts and

reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in sections 2 through 8 of this act, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 2 as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by sections 2 through 8 of this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 9.

ABSTRACTERS' BOARD OF EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the abstracters' fee fund of the abstracters' board of examiners is hereby increased from \$23,291 to \$24,291.

Sec. 10.

STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the bank commissioner fee fund of the state bank commissioner is hereby increased from \$9,251,724 to \$9,488,964.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 60(a) of chapter 118 of the 2011 Session Laws of Kansas on the bank commissioner fee fund of the state bank commissioner is hereby increased from \$9,742,902 to \$10,994,992.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the state bank commissioner is hereby increased from 99.00 to 107.00.

(d) On July 1, 2012, the position limitation established for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the state bank commissioner is hereby increased from 99.00 to 109.00.

(e) On July 1, 2012, there is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Litigation expense fund.....No limit
Provided, That the above agency is authorized to make expenditures from the litigation expense fund for costs, fees, and expenses associated with administrative or judicial proceedings regarding the enforcement of laws administered by the consumer and mortgage lending division and the enforcement and collection of assessed fines, fees and consumer refunds: *Provided further*, That a portion of the moneys collected as a result of fines and investigative fees collected by the consumer and mortgage lending division, as determined by the deputy of the consumer and mortgage lending division, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the litigation expense fund.

Sec. 11.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the board of barbering fee fund of the Kansas board of barbering is hereby increased from \$156,383 to \$166,383.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 61(a) of chapter 118 of the 2011 Session Laws of Kansas on the board of barbering fee fund of the Kansas board of barbering is hereby increased from \$144,892 to \$154,892.

Sec. 12.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the behavioral sciences regulatory board fee fund of the behavioral sciences regulatory board is hereby increased from \$617,861 to \$618,361: *Provided, however,* That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2012, for leased office space shall not exceed \$14.00 per square foot.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 62(a) of chapter 118 of the 2011 Session Laws of Kansas on the behavioral sciences regulatory board fee fund of the behavioral sciences regulatory board is hereby increased from \$636,586 to \$685,539: *Provided, however,* That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2013, for leased office space shall not exceed \$14.00 per square foot.

(c) On July 1, 2012, the position limitation established for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the behavioral sciences regulatory board is hereby increased from 8.00 to 9.00.

Sec. 13.

KANSAS DENTAL BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the Session Laws of Kansas on the dental board fee fund of the Kansas dental board is hereby increased from \$371,890 to \$381,932.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 66(a) of chapter 118 of the Session Laws of Kansas on the dental board fee fund of the Kansas dental board is hereby decreased from \$374,145 to \$371,098.

Sec. 14.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the board of nursing fee fund of the board of nursing is hereby decreased from \$2,046,214 to \$2,043,652.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 69(a) of chapter 118 of the 2011 Session Laws of

Kansas on the board of nursing fee fund of the board of nursing is hereby increased from \$2,109,810 to \$2,111,310.

Sec. 15.

BOARD OF EXAMINERS IN OPTOMETRY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the optometry fee fund of the board of examiners in optometry is hereby decreased from \$121,180 to \$120,141.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 70(a) of chapter 118 of the 2011 Session Laws of Kansas on the optometry fee fund of the board of examiners in optometry is hereby increased from \$111,631 to \$114,437.

(c) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Optometry litigation fund.....	\$400,000
Criminal history and fingerprinting fund.....	No limit

Sec. 16.

STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the state board of pharmacy fee fund of the state board of pharmacy is hereby increased from \$791,288 to \$792,038.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 71(a) of chapter 118 of the 2011 Session Laws of Kansas on the state board of pharmacy fee fund of the state board of pharmacy is hereby increased from \$839,771 to \$1,068,777: *Provided*, That, if the state board of pharmacy receives authorization from the United States department of health and human services to expend \$250,000 from the Harold Rogers prescription federal fund during the fiscal year ending June 30, 2013, the state board of pharmacy shall certify a copy of such authorization to the director of accounts and reports and, effective on the date of such certification, the expenditure limitation established for the fiscal year ending June 30, 2013, by this subsection on the state board of pharmacy fee fund of the state board of pharmacy is hereby decreased from \$1,068,777 to \$818,777: *Provided further*; That, at the same time as the state board of pharmacy certifies such authorization to the director of accounts and reports, the state board of pharmacy shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Non-federal gifts and grants fund.....	No limit
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Sec. 17.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) On the effective date of this act, the expenditure limitation established for the

fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the securities act fee fund of the office of the securities commissioner of Kansas is hereby decreased from \$2,871,074 to \$2,801,596.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 74(a) of chapter 118 of the 2011 Session Laws of Kansas on the securities act fee fund of the office of the securities commissioner of Kansas is hereby decreased from \$2,923,867 to \$2,835,091.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the office of the securities commissioner of Kansas is hereby decreased from 32.13 to 30.00.

(d) On July 1, 2012, the position limitation established for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the office of the securities commissioner of Kansas is hereby decreased from 32.13 to 30.00.

Sec. 18.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 75(a) of chapter 118 of the 2011 Session Laws of Kansas on the technical professions fee fund of the state board of technical professions is hereby increased from \$589,122 to \$615,278.

Sec. 19.

STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas, on the veterinary examiners fee fund of the state board of veterinary examiners is hereby increased from \$266,632 to \$268,316: *Provided*, That expenditures from the veterinary examiners fee fund for the fiscal year ending June 30, 2012, for official hospitality shall not exceed \$175.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 76(a) of chapter 118 of the 2011 Session Laws of Kansas on the veterinary examiners fee fund of the state board of veterinary examiners is hereby increased from \$268,132 to \$269,674: *Provided*, That expenditures from the veterinary examiners fee fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$175.

Sec. 20.

STATE BOARD OF MORTUARY ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 67(a) of chapter 118 of the 2011 Session Laws of Kansas on the mortuary arts fee fund of the state board of mortuary arts is hereby increased from \$273,993 to \$291,381.

Sec. 21.

REAL ESTATE APPRAISAL BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

AMC federal registry clearing fund.....No limit
Sec. 22.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Reapportionment litigation.....\$1,000,000

Provided, That notwithstanding the provisions of K.S.A. 46-1202, 46-1204 or 46-1206, and amendments thereto, or any other statute to the contrary, during the fiscal year ending June 30, 2012: (1) Within the limits of expenditures authorized by this proviso, the president of the senate is hereby authorized to contract for an attorney or attorneys and other professional services to represent the senate in any reapportionment litigation which may be filed in a court of law regarding the reapportionment of the Kansas senate districts or the Kansas congressional districts, or both; and (2) within the limits of expenditures authorized by this proviso, the speaker of the house of representatives is hereby authorized to contract for an attorney or attorneys and other professional services to represent the house of representatives in any reapportionment litigation which may be filed in a court of law regarding the reapportionment of the Kansas house of representatives districts or the Kansas congressional districts, or both: *Provided further*, That during the fiscal year ending June 30, 2012, expenditures shall be made from the reapportionment litigation account to pay for the costs associated with litigation that is filed in a court of law regarding reapportionment of the Kansas congressional or state legislative districts, or both, as follows: (A) Not more than \$500,000 from the reapportionment litigation account may be expended for the costs associated with the retaining of an attorney or attorneys and other professional services by the president of the senate to represent the senate in any reapportionment litigation which may be filed in a court of law regarding the reapportionment of the Kansas senate districts or the Kansas congressional districts, or both; and (B) not more than \$500,000 from the reapportionment litigation account may be expended for the costs associated with the retaining of an attorney or attorneys and other professional services by the speaker of the house of representatives to represent the house of representatives in any reapportionment litigation which may be filed in a court of law regarding the reapportionment of the Kansas house of representatives districts or the Kansas congressional districts, or both: *And provided further*, That no contract made under authority of this proviso shall require approval under any other statute.

Sec. 23.

STATE CORPORATION COMMISSION

(a) On the effective date of this act, the expenditure limitation for the fiscal year ending June 30, 2012, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund, and the conservation fee fund in the aggregate, as established in section 95(b) of chapter 118 of the 2011 Session Laws of Kansas, is hereby increased from \$16,844,081 to \$16,960,956.

Sec. 24.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, in section 93(c) of chapter 118 of the 2011 Session Laws of Kansas on the agency operations account of the expense reserve of the Kansas public employees retirement fund is hereby increased from \$8,517,600 to \$8,845,767.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, in section 93(d) of chapter 118 of the 2011 Session Laws of Kansas on the agency operations account of the non-retirement administration fund is hereby increased from \$75,603 to \$82,117.

(c) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$832,896 from the Kansas endowment for youth fund to the children's initiatives fund.

Sec. 25.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, of the \$131,486 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 103(b) of chapter 118 of the 2011 Session Laws of Kansas from the state economic development initiatives fund in the senior community service employment program account, the sum of \$126,245 is hereby lapsed.

(b) On the effective date of this act, the appropriation of \$8,935 for the above agency for the fiscal year ending June 30, 2012, by section 103(b) of chapter 118 of the 2011 Session Laws of Kansas from the state economic development initiatives fund in the senior community service employment program – ARRA match account, is hereby lapsed.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 143(a) of chapter 118 of the 2011 Session Laws of Kansas for the department of commerce is hereby decreased from 251.80 to 250.00.

(d) On the effective date of this act, notwithstanding the provisions of K.S.A. 74-50,151, and amendments thereto, or any other statute, the director of accounts and reports shall transfer all moneys in the Kansas economic opportunity initiatives fund of the department of commerce to the job creation program fund of the department of commerce. On the effective date of this act, all liabilities of the Kansas economic opportunity initiatives fund are hereby transferred to and imposed on the job creation program fund of the department of commerce.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2012, the following:

Air service incentive fund.....\$2,000,000

Provided, That 50% of all expenditures from the air service incentive fund during fiscal year 2012 shall be made to participate in air passenger service support agreements with the Manhattan area chamber of commerce, inc., and airlines providing air passenger service at Manhattan regional airport, related to any quarter during fiscal year 2012 when flights provided by an airline that is a party to an air passenger service support agreement are filled to less than 70% of capacity, or as determined under a formula finalized and agreed upon by the Manhattan area chamber of commerce, inc., in such support agreements: *Provided, however*, That no expenditures shall be made from the air service incentive fund unless the Manhattan area chamber of commerce, inc., has made payments to such airlines for such purpose of \$250,000 or more for fiscal year 2012: *Provided, further*, That expenditures from the air service incentive fund to such airlines for such purpose for fiscal year 2012 shall not exceed \$1,000,000: *And provided further*, That 50% of all expenditures from the air service incentive fund during fiscal year 2012 shall be made to participate in air passenger service support agreements with

the growth organization of Topeka/Shawnee county, inc., and airlines providing air passenger service at Topeka forbes field airport, related to any quarter during fiscal year 2012 when flights provided by an airline that is a party to an air passenger service support agreement are filled to less than 70% of capacity, or as determined under a formula finalized and agreed upon by the growth organization of Topeka/Shawnee county, inc., in such support agreements: *Provided, however*; That no expenditures shall be made from the air service incentive fund account unless the growth organization of Topeka/Shawnee county, inc., has made payments to such airlines for such purpose of \$250,000 or more for fiscal year 2012: *Provided further*; That expenditures from the air service incentive fund account to such airlines for such purpose for fiscal year 2012 shall not exceed \$1,000,000: *And provided further*; That any unencumbered balance in the air service incentive fund account of the state economic development initiatives fund that was available to be expended during fiscal year 2012 to provide air passenger service at Topeka forbes field airport in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013, for the same use and purpose as the same was heretofore appropriated: *And provided further*; That, the growth organization of Topeka/Shawnee county, inc., shall submit an annual report to the legislature on or before January 1, 2013: *And provided further*; That during the 2013 regular legislative session such annual report shall be delivered and the growth organization of Topeka/Shawnee county, inc., shall appear in person to the house committee on commerce and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding such annual report: *And provided further*; That the secretary of commerce shall conduct an independent review of the financial reports submitted by the growth organization of Topeka/Shawnee county, inc., as well as an analysis of the data used by the growth organization of Topeka/Shawnee county, inc.: *And provided further*; That the secretary of commerce shall submit a report and appear in person to the house committee on commerce and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding these matters: *And provided further*; That the secretary of commerce shall develop and implement the necessary procedures to conduct such a review.

Sec. 26.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 101(b) of chapter 118 of the 2011 Session Laws of Kansas to be transferred from the lottery operating fund to the state gaming revenues fund during the fiscal year ending June 30, 2012, is hereby increased from \$70,800,000 to \$71,000,000.

Sec. 27.

KANSAS RACING AND GAMING COMMISSION

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 143(a) of chapter 118 of the 2011 Session Laws of Kansas for the Kansas racing and gaming commission – state racing operations program and expanded lottery act regulation division is hereby decreased from 75.53 to 74.00.

Sec. 28.

STATE COURT OF TAX APPEALS

(a) On the effective date of this act, the expenditure limitation established for the

fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the COTA filing fee fund of the state court of tax appeals is hereby decreased from \$1,331,328 to \$1,013,888.

Sec. 29.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Assigned counsel expenditures.....\$695,010

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training grant fund.....No limit

Sec. 30.

LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$749,822 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 80(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the legislative coordinating council – operations account, the sum of \$6,667 is hereby lapsed.

(b) On the effective date of this act, of the \$3,549,398 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 80(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the legislative research department – operations account, the sum of \$156,515 is hereby lapsed.

(c) On the effective date of this act, of the \$3,049,313 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 80(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the office of revisor of statutes – operations account, the sum of \$241,617 is hereby lapsed.

Sec. 31.

DIVISION OF POST AUDIT

(a) On the effective date of this act, of the \$2,020,838 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 82(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operations (including legislative post audit committee) account, the sum of \$634 is hereby lapsed.

Sec. 32.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) On the effective date of this act, of the \$120,322,135 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the other medical assistance account, the sum of \$3,006,868 is hereby lapsed.

(b) On the effective date of this act, of the \$87,187,295 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the community based services account, the sum of \$805,504 is hereby lapsed.

(c) On the effective date of this act, of the \$3,029,539 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the alcohol and drug abuse services grants account, the sum of \$60,213 is hereby lapsed.

(d) On the effective date of this act, of the \$46,069,941 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the cash assistance account, the sum of \$2,571,032 is hereby lapsed.

(e) On the effective date of this act, of the \$5,965,139 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the vocational rehabilitation aid and assistance account, the sum of \$40,812 is hereby lapsed.

(f) On the effective date of this act, of the \$99,098,413 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the youth services aid and assistance account, the sum of \$5,706,647 is hereby lapsed.

(g) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2012, the following:

Sexual predator treatment program expansion.....	\$2,058,900
Renovations at rainbow mental health facility.....	\$1,500,000

(h) On the effective date of this act, of the \$519,325 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(c) of chapter 118 of the 2011 Session Laws of Kansas from the children's initiatives fund in the children's cabinet accountability fund account, the sum of \$42,367 is hereby lapsed.

(i) On the effective date of this act, of the \$4,750,000 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(c) of chapter 118 of the 2011 Session Laws of Kansas from the children's initiatives fund in the family centered system of care account, the sum of \$3 is hereby lapsed.

(j) On the effective date of this act, of the \$5,033,679 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(c) of chapter 118 of the 2011 Session Laws of Kansas from the children's initiatives fund in the child care account, the sum of \$213 is hereby lapsed.

(k) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the social welfare fund of the department of social and rehabilitation services is hereby increased from \$29,069,381 to \$32,383,404.

(l) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Larned state hospital – operating expenditures.....	\$1,149,723
Larned state hospital – sexual predator treatment program.....	\$213,805
Mental health and retardation services aid and assistance.....	\$91,429

(m) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the rainbow mental health facility fee fund of the department of social and rehabilitation services is hereby increased from \$2,465,445 to \$2,501,169.

(n) On the effective date of this act, the public health/social services emergency response federal fund of the department of social and rehabilitation services is hereby redesignated as the national bioterrorism hospital preparedness program federal fund of the department of social and rehabilitation services.

(o) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 143(a) of chapter 118 of the 2011 Session Laws

of Kansas for the Larned state hospital is hereby increased from 839.20 to 886.20.

Sec. 33.

DEPARTMENT ON AGING

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

LTC – medicaid assistance – HCBS/FE.....	\$99,634
LTC – medicaid assistance – TCM/FE.....	\$223,877
LTC – medicaid assistance – NF.....	\$7,556,472

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

National bioterrorism hospital preparedness program – federal fund.....No limit

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 110(b) of chapter 118 of the 2011 Session Laws of Kansas on the health policy nursing facility quality care fund of the department on aging is hereby increased from \$19,577,801 to no limit.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 110(b) of chapter 118 of the 2011 Session Laws of Kansas on the social service block grant fund of the department on aging is hereby increased from \$4,399,305 to \$4,500,000.

Sec. 34.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Breast cancer screening program.....	\$407,000
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Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Sec. 35.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Other medical assistance.....	\$19,513,116
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(b) On the effective date of this act, of the \$17,293,612 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 108(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the children's health insurance program account, the sum of \$28,819 is hereby lapsed.

(c) On the effective date of this act, of the \$14,482,995 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 108(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the health policy operating expenditures account, the sum of \$52,694 is hereby lapsed.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 108(b) of chapter 118 of the 2011 Session Laws of Kansas on the medical programs fee fund of the department of health and

environment – division of health care finance is hereby increased from \$50,529,602 to \$56,610,742.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 108(b) of chapter 118 of the 2011 Session Laws of Kansas on the health care access improvement fund of the department of health and environment – division of health care finance is hereby increased from \$33,300,000 to \$33,354,454.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the preventive health care program fund of the department of health and environment – division of health care finance is hereby increased from \$667,369 to \$711,214.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the health committee insurance fund of the department of health and environment – division of health care finance is hereby decreased from \$287,646 to \$283,854.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on expenditures from the state workers compensation self-insurance fund of the department of health and environment – division of health care finance for salaries and wages and other operating expenditures is hereby increased from \$3,510,806 to \$3,776,357.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 108(b) of chapter 118 of the 2011 Session Laws of Kansas on expenditures from the cafeteria benefits fund of the department of health and environment – division of health care finance for salaries and wages and other operating expenditures is hereby decreased from \$1,979,603 to \$1,977,635.

Sec. 36.

DEPARTMENT OF LABOR

(a) On the effective date of this act, of the \$409,271 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 105(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$3,731 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the workmen's compensation fee fund of the department of labor is hereby decreased from \$13,883,381 to \$10,624,371.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the federal indirect cost offset fund of the department of labor is hereby decreased from \$404,143 to \$364,858.

Sec. 37.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) On the effective date of this act, of the \$426,485 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures

– administration account, the sum of \$350 is hereby lapsed.

(b) On the effective date of this act, of the \$1,200,598 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures – veteran services account, the sum of \$1,178 is hereby lapsed.

(c) On the effective date of this act, of the \$1,917,108 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures – Kansas soldiers' home account, the sum of \$16,366 is hereby lapsed.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the soldiers home fee fund of the Kansas commission of veterans affairs is hereby decreased from \$1,719,521 to \$1,668,438.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the soldiers home federal fund of the Kansas commission of veterans affairs is hereby increased from \$2,254,408 to \$2,603,283.

(f) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Operating expenditures – veterans claim assistance program – service grants.....\$32,732

(g) On the effective date of this act, of the \$2,494,684 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures – Kansas veterans' home account, the sum of \$16,366 is hereby lapsed.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the veterans home federal fund of the Kansas commission on veterans affairs is hereby increased from \$2,924,231 to \$3,129,375.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the veterans home fee fund of the Kansas commission on veterans affairs is hereby increased from \$3,000,003 to \$3,129,622.

(j) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the VA burial reimbursement fund – federal of the Kansas commission on veterans affairs is hereby increased from \$80,538 to \$101,942.

Sec. 38.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2012, for the capital improvement project or projects specified as follows:

Debt service – revenue bonds issued for major remodeling and new construction projects at state educational institutions.....\$1,254,925

(b) On the effective date of this act, of the appropriations for the above agency for the fiscal year ending June 30, 2012, by section 128(a) of chapter 118 of the 2011 Session Laws of Kansas of any unencumbered balance in the southwest Kansas access project account of the state general fund, the sum of \$243,620 is hereby lapsed.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Midwest higher education commission.....\$5,462
Sec. 39.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

KPERS – employer contributions.....\$6,992,555
General state aid.....\$24,632,000
Operating expenditures (including official hospitality).....\$50,000

(b) On and after the effective date of this act, notwithstanding the provisions of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas or any other statute, no appropriation shall be made for fiscal year 2012 from the state general fund to the general state aid account of the department of education by the second proviso to the general state aid account appropriation from the state general fund of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas: *Provided*, That the amount that would be appropriated for the above agency for the fiscal year ending June 30, 2012, pursuant to the second proviso to the general state aid account appropriation from the state general fund of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund to the general state aid account is hereby lapsed: *Provided further*, That, on the effective date of this act, the provisions of the second proviso to the general state aid account appropriation from the state general fund of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 40.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Treatment and programs.....\$1,825,000

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2012, the following:

Labette facility renovation.....\$1,696,150

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Disaster grants – public assistance fund.....No limit

Sec. 41.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Purchase of services.....\$1,868,707

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 130(b) of chapter 118 of the 2011 Session Laws of Kansas on the juvenile detention facilities fund of the juvenile justice authority is hereby increased from \$3,575,963 to \$4,459,805.

(c) On the effective date of this act, of the \$408,118 appropriated for the above

agency for the fiscal year ending June 30, 2012, by section 164(a) of chapter 118 of the 2011 Session Laws of Kansas from the state institutions building fund in the backup generator – Kansas juvenile correctional complex account, the sum of \$407,618 is hereby lapsed.

(d) On the effective date of this act, of the \$10,000 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 164(a) of chapter 118 of the 2011 Session Laws of Kansas from the state institutions building fund in the raze pig barn – Kansas juvenile correctional complex account, the sum of \$5,000 is hereby lapsed.

Sec. 42.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Disaster relief.....\$4,226,905

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State asset forfeiture fund.....No limit

Sec. 43.

EMERGENCY MEDICAL SERVICES BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the emergency medical services operating fund of the emergency medical services board is hereby increased from \$1,330,025 to \$1,332,018.

Sec. 44.

STATE FIRE MARSHAL

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$29,339 from the hazardous material program fund of the state fire marshal to the fire marshal fee fund of the state fire marshal.

Sec. 45.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Rehabilitation and repair projects.....\$64,500

Sec. 46.

KANSAS DEPARTMENT OF AGRICULTURE

(a) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2012, by section 138(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund, in the operating expenditures account, the sum of \$57,541 is hereby lapsed.

(b) On the effective date of this act, of the \$702,722 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 138(c) of chapter 118 of the 2011 Session Laws of Kansas in the basin management account of the state water plan fund, the sum of \$68,403 is hereby lapsed.

(c) On the effective date of this act, of the amount reappropriated for the above

agency for the fiscal year ending June 30, 2012, by section 138(c) of chapter 118 of the 2011 Session Laws of Kansas from the state water plan fund in the water transition assistance program/conservation reserve enhancement program account, the sum of \$1,019,748 is hereby lapsed.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 138(a) of chapter 118 of the 2011 Session Laws of Kansas on expenditures from the operating expenditures account of the Kansas department of agriculture for official hospitality is hereby increased from \$5,000 to \$10,000.

(e) On and after the effective date of this act, during the fiscal year ending June 30, 2012, in addition to other purposes for which expenditures may be made by the Kansas department of agriculture from moneys appropriated in the reimbursement and recovery fund, conference regulation and disbursement fund, and the market development fund for the fiscal year ending June 30, 2012, as authorized by section 138(b) of chapter 118 of the 2011 session laws of Kansas or by this or other appropriation act of the 2012 regular session of the Kansas legislature, expenditures may be made by the Kansas department of agriculture from moneys appropriated in the reimbursement and recovery fund, conference regulation and disbursement fund, and the market development fund for official hospitality.

Sec. 47.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) On the effective date of this act, of the \$40,000 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 141(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the reimbursement for annual licenses issued to Kansas disabled veterans account, the sum of \$18,388 is hereby lapsed.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

State parks operating expenditures.....\$800,000

Sec. 48.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the agency operations account of the state highway fund of the department of transportation is hereby increased from \$287,632,588 to \$289,632,588.

(b) On the effective date of this act, the director of accounts and reports shall transfer \$2,000,000 from the north central Kansas air passenger service support fund of the department of transportation to the state economic development initiatives fund.

Sec. 49. On the effective date of this act, during fiscal year 2012, notwithstanding the provisions of section 101(e) of chapter 118 of the 2011 Session Laws of Kansas, K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer all moneys exceeding the first \$1,696,150 credited to the expanded lottery act revenues fund during fiscal year 2012 from the expanded lottery act revenues fund to the state general fund, within 10 days after such moneys are credited to the expanded lottery act revenues fund: *Provided*, That the transfer of such amounts shall be in addition to any other transfer from the expanded lottery act

revenues fund to the state general fund as prescribed by law: *Provided further*, That all moneys transferred from the expanded lottery act revenues fund to the state general fund pursuant to this subsection are to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of revenue, and other state agencies, by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, on the effective date of this act, the provisions of section 101(e) of chapter 118 of the 2011 Session Laws of Kansas, that transfers all moneys that are credited to the expanded lottery act revenues fund from the expanded lottery act revenues fund to the state general fund during the fiscal year ending June 30, 2012, are hereby declared to be null and void and shall have no force and effect.

Sec. 50.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Court appointed special advocates.....\$50,000

(b) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2011 Supp. 21-5933, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the medicaid fraud prosecution revolving fund of the attorney general to the state general fund: *Provided*, That the amount transferred from the medicaid fraud prosecution revolving fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the attorney general by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 51. (a) During the fiscal year ending June 30, 2012, notwithstanding the provisions of chapter 118 of the 2011 Session Laws of Kansas, in addition to the other purposes for which expenditures may be made by any state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2012 for the state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the state agency from moneys appropriated by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature from the state general fund or from any such special revenue fund or funds for fiscal year 2012 to purchase bottled drinking water for water dispensers.

Sec. 52.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Legislative coordinating council – operations.....\$568,852

Provided, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Legislative research department – operations.....\$3,763,642

Provided, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Office of revisor of statutes – operations.....\$3,146,872

Provided, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special revenue fund.....No limit
 Sec. 53.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations (including official hospitality).....\$16,683,845

Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2013 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2013: *And provided further*, That, notwithstanding the

provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2013: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2013: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2013.

Legislative information system.....\$1,401,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special revenue fund.....No limit

Provided, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*; That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*; That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*; That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*; That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-

4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2013 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2013.

Capitol restoration – gifts and donations fund.....No limit

(c) As used in this section, "joint committee" includes the joint committee on rules and regulations, health care stabilization fund oversight committee, joint committee on special claims against the state, legislative budget committee, legislative educational planning committee, joint committee on economic development, joint committee on state building construction, joint committee on the arts and cultural resources, joint committee on information technology, joint committee on pensions, investments and benefits, joint committee on state-tribal relations, workers compensation fund oversight committee, confirmation oversight committee, joint committee on corrections and juvenile justice oversight, joint committee on children's issues, compensation commission, joint committee on Kansas security, joint committee on health policy oversight, state employee pay plan oversight committee, joint committee on energy and environmental policy, joint committee on home and community based services oversight, capitol restoration commission, redistricting advisory group, capitol preservation committee and any other committee, commission or other body for which expenditures are to be paid from moneys appropriated for the legislature for the expenses of any meeting of any such body or for the expenses of any member thereof.

Sec. 54.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations (including legislative post audit committee).....\$2,089,730
Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from this account, expenditures shall be made by the above agency from moneys appropriated from this account in fiscal year 2013 to conduct three school district efficiency audits during fiscal year 2013: *And provided further*, That three school districts shall be one school district each from small, medium and large school districts: *And provided further*, That the legislative post audit committee shall make a determination of selecting the appropriate school districts first on a voluntary basis in order to implement the provisions of this proviso.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Audit services fund.....No limit
Provided, That the division of post audit is hereby authorized to fix, charge and collect fees for copies of public records of the division, including distribution of such copies: *Provided further*, That such fees shall be fixed to recover all or part of the expenses incurred for reproducing and distributing such copies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the audit services fund.
 - Conversion of materials and equipment fund.....No limit
 - State agency audits fund.....No limit
- Sec. 55.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

- Governor's department.....\$2,290,526
Provided, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.
- Domestic violence prevention grants.....\$4,760,516
Provided, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at the discretion of the governor: *And provided further*, That expenditures shall be made from this account to contract with the Kansas coalition against sexual and domestic violence, in an amount not less than \$1,000,000, for the fiscal year ending June 30, 2013, to provide grants in the same manner as such grants were provided by the coalition during the fiscal year ending June 30, 2012, for the purpose of providing services to victims of domestic violence and sexual assault.

Child advocacy centers.....\$833,731
Provided, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2013, by subsection (a) from the state general fund in the governor's department account.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund.....No limit
Provided, That expenditures may be made from the special programs fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

Hispanic and Latino American affairs fee fund.....No limit
 Miscellaneous projects fund.....No limit
Provided, That expenditures may be made from the miscellaneous projects fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences and all fees received by the governor's department under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the miscellaneous projects fund.

Intragovernmental service fund.....No limit
Provided, That expenditures may be made from the intragovernmental service fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the

intragovernmental service fund.
 Conversion of materials and equipment fund.....No limit
 Federal grants fund.....No limit
 Justice assistance grant – federal fund.....No limit
 Hispanic and Latino American affairs commission – donations fund.....No limit
 Advisory commission on African-American affairs – donations fund.....No limit
 Kansas commission on disability concerns fee fund.....No limit
 Kansas commission on disability concerns – gifts, grants and donations fund.....No limit
 Domestic violence grants fund.....No limit
Provided, That grants made for domestic violence prevention shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control and prevention as the official domestic violence or sexual assault coalition.

Child advocacy centers grant fund.....No limit
 (d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$300,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the domestic violence grants fund of the governor's department.

(e) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the child advocacy center grants fund of the governor's department.

Sec. 56.

LIEUTENANT GOVERNOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations.....\$182,265

Provided, That any unencumbered balance in the operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Special programs fund.....No limit

Provided, That expenditures may be made from the special programs fund for operating expenditures for the lieutenant governor, including conferences and official hospitality: *Provided further*; That the lieutenant governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*; That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received for such conferences and all fees received by the lieutenant governor under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor on official state business and for travel and subsistence expenditures for security personnel when

traveling with the lieutenant governor on official state business from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2013, in the operations account.

(d) Expenditures may be made by the above agency for official hospitality and contingencies from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2013, in the operations account without limit at the discretion of the lieutenant governor.

Sec. 57.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

- Operating expenditures.....\$4,896,432
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$2,000.
- Litigation costs.....\$78,000
Provided, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
- Internet training education for Kansas kids.....\$290,000
Provided, That any unencumbered balance in the internet training education for Kansas kids account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
- Abuse, neglect and exploitation unit.....\$115,000
Provided, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.
- Lab feasibility study.....\$100,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Private detective fee fund.....No limit
 - Court cost fund.....No limit
 - Bond transcript review fee fund.....No limit
 - Conversion of materials and equipment fund.....No limit
 - Attorney general's antitrust special revenue fund.....No limit
 - Private gifts fund.....No limit
 - Medicaid fraud reimbursement fund.....No limit
 - Attorney general's antitrust suspense fund.....No limit
 - Attorney general's consumer protection clearing fund.....No limit
 - Attorney general's committee on crime prevention fee fund.....No limit
- Provided*, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to

conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*; That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*; That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*; That all fees received for conducting such seminars shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

Tort claims fund.....No limit

Crime victims compensation fund.....No limit

Provided, That expenditures from the crime victims compensation fund for state operations shall not exceed \$454,058: *Provided further*; That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance fund.....No limit

Protection from abuse fund.....No limit

Crime victims grants and gifts fund.....No limit

Provided, That all private grants and gifts received by the crime victims compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Debt collection administration cost recovery fund.....No limit

Provided, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719, and amendments thereto.

Medicaid fraud prosecution revolving fund.....No limit

Provided, That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further*; That, notwithstanding the provisions of K.S.A. 2011 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general's office other than for medicaid fraud prosecution costs.

Interstate water litigation fund.....No limit

Provided, That, in addition to the other purposes authorized by K.S.A. 82a-1802, and amendments thereto, expenditures may be made from the interstate water litigation fund for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2) expenses related to the appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund.....No limit

Children's advocacy center fund.....	No limit
Abuse, neglect and exploitation of people with disabilities unit grant acceptance fund.....	No limit
Concealed weapon licensure fund.....	No limit
Tobacco master settlement agreement compliance fund.....	No limit
Sexually violent predator expense fund.....	No limit
County law enforcement equipment fund.....	No limit
Child exchange and visiting centers fund.....	No limit
State medicaid fraud control unit – federal fund.....	No limit
Com def sol – violence against women federal fund.....	No limit
Crime victims compensation federal fund.....	No limit
Ed Byrne state/local law enforcement federal fund.....	No limit
Violence against women – ARRA federal fund.....	No limit
Comm prsct/project safe neighborhood federal fund.....	No limit
Public safety prtnt/comm pol fund.....	No limit
Anti-gang initiative federal fund.....	No limit
Alcohol impaired driving cntrmsr federal fund.....	No limit
Children's justice grant federal fund.....	No limit
Corr research/evaluation/policy firearms federal fund.....	No limit
Ed Byrne memorial JAG – ARRA federal fund.....	No limit
State victims compensation formula grant federal fund.....	No limit
Medicaid indirect cost federal fund.....	No limit
Federal forfeiture fund.....	No limit
False claims litigation revolving fund.....	No limit
<i>Provided</i> , That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 2011 Supp. 75-7501 <i>et seq.</i> , and amendments thereto.	
GTEAP federal fund.....	No limit
Ed Byrne memorial justice assistance grant federal fund.....	No limit
911 state maintenance fund.....	No limit
911 federal grant fund.....	No limit

(c) During the fiscal year ending June 30, 2013, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$485,593 from the Kansas endowment for youth fund to the tobacco master settlement agreement compliance fund of the attorney general.

(e) During the fiscal year ending June 30, 2013, the attorney general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state general fund for the attorney general to another item of appropriation for fiscal year 2013 from the state general fund for the attorney general. The attorney general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director

of legislative research.

(f) On July 1, 2012, the director of accounts and reports shall transfer any unencumbered balance in the private detective fee fund of the attorney general – Kansas bureau of investigation to the private detective fee fund of the attorney general.

(g) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$4,000,000 from the court cost fund of the attorney general to the state general fund: *Provided*, That the amount transferred from the court cost fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the attorney general by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 58.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Publication of proposed constitutional amendments\$77,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Cemetery and funeral audit fee fund.....No limit

HAVA ELVIS fund.....No limit

Conversion of materials and equipment fund.....No limit

Information and services fee fund.....No limit

Provided, That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,500.

State register fee fund.....No limit

Uniform commercial code fee fund.....No limit

State flag and banner fund.....No limit

Secretary of state fee refund fund.....No limit

Electronic voting machine examination fund.....No limit

Credit card clearing fund.....No limit

Suspense fund.....No limit

Prepaid services fund.....No limit

Athlete agent registration fee fund.....No limit

Democracy fund.....No limit

Provided, That all expenditures from the democracy fund shall be to provide matching funds to implement Title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.

Technology communication fee fund.....No limit

Help America Vote Act federal fund.....No limit

HAVA title I federal fund.....No limit

Voting access – disabled individuals federal fund.....No limit

Cemetery maintenance and merchandise fee fund.....No limit

(c) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made

from any special revenue fund or funds for fiscal year 2013 by the above agency by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house of representatives committee on appropriations and the senate committee on ways and means detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2013 regular session of the legislature and detailing costs to local units of governments for conducting elections which include proposed constitutional amendments.

Sec. 59.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer operating fund.....	\$1,628,975
<i>Provided</i> , That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 <i>et seq.</i> , and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act, K.S.A. 58-3934 <i>et seq.</i> , and amendments thereto, during fiscal year 2013, the state treasurer is hereby authorized and directed to credit the first \$1,628,975 received and deposited in the state treasury to the state treasurer operating fund: <i>Provided further</i> , That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2013 shall be credited as prescribed under the unclaimed property act, K.S.A. 58-3934 <i>et seq.</i> , and amendments thereto: <i>And provided further</i> , That all moneys credited to the state treasurer operating fund during fiscal year 2013 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act, K.S.A. 58-3934 <i>et seq.</i> , and amendments thereto, that are not otherwise reimbursed under any other provision of law.	
Fiscal agency fund.....	No limit
Bond services fee fund.....	No limit
City bond finance fund.....	No limit
Local <i>ad valorem</i> tax reduction fund.....	No limit
County and city revenue sharing fund.....	No limit
Suspense fund.....	No limit
County and city retailers' sales tax fund.....	No limit
County and city compensating use tax fund.....	No limit
Local alcoholic liquor fund.....	No limit
Local alcoholic liquor equalization fund.....	No limit
Unclaimed property claims fund.....	No limit
Unclaimed property expense fund.....	No limit
<i>Provided</i> , That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.	
County and city transient guest tax fund.....	No limit
Racing admissions tax fund.....	No limit

Rental motor vehicle excise tax fund.....No limit
 Transportation development district sales tax fund.....No limit
 Redevelopment bond fund.....No limit
 Municipal investment pool fund.....No limit
 Pooled money investment portfolio fee fund.....No limit

Provided, That, on or before the fifth day of each month of the fiscal year ending June 30, 2013, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further*; That, prior to the 10th day of each month during the fiscal year ending June 30, 2013, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*; That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

Special qualified industrial manufacturer fund.....No limit

Provided, That, notwithstanding the provisions of K.S.A. 2011 Supp. 74-50,122, and amendments thereto, or any other statute, the special qualified industrial manufacturer fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of the qualified industrial manufacturer act: *Provided further*; That, on the 15th day of each month that commences during fiscal year 2013, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified industrial manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *And provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the special qualified industrial manufacturer fund established by this subsection: *And provided further*; That, on or before the 10th day of each month commencing during fiscal year 2013, the director of accounts and reports shall transfer from the state general fund to the special qualified industrial manufacturer fund interest earnings based on: (1) The average daily balance of moneys in the special qualified industrial manufacturer fund established by this subsection for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the special qualified industrial manufacturer fund from the withholding taxes paid by a qualified industrial manufacturer shall be paid by the state treasurer to such qualified industrial manufacturer on such dates as are mutually agreed to by the secretary of commerce and the state treasurer, serving as paying agent in accordance with the terms of the agreement entered into pursuant to K.S.A. 2011 Supp. 74-50,122, and amendments thereto, by the secretary of commerce and such qualified industrial manufacturer: *And provided further*; That not more than \$2,000,000 shall be paid from the special qualified

industrial manufacturer fund established by this subsection by the state treasurer to a qualified industrial manufacturer: *And provided further*, That the words and phrases used in these provisos to the appropriation of moneys in the special qualified industrial manufacturer fund shall have the meanings respectively ascribed thereto by K.S.A. 2011 Supp. 74-50,121, and amendments thereto, unless the context requires otherwise.

Kansas postsecondary education savings program trust fund.....No limit
Provided, That, notwithstanding the provisions of subsection (f) of K.S.A. 2011 Supp. 75-650, and amendments thereto, or any other statute, moneys are hereby appropriated for the fiscal year ending June 30, 2013, for the purpose of matching contributions of qualified applicants.

Kansas postsecondary education savings expense fund.....No limit

Conversion of materials and equipment fund.....No limit

Tax increment financing revenue replacement fund.....No limit

Spirit bonds fund.....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2013, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2011 Supp. 74-50,136, and amendments thereto, and for which the Spirit bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Spirit bonds fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2013, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2011 Supp. 74-50,136, and amendments thereto.

Learjet bond fund.....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2013, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2011 Supp. 74-50,136, and amendments thereto, and for which the Learjet bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Learjet bond fund: *And*

provided further, That, on or before the 10th day of each month commencing during fiscal year 2013, the director of accounts and reports shall transfer from the state general fund to the Learjet bond fund interest earnings based on: (1) The average daily balance of moneys in the Learjet bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Learjet bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Learjet bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2011 Supp. 74-50,136, and amendments thereto.

Siemens bond fund.....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2013, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2011 Supp. 74-50,136, and amendments thereto, and for which the Siemens bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Siemens bond fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2013, the director of accounts and reports shall transfer from the state general fund to the Siemens bond fund interest earnings based on: (1) The average daily balance of moneys in the Siemens bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Siemens bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Siemens bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2011 Supp. 74-50,136, and amendments thereto.

Business machinery and equipment tax reduction assistance fund.....\$0

Telecommunications and railroad machinery and equipment tax reduction assistance fund.....\$0

Community improvement district sales tax fund.....No limit

Special economic revitalization fund.....No limit

Bioscience development and investment fund.....No limit

(b) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other statute, the commissioner of insurance shall remit all moneys received by the commissioner under K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury: *Provided, however*, That, for each such remittance deposited in the state treasury during fiscal year 2013, the state treasurer shall not credit such deposit pursuant to K.S.A. 75-1514, and amendments thereto, but shall credit such deposit in accordance with the

provisions of this subsection: *Provided further*, That the state treasurer shall credit 10% of each such deposit to the state general fund and the state treasurer shall credit the remainder of each such deposit as follows: (1) The amount equal to 64% of the remainder of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (2) the amount equal to 20% of the remainder of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (3) the amount equal to 16% of the remainder of such deposit shall be credited to the fire service training program fund of the university of Kansas: *And provided further*, That the amount of each such deposit that is credited to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state fire marshal, the emergency medical services board, and the fire service training program of the university of Kansas by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, whenever in fiscal year 2013 the aggregate amount that the 10% credit to the state general fund prescribed by this subsection is equal to \$100,000, then: (1) The provisions of this subsection prescribing the 10% credit to the state general fund no longer shall apply to moneys received pursuant to K.S.A. 75-1508, and amendments thereto; and (2) for the remainder of fiscal year 2013, the state treasurer shall credit the full 100% so received of each such deposit as follows: (A) The amount equal to 64% of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (B) the amount equal to 20% of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (C) the amount equal to 16% of such deposit shall be credited to the fire service training program fund of the university of Kansas.

Sec. 60.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Insurance department service regulation fund.....No limit
Provided, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,500: *Provided further*, That transfers may be made from this fund to the insurance department rehabilitation and repair fund of the insurance department.
- Insurance company examination fund.....No limit
Provided, That transfers may be made from the insurance company examination fund to the insurance department rehabilitation and repair fund of the insurance department.
- Insurance company annual statement examination fund.....No limit
- Insurance company examiner training fund.....No limit
- Conversion of materials and equipment fund.....No limit
- Commissioner's travel reimbursement fund.....No limit
Provided, That expenditures may be made from the commissioner's travel reimbursement fund only to reimburse the commissioner of insurance, or any designated employee, for expenses incurred for in-state or out-of-state travel for official

purposes, including travel to meetings of public or private associations: *Provided further*; That all moneys received by the commissioner of insurance for such travel from any non-state agency source shall be deposited in the state treasury to the credit of this fund.

Workers compensation fund.....No limit
Provided, That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made.

State firefighters relief fund.....No limit
Provided, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, transfers may be made from the state firefighters relief fund to the insurance department rehabilitation and repair fund of the insurance department: *Provided further*; That, pursuant to provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, one or more transfers may be made during fiscal year 2013 from the state firefighters relief fund to the insurance department service regulation fund to repay the amount that was borrowed for the special distribution in fiscal year 2008 pursuant to section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, relating to the overpayment to the firefighters relief association for Manhattan, KS: *And provided further*; That, as used in this proviso: (1) "2013 formula amount" means the amount determined in accordance with the formula and other provisions of K.S.A. 40-1706, and amendments thereto, for the firefighters relief association for Manhattan, KS, for fiscal year 2013; (2) "2008 payment amount" means the amount actually paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2008; and (3) "2013 repayment amount" means the difference between the 2013 formula amount and the 2008 payment amount: *And provided further*; That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, the amount of the distribution to be paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2013 shall not exceed the 2008 payment amount: *And provided further*; That the commissioner of insurance shall certify the 2013 repayment amount to the director of accounts and reports and the outstanding amount that remains to be repaid to the insurance department service regulation fund pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas after the transfer to the insurance department service regulation fund pursuant to this proviso: *And provided further*; That, upon receipt of such certification, the director of accounts and reports shall transfer the amount equal to the 2013 repayment amount from the state firefighters relief fund to the insurance department service regulation fund: *And provided further*; That, at the same time that the commissioner of insurance transmits such certification to the director of accounts and reports, the commissioner of insurance shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

Insurance company tax and fee refund fund.....No limit

Group-funded workers' compensation pools fee fund.....No limit
Provided, That transfers may be made from the group-funded workers' compensation pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Municipal group-funded pools fee fund.....No limit

Provided, That transfers may be made from the municipal group-funded pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Uninsurable health insurance plan fund.....No limit

Insurance education and training fundNo limit

Provided, That expenditures may be made from the insurance education and training fund for training programs and official hospitality: *Provided further*, That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such training programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the insurance education and training fund.

Monumental life settlement fund.....No limit

Provided, That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: *Provided further*, That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.

Fines and penalties fund.....\$10,000

Provided, That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2013 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

Settlements fund.....No limit

Provided, That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: *Provided further*, That expenditures from the settlements fund shall be made for the purpose of providing consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

Emergency management performance grant – federal fund.....No limit

Affordable care act – federal fund.....No limit

HHS consumer assistance grant – federal fund.....No limit

HHS exchange planning & establishment grant – federal fund.....No limit

HHS rate review grant – federal fund.....No limit

Exchange – KMED early innovator federal grant.....No limit

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2013 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2013 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses

were incurred prior to the effective date of this act.

Sec. 61.

HEALTH CARE STABILIZATION FUND BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Health care stabilization fund.....No limit
- Conference fee fund.....No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2013, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

- Operating expenditures.....\$1,719,802
- Provided*, That expenditures may be made from the operating expenditures account for official hospitality.
- Legal services and other claims expenses.....No limit
 - Claims and benefits.....No limit

Sec. 62.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Judicial council fund.....No limit
 - Grants and gifts fund.....No limit
- Provided*, That all private grants and gifts received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.
- Publications fee fund.....No limit
 - Judicial performance fund.....No limit

(b) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 20-3207, and amendments thereto, or any other statute, the state treasurer is hereby authorized and directed to transfer \$84,777 from the judicial performance fund of the judicial council to the judicial council fund of the judicial council.

(c) On June 30, 2013, notwithstanding the provisions of K.S.A. 20-2207, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the publications fee fund as of June 30, 2013, in excess of \$175,000 from the publications fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the publications fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the publications fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to

provide such services: *And provided further*, That, when the judicial council must expend moneys for unforeseen and unbudgeted items, such moneys shall be paid first from the judicial council fund and then from the publication fees fund.

Sec. 63.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$12,613,941

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures.....\$9,000,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered.

Capital defense operations.....\$1,436,781

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the capital defense operations account is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners.....\$289,592

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training grant fund.....No limit

Indigents' defense services fund.....No limit

Provided, That expenditures may be made from the indigents' defense services fund for the purpose of assigned counsel and other professional services related to contract cases.

Inservice education workshop fee fund.....No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all

or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*; That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2013, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2013 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 64.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Judiciary operations.....\$106,775,180

Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto: *And provided further*; That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: *And provided further*; That expenditures from the judiciary operations account for such contingencies shall not exceed \$25,000: *And provided further*; That expenditures from the judiciary operations account for official hospitality shall not exceed \$4,000: *And provided further*; That expenditures shall be made from the judiciary operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Library report fee fund.....No limit

Judiciary technology fund.....No limit

Judicial branch gifts fund.....No limit

Dispute resolution fund.....No limit

Judicial branch education fund.....No limit

Provided, That expenditures may be made from the judicial branch education fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto, educating and training municipal judges and municipal court support staff, and for the planning and implementation of a family court system, as provided by law, including official hospitality: *Provided further*; That the judicial administrator is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*; That such

fees may be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch education fund.

Conversion of materials and equipment fund	No limit
Child welfare federal grant fund.....	No limit
Child support enforcement contractual agreement fund.....	No limit
Bar admission fee fund.....	No limit
Permanent families account – family and children investment fund.....	No limit
Duplicate law book fund.....	No limit
Court reporter fund.....	No limit
Access to justice fund.....	No limit
Judicial technology and building and grounds fund.....	No limit
Judicial branch nonjudicial salary initiative fund.....	No limit
Judicial branch nonjudicial salary adjustment fund.....	No limit
Federal grants fund.....	No limit
District magistrate judge supplemental compensation fund.....	No limit
Judicial branch surcharge fund.....	No limit
Correctional supervision fund.....	No limit
Edward Byrne memorial justice assistance fund	No limit
Community defense solutions – violence against women fund.....	No limit
Edward Byrne justice assistance grant fund – ARRA.....	No limit
S.T.O.P. violence against women act fund – ARRA	No limit
Violence against women grant fund – ARRA	No limit
State court improvement program fund	No limit

Sec. 65.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

13th retirement check – debt service.....\$3,208,993

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund.....	No limit
<i>Provided</i> , That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.	
Kansas public employees deferred compensation fees fund.....	No limit
Group insurance reserve fund.....	No limit
Optional death benefit plan reserve fund.....	No limit
Kansas endowment for youth fund.....	No limit
Senior services trust fund.....	No limit
Family and children endowment account – family and children investment fund.....	No limit

Non-retirement administration fund.....No limit
Provided, That the executive officer of the Kansas public employees retirement system shall certify to the director of accounts and reports the amount of moneys to transfer from the Kansas endowment for youth fund, the senior services trust fund, the family and children endowment account – family and children investment fund, and the unclaimed property account of the state general fund for the purpose of reimbursing the costs of non-retirement related administrative activities and investment-related expenses for managing such funds in accordance with K.S.A. 74-4909b, and amendments thereto. K DFA series 2003H bond debt service fundNo limit
Provided, That, notwithstanding the provisions of K.S.A. 74-4921 *et seq.*, and amendments thereto, any employer contributions remitted in accordance with the provisions of K.S.A. 20-2605, and amendments thereto, K.S.A. 74-4920, and amendments thereto, K.S.A. 74-4939, and amendments thereto, and K.S.A. 74-4967, and amendments thereto, for the purpose of paying the actuarial cost of the provisions of K.S.A. 74-49,109 *et seq.*, and amendments thereto, shall be credited in the K DFA series 2003H bond debt service fund: *Provided further*; That the executive director of the Kansas public employees retirement system shall certify to the director of accounts and reports an amount to reimburse the state general fund for bond debt service payments authorized in fiscal year 2013: *And provided further*; That the director of accounts and reports shall transfer to the state general fund such amount certified as provided by the executive director no later than June 30, 2013.

(c) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund for the fiscal year ending June 30, 2013, for the following specified purposes:

- Agency operations.....\$9,331,435
- Provided*, That expenditures from the agency operations account may be made for official hospitality.
- Investment-related expenses.....No limit
- KPERS technology project.....No limit

(d) Expenditures may be made from the non-retirement administration fund for the fiscal year ending June 30, 2013, for the following specified purposes:

- Agency operations.....\$82,690
- Investment-related expenses.....No limit

(e) On July 1, 2012, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by subsection (d)(4) of K.S.A. 38-2102, and amendments thereto, to be transferred on July 1, 2012, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby decreased to \$55,800,000.

Sec. 66.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

- Operating expenditures\$1,203,295
- Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$150: *Provided further*; That expenditures for mediation services contracted with

Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal fundNo limit
 Conversion of materials and equipment fundNo limit
 Annual banquet fundNo limit

Provided, That expenditures may be made from the annual banquet fund for operating expenditures for the commission's annual banquet, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such banquet: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such banquet, including official hospitality: *And provided further*, That all fees received for such banquet shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the annual banquet fund.

Education and training fundNo limit

Provided, That expenditures may be made from the education and training fund for operating expenditures for the commission's education and training programs for the general public, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Sec. 67.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service regulation fund.....No limit
 Motor carrier license fees fund.....No limit
 Conservation fee fund.....No limit

Provided, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further*, That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*, That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services recovery fund of the department of administration for services rendered in collection efforts: *And provided further*, That all expenditures made from the

conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*, That the state corporation commission shall include as part of the fiscal year 2014 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2014, 2015 and 2016.

Energy grants management federal fund – ARRA.....No limit
Provided, That the state corporation commission is hereby designated as the state agency to receive moneys from federal agencies for energy conservation and other energy related activities under the federal American recovery and reinvestment act of 2009, as amended: *Provided further*, That, whenever moneys are received by the state corporation commission from federal agencies for energy conservation and other energy-related activities under the federal American recovery and reinvestment act of 2009, as amended, such moneys shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy grants management federal fund – ARRA.

State electricity regulators assistance – ARRA federal fund.....No limit
Energy efficiency revolving loan program – ARRA federal fund.....No limit
Provided, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission or by a person or persons designated by the chairperson: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and other energy-related activities: *And provided further*, That loans under such program shall be made at an interest rate established by the state corporation commission: *And provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons as may be necessary to administer the energy efficiency revolving loan program: *And provided further*, That any person who agrees to receive money from the energy efficiency revolving loan program – ARRA federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That moneys repaid to the energy efficiency revolving loan program moneys shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That, on or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency revolving loan program – ARRA federal fund interest earnings based on: (1) The average daily balance of repaid moneys in the energy efficiency revolving loan program – ARRA federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Natural gas underground storage fee fund.....No limit
Gas pipeline inspection fee fund.....No limit
Special one-call – federal fund.....No limit

Compressed air energy storage fee fund.....	No limit
Abandoned oil and gas well fund.....	No limit
Well plugging assurance fund.....	No limit
Facility conservation improvement program fund.....	No limit
Gas pipeline safety program – federal fund.....	No limit
Carbon dioxide injection well and underground storage fund.....	No limit
Energy related grants – federal fund.....	No limit
Energy grants management fund.....	No limit
Energy conservation plan – federal fund.....	No limit
Vehicle information systems network – federal fund	No limit
Underground injection control class II – federal fund.....	No limit
One call – federal fund.....	No limit
Inservice education workshop fee fund.....	No limit
<i>Provided</i> , That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: <i>Provided further</i> , That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: <i>And provided further</i> , That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.	
Unified carrier registration clearing fund.....	No limit
Credit card clearing fund.....	No limit
Suspense fund.....	No limit
KETA administrative fund.....	No limit
KETA development fund.....	No limit

(b) Expenditures for the fiscal year ending June 30, 2013, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund shall not exceed, in the aggregate, \$16,978,134: *Provided*, That, within such limitation on the aggregate of expenditures, expenditures made for fiscal year 2013 from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund for official hospitality shall not exceed, in the aggregate, \$2,000.

(c) Expenditures for the fiscal year ending June 30, 2013, by the state corporation commission from the conservation fee fund or the abandoned oil and gas well fund may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2013 shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(d) During the fiscal year ending June 30, 2013, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer additional moneys from the conservation fee fund of the state corporation commission,

which are in excess of \$400,000 as prescribed by K.S.A. 55-193, and amendments thereto, to the abandoned oil and gas well plugging fund of the state corporation commission: *Provided*, That the executive director of the state corporation commission shall certify each such transfer of additional moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The executive director of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 66-1a01, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$100,000 from the public service regulation fund of the state corporation commission to the KETA administrative fund of the state corporation commission: *Provided*, That, on July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 66-1a01, and amendments thereto, or any other statute, and in addition to any other moneys transferred pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the remaining amount of the unexpended or unencumbered expenditure authority for fiscal year 2012, that was to be used for the expenses of the Kansas electric transmission authority for fiscal year 2012, by the state corporation commission from the public service regulation fund as authorized by section 95(f)(1) of chapter 118 of the 2011 Session Laws of Kansas, from the public service regulation fund of the state corporation commission to the KETA administrative fund of the state corporation commission.

Sec. 68.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund.....\$836,462

(b) During the fiscal year ending June 30, 2013, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund for fiscal year 2013 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2012, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2012 may be expended from the utility regulatory fee fund for fiscal year 2013 pursuant to contracts for professional services and any such expenditure for fiscal year 2013 shall be in addition

to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2013.

(c) On and after the effective date of this act, during the fiscal year ending June 30, 2013, no expenditures shall be made by the above agency from the utility regulatory fee fund for the review or other oversight of proposed administrative rules and regulations or any other duties pursuant to executive order no. 11-02.

Sec. 69.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

General administration	\$891,268
<i>Provided</i> , That any unencumbered balance in the general administration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: <i>Provided, however</i> ; That expenditures from this account for official hospitality shall not exceed \$1,000: <i>Provided further</i> ; That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the general administration account for three employees in the unclassified service under the Kansas civil service act.	
Department of administration systems.....	\$1,866,848
<i>Provided</i> , That any unencumbered balance in the department of administration systems account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: <i>Provided further</i> ; That expenditures from the department of administration systems account for official hospitality shall not exceed \$1,000.	
Personnel services.....	\$1,612,540
<i>Provided</i> , That any unencumbered balance in the personnel services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Purchasing.....	\$461,628
<i>Provided</i> , That any unencumbered balance in the purchasing account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Budget analysis.....	\$1,605,359
<i>Provided</i> , That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: <i>Provided further</i> ; That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the budget analysis account for eight employees in the unclassified service under the Kansas civil service act: <i>And provided further</i> ; That expenditures from this account for official hospitality shall not exceed \$1,000.	
Facilities management.....	\$47,514
<i>Provided</i> , That any unencumbered balance in the facilities management account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Accounts and reports.....	\$1,807,507
<i>Provided</i> , That any unencumbered balance in the accounts and reports account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Public broadcasting council grants.....	\$1,041,000
<i>Provided</i> , That any unencumbered balance in the public broadcasting council grants	

account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That all expenditures from the public broadcasting council grants account for capital equipment shall be made to provide matching funds for federal capital equipment grants awarded to eligible public broadcasting stations: *And provided further*; That expenditures from this account may be made to provide matching funds for capital equipment projects funded from any nonstate source in the event federal capital equipment grants are not awarded: *And provided further*; That in the event the federal facility programs cease to exist or fail to conduct grant solicitations, expenditures may be made from this account to provide matching funds for capital equipment projects funded from any nonstate source without first applying for federal capital equipment grants.

Long-term care ombudsman.....\$251,883
Provided, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,000.

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

KPERS bond debt service.....\$36,142,328
Public broadcasting digital conversion debt service.....\$1,695,523

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Federal cash management fund.....No limit
State leave payment reserve fund.....No limit
Building and ground fund.....No limit

Provided, That expenditures may be made from the building and ground fund for operating and other expenses for the Hiram Price Dillon House.

General fees fund.....No limit
Provided, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including human resources programs and official hospitality: *Provided further*; That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*; That fees shall be fixed in order to recover all or part of the operating expenses incurred, including official hospitality: *And provided further*; That all fees received, including fees received under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Human resource information systems cost recovery fund.....No limit
Budget fees fund.....No limit

Provided, That expenditures may be made from the budget fees fund for operating expenditures for the division of the budget, including training programs, special projects and official hospitality: *Provided further*; That the director of the budget is hereby authorized to fix, charge and collect fees for such training programs: *And provided*

further, That fees for such training programs and special projects shall be fixed in order to recover all or part of the operating expenses incurred for such training programs and special projects, including official hospitality: *And provided further*, That all fees received for such training programs and special projects and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the budget fees fund.

Purchasing fees fund.....No limit
Provided, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*, That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*, That all fees received for such operating expenses shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the purchasing fees fund.

Architectural services fee fund.....No limit
Provided, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: *Provided further*, That the director of facilities management is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for reproducing and distributing architectural information: *And provided further*, That all fees received for such reproduction and distribution of architectural information shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services fee fund.

Budget equipment conversion fund.....No limit

Conversion of materials and equipment fund.....No limit

Architectural services equipment conversion fund.....No limit

Property contingency fund.....No limit

Flood control emergency – federal fund.....No limit

INK special revenue fundNo limit

CJIS Byrne Grant – federal fund.....No limit

FICA reimbursements medical residents fund.....No limit

Information technology fund.....No limit

Provided, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology reserve fund.....No limit

State buildings operating fund.....No limit

Provided, That expenditures may be made from the state buildings operating fund for operating and other expenses for the Hiram Price Dillon House: *Provided further*, That

the secretary of administration is hereby authorized to fix, charge and collect fees for use of the rooms and other facilities of the Hiram Price Dillon House in accordance with policies adopted by the legislative coordinating council under K.S.A. 75-3682, and amendments thereto, for approving the use of such property: *And provided further*; That fees for approved use of such property shall be reasonable and directly related to the costs of such use and shall be fixed in order to recover all or part of the operating expenses incurred for such use: *And provided further*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*; That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *And provided further*; That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*; That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*; That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by subsection (a) of K.S.A. 2011 Supp. 75-37,123, and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*; That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee County including both state-owned and privately owned buildings: *And provided further*; That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services recovery fund.....No limit
Provided, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*; That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration which are not specifically authorized by any other statute: *And provided further*; That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund: *And provided further*; That on July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts

and reports shall transfer \$411,578 from the accounting services recovery fund of the department of administration to the state general fund: And provided further, That the transfer of such amount shall be in addition to any other transfer from the accounting services recovery fund to the state general fund as prescribed by law: *And provided further*, That the amount transferred from the accounting services recovery fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of administration by other state agencies which receive appropriations from the state general fund to provide such services.

Architectural services recovery fund.....No limit
Provided, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further*, That the director of facilities management is hereby authorized to fix, charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further*, That all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

Motor pool service fund.....No limit
 Intragovernmental printing service fund.....No limit
 Intragovernmental printing service depreciation reserve fund.....No limit
 Municipal accounting and training services recovery fund.....No limit
Provided, That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: *Provided further*, That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees shall be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the municipal accounting and training services recovery fund.

Canceled warrants payment fund.....No limit
 State emergency fund.....No limit
 Bid and contract deposit fund.....No limit
 Federal withholding tax clearing fund.....No limit
 Financial management system development fund.....No limit
Provided, That the secretary of administration may establish fees and make special assessments in order to finance the costs of developing the financial management system: *Provided further*, That all moneys received for such fees and special assessments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial management system development fund.

State gaming revenues fund.....No limit

Financial management system development fund – on budget.....	No limit
Construction defects recovery fund.....	No limit
Facilities conservation improvement fund.....	No limit
State revolving fund services fee fund.....	No limit
Conversion of materials and equipment – recycling program fund.....	No limit
Curtis office building maintenance reserve fund.....	No limit
Equipment lease purchase program administration clearing fund.....	No limit
Suspense fund.....	No limit
Electronic funds transfer suspense fund.....	No limit
Surplus property program fund – on budget.....	No limit
Surplus property program fund – off budget.....	No limit
Older Americans act long-term care ombudsman federal fund.....	No limit
Long-term care ombudsman gift and grant fund.....	No limit
Title XIX – long-term care ombudsman medicaid federal grant fund.....	No limit
Wireless enhanced 911 grant fund.....	No limit
Landon state office building repair expense fund.....	No limit
MacVicar avenue assessment expense fund.....	No limit
Bioscience development fund.....	No limit

(d) On July 1, 2012, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(e) During the fiscal year ending June 30, 2013, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto.

(f) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or in any capital improvement account of the state general fund for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or any such capital improvement account of the state general fund for fiscal year 2013 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(g) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget, which shall be equal to 70% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2013. Among other appropriate factors, the director of the budget shall take into

consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2012 and fiscal year 2013 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2013 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the children's initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the children's initiatives fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund shall be made after the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (j) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund.

(h) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2013. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2013 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the state economic development initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state economic development initiatives fund by the state treasurer in

accordance with the notice thereof.

(i) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget which shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2013. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2013 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the correctional institutions building fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the correctional institutions building fund by the state treasurer in accordance with the notice thereof.

(j) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget which shall be equal to 80% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2013, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2013 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the Kansas endowment for youth fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the Kansas endowment for youth fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund

shall be made before the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (g) for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund.

(k) During the fiscal year ending June 30, 2013, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the department of administration to another item of appropriation for fiscal year 2013 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(l) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, the following:

SIBF – state building insurance\$150,000
Provided, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the SIBF – state building insurance account of the state institutions building fund for state building insurance premiums.

(m) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2013, the following:

CIBF – state building insurance.....\$130,000
Provided, That, notwithstanding the provisions of K.S.A. 76-6b09, and amendments thereto, expenditures may be made by the above agency from the CIBF – state building insurance account of the correctional institutions building fund for state building insurance premiums.

(n) On July 1, 2012, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the department on aging to the older Americans act long-term care ombudsman federal fund of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2013 shall be equal to and shall not exceed the older Americans act Title VII: ombudsman award and 4.38% of the Kansas older Americans act Title III: part B supportive services award.

(o) (1) On July 1, 2012, notwithstanding the provisions of any other statute, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state general fund and shall record a corresponding credit to the state general fund in the net amount equal to \$32,689,900 minus the amount credited and debited on or before June 30, 2012, pursuant to section 97(n)(10)(D) of chapter 118 of the 2011 Session Laws of Kansas, to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2006, for state agencies.

(2) On or before September 1, 2012, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state general fund pursuant to this subsection (o), to reflect all moneys actually transferred and credited to the state general fund during fiscal year 2013.

(3) (A) (i) Prior to August 15, 2012, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state

general fund that has a specific expenditure limitation prescribed for fiscal year 2013 and that is in excess of the amount authorized under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2013.

(ii) On or before June 30, 2013, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has no specific expenditure limitation prescribed for the fiscal year, that is in excess of the amount estimated under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2013, and that is determined by the director of the budget not to be needed for the purpose for which such amount was originally budgeted, including, but not limited to, actual or projected cost savings as a result of completed, canceled or modified projects, programs or operations.

(iii) As used in paragraphs (i) and (ii) of this subsection (o)(3)(A), "specific expenditure limitation prescribed for the fiscal year" includes any case in which no expenditures may be made from such reappropriated balance except upon approval by the state finance council.

(B) Prior to August 15, 2012, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all unanticipated lapses of moneys which were appropriated or reappropriated from the state general fund for fiscal year 2012 and which were not reappropriated for fiscal year 2013, as determined by the director of the budget: *Provided*, That, as used in this subsection (o)(3)(B), "unanticipated lapses of moneys" shall not include any amount lapsed from the state general fund pursuant to explicit language in an appropriation act of the 2012 regular session of the legislature or any amount lapsed from the state general fund for which specific reappropriation language was deliberately not included in any appropriation act of the 2012 regular session of the legislature.

(C) Prior to August 15, 2012, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all amounts of unencumbered balances in accounts of the state general fund that were first encumbered during a fiscal year commencing prior to July 1, 2011, that were released during fiscal year 2012, and that were not specifically reappropriated by an appropriation act of the 2012 regular session of the legislature.

(4) (A) On August 15, 2012, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (o)(3)(A)(i), the appropriation for fiscal year 2013 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2013, by this or other appropriation act of the 2012 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (o)(3)(A)(i).

(B) On June 30, 2013, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (o)(3)(A)(ii), the appropriation for fiscal year 2013 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2013, by this or other appropriation act of the 2012 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (o)(3)(A)(ii).

(5) At the same time as the director of the budget transmits each certification to the director of accounts and reports pursuant to subsection (o)(3), the director of the budget shall transmit a copy of such certification to the director of legislative research.

(6) (A) Prior to August 15, 2012, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection (o): *Provided*, That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection (o). At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

(B) The director of the budget shall review each such certification from the state board of regents and shall certify a copy of each such certification from the state board of regents to the director of accounts and reports. At the same time as such certification is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research.

(C) On August 15, 2012, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection (o) (6), the appropriation for fiscal year 2013 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2013, by this or other appropriation act of the 2012 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection (o)(6).

(7) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection (o), the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the state agencies for fiscal year 2013.

(8) (A) On or before September 1, 2012, after receipt of each certification by the director of the budget pursuant to this subsection (o), the director of accounts and reports shall transfer and debit to the 27th payroll adjustment account of the state general fund, which is hereby established in the state general fund, by an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (o)(3) and subsection (o)(6) in accordance with such certifications.

(B) On September 1, 2012, the director of accounts and reports shall transfer the balance of the 27th payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however*; That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(C) On September 1, 2012, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o) during fiscal year 2013.

(D) On or before June 30, 2013, after receipt of each certification by the director of the budget pursuant to subsection (o)(3)(A)(ii), the director of accounts and reports shall transfer and debit to the 27th payroll adjustment account of the state general fund, which is hereby established in the state general fund, an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (o)(3)(A)(ii) in accordance with such certifications.

(E) On June 30, 2013, the director of accounts and reports shall transfer the balance of the 27th payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however*; That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(F) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o) during fiscal year 2013.

(G) On June 30, 2013, the director of accounts and reports shall record a credit to the state treasurer's receivables for the state general fund and shall record a corresponding debit to the state general fund in the amount of the outstanding receivable created to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2006.

(H) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o) and all reductions and adjustments thereto made pursuant to this subsection (o). The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state general fund by the state treasurer in accordance with the notice thereof.

(9) As used in this subsection (o), "regents agency" means the state board of regents, Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, and Wichita state university.

(10) The provisions of this subsection (o) shall not apply to:

(A) The health care stabilization fund of the health care stabilization fund board of governors;

(B) any money held in trust in a trust fund or held in trust in any other special revenue fund of any state agency;

(C) any moneys received from any agency or authority of the federal government or from any other federal source, other than any such federal moneys that are credited to or may be received and credited to special revenue funds of a regents agency and that are determined by the state board of regents to be federal moneys that may be

transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection (o);

(D) any account of the Kansas educational building fund or the state institutions building fund; or

(E) any fund in the state treasury, as determined by the director of the budget, that would experience financial or administrative difficulties as a result of executing the provisions of this subsection (o), including, but not limited to, cash-flow problems, the inability to meet ordinary expenditure obligations, or any conflicts with prevailing contracts, compacts or other provisions of law.

(11) Each amount transferred from any special revenue fund of any state agency, including any regents agency, to the state general fund pursuant to this subsection (o), is transferred to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(12) On or after July 1, 2012, notwithstanding the provisions of K.S.A. 75-4209, and amendments thereto, or any other statute, upon specific authorization in an appropriation act of the legislature, the pooled money investment board is authorized and directed to loan an amount of not more than \$6,000,000 to the state general fund to provide financing for any additional amounts required above the moneys otherwise provided by law to repay amounts provided by law to finance the cost of the 27th payroll chargeable to the fiscal year 2006 and to provide for an adequate reserve in the 27th payroll adjustment account. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loan. Such loan shall not bear interest and shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Any such loan shall be repaid from the state general fund and any appropriate special revenue funds in the state treasury.

(p) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund for fiscal year 2013, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*, That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(q) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any statute or any rules and regulations to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2013 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund for fiscal year 2013, for the secretary of administration to provide parking for state employees on state-owned parking lots located within the state capitol area, as defined by subsection (c) of K.S.A. 75-2240a, and amendments thereto, without charge or cost to such employees for such parking: *Provided*, That this subsection shall not apply to parking garages or other parking structures in such state capitol area or to any state-owned parking lots for which revenues have been pledged to repay bonds issued for the construction of any such parking garage, structure or lot: *Provided further*, That the secretary of administration shall continue otherwise to administer access to state-owned parking lots in accordance with policies and procedures adopted as provided by law, including use of hang tags and waiting lists for specific parking lots, in order to ensure orderly parking procedures: *And provided further*, That the secretary of administration shall make expenditures from moneys appropriated from the state buildings operating fund or any other special revenue funds for the purpose of maintaining the state-owned parking lots.

(r) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget which shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2013. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2013 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act revenues fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the expanded lottery act revenues fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the expanded lottery act revenues fund by the state treasurer in accordance with the notice thereof.

(s) (1) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2012 or fiscal year 2013, as authorized by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be

made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2012 or fiscal year 2013 for operating expenditures to abolish 70% of all vacant positions in each state agency that are vacant for more than 120 calendar days as of June 30, 2012, in accordance with this subsection.

(2) On or before June 30, 2012, the head of each state agency and the director of the budget shall consult and shall jointly certify to the secretary of administration the number of vacant positions in the state agency that are vacant for more than 120 calendar days as of June 30, 2012, and which vacant positions constitute the 70% of such vacant positions that shall be abolished for the state agency, in accordance with this subsection: *Provided*, That, upon receipt of each such certification, the secretary of administration shall abolish the certified vacant positions on or before July 30, 2012: *Provided further*, That, at the same time as such certification is transmitted to the secretary of administration, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(3) As used in this subsection, "state agency" means each state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature, except that "state agency" shall not include: The legislature or any agency of the legislative branch of state government; the judicial branch or any agency of the judicial branch of state government; the department of corrections; the juvenile justice authority; the Kansas highway patrol; the Kansas department of wildlife, parks and tourism; the Kansas bureau of investigation; the state board of regents; state educational institutions, as defined in K.S.A. 76-711, and amendments thereto; or institutions, as defined in K.S.A. 76-12a01, and amendments thereto.

Sec. 70.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings office fund.....No limit

Provided, That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$100.

Sec. 71.

STATE COURT OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$970,216

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund.....\$5,000

COTA filing fee fund.....\$1,027,107

Sec. 72.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$16,282,106

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund.....No limit

Division of vehicles operating fund.....\$47,053,086

Provided, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund: *Provided further*; That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2013: *And provided further*; That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or of any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

Vehicle dealers and manufacturers fee fund.....No limit

Kansas qualified agricultural ethyl alcohol producer incentive fund.....No limit

Kansas qualified biodiesel fuel producer incentive fund.....No limit

Division of vehicles modernization fund.....No limit

Kansas retail dealer incentive fund.....No limit

Local report fee fund.....No limit

Conversion of materials and equipment fund.....No limit

Forfeited property fee fund.....No limit

Setoff services revenue fund.....No limit

Publications fee fund.....No limit

State bingo regulation fund.....No limit

Child support enforcement contractual agreement fund.....No limit

County treasurers' vehicle licensing fee fund.....No limit

Tax amnesty recovery fund.....No limit

Reappraisal reimbursement fund.....No limit

Provided, That all moneys received for the costs incurred for conducting appraisals for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: *Provided further*; That expenditures may be made from this fund for the purpose of conducting appraisals pursuant to orders of the court of tax appeals under K.S.A. 79-1479, and amendments thereto.

Special training fund.....No limit

Provided, That expenditures may be made from the special training fund for operating

expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*, That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*, That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.

Recovery fund for enforcement actions and attorney fees.....	No limit
Federal commercial motor vehicle safety fund.....	No limit
State homeland security program federal fund.....	No limit
Earned income tax credits – TANF – federal fund.....	No limit
Central stores fund.....	No limit
<i>Provided</i> , That expenditures may be made from the central stores fund to operate and maintain a central stores activity to sell supplies to other state agencies: <i>Provided further</i> , That all moneys received for such supplies shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the central stores fund.	
Performance/registration information systems management federal fund.....	No limit
Commercial vehicle information systems/network federal fund.....	No limit
Temporary assistance – needy families federal fund.....	No limit
Highway planning construction federal fund.....	No limit
Immigration MOU federal fund.....	No limit
Commercial drivers licensing state program federal fund.....	No limit
Real ID program federal fund.....	No limit
Microfilming fund.....	No limit
<i>Provided</i> , That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: <i>Provided further</i> , That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.	
Miscellaneous trust bonds fund.....	No limit
Oil and gas valuation depletion trust fund.....	No limit
Liquor excise tax guarantee bond fund.....	No limit
Non-resident contractors cash bond fund.....	No limit
Bond guaranty fund.....	No limit
Interstate motor fuel user cash bond fund.....	No limit
Motor fuel distributor cash bond fund.....	No limit
Special county mineral production tax fund.....	No limit
State emergency fund – business restoration assistance.....	No limit
State emergency fund – southeast Kansas business recovery assistance.....	No limit
County drug tax fund.....	No limit
Escheat proceeds suspense fund.....	No limit
Privilege tax refund fund.....	No limit

Suspense fund.....	No limit
Cigarette tax refund fund.....	No limit
Motor-vehicle fuel tax refund fund.....	No limit
Cereal malt beverage tax refund fund.....	No limit
Income tax refund fund.....	No limit
Sales tax refund fund.....	No limit
Compensating tax refund fund.....	No limit
Alcoholic liquor tax refund fund.....	No limit
Cigarette/tobacco products regulation fund.....	No limit
Motor carrier tax refund fund.....	No limit
Car company tax fund.....	No limit
Protested motor carrier taxes fund.....	No limit
Tobacco products refund fund.....	No limit
Transient guest tax refund fund established by K.S.A. 12-1694a.....	No limit
Interstate motor fuel taxes clearing fund.....	No limit
Motor carrier permits escrow clearing fund.....	No limit
Bingo refund fund.....	No limit
Transient guest tax refund fund established by K.S.A. 12-16,100.....	No limit
Interstate motor fuel taxes refund fund.....	No limit
Interfund clearing fund.....	No limit
Local alcoholic liquor clearing fund.....	No limit
International registration plan distribution clearing fund.....	No limit
Rental motor vehicle excise tax refund fund.....	No limit
International fuel tax agreement clearing fund.....	No limit
Mineral production tax refund fund.....	No limit
Special fuels tax refund fund.....	No limit
LP-gas motor fuels refund fund.....	No limit
Local alcoholic liquor refund fund.....	No limit
Sales tax clearing fund.....	No limit
Rental motor vehicle excise tax clearing fund.....	No limit
VIPS/CAMA technology hardware fund.....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or of any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.</i>	
County and city retailers sales tax clearing fund – county and city sales tax.....	No limit
City and county compensating use tax clearing fund.....	No limit
County and city transient guest tax clearing fund.....	No limit
Automated tax systems fund.....	No limit
Dyed diesel fuel fee fund.....	No limit
Electronic databases fee fund.....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or of any other statute, expenditures may be made from electronic databases fee fund for the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other</i>	

electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.

Photo fee fund.....	No limit
<i>Provided</i> , That, notwithstanding the provisions of K.S.A. 2011 Supp. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of administering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and identification cards.	
Estate tax abatement refund fund.....	No limit
Distinctive license plate fund.....	No limit
Repossessed certificates of title fee fund.....	No limit
Hazmat fee fund.....	No limit
Intra-governmental service fund.....	No limit
Community improvement district sales tax administration fund.....	No limit
Community improvement district sales tax refund fund.....	No limit
Community improvement district sales tax clearing fund.....	No limit
Drivers license first responders indicator federal fund.....	No limit
Byrne grant national motor vehicle title information systems federal fund.....	No limit
Enforcing underage drinking federal fund.....	No limit
FDA tobacco program federal fund.....	No limit
Commercial vehicle administrative system fund.....	No limit

(c) On July 1, 2012, October 1, 2012, January 1, 2013, and April 1, 2013, the director of accounts and reports shall transfer \$11,194,703 from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2012, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund of the department of administration to the setoff services revenue fund of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 *et seq.*, and amendments thereto.

(e) On August 1, 2012, the director of accounts and reports shall transfer \$20,400 from the social welfare fund and \$39,600 from the federal child support enforcement fund of the Kansas department for children and families to the child support enforcement contractual agreement fund of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the agreement.

(f) On July 1, 2012, the director of accounts and reports shall transfer \$576,271 from the state emergency fund – business restoration assistance program of the department of revenue to the state general fund.

(g) On July 1, 2012, the director of accounts and reports shall transfer \$1,289,451 from the state emergency fund – southeast Kansas business recovery assistance of the department of revenue to the state general fund.

(h) On July 1, 2012, notwithstanding the provisions of K.S.A. 2011 Supp. 8-299,

and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$6,056,000 from the photo fee fund of the department of revenue to the state general fund.

(i) On July 1, 2012, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or of any other statute, the director of accounts and reports shall transfer \$2,098,254 from the VIPS/CAMA technology hardware fund of the department of revenue to the state general fund.

(j) On July 1, 2012, notwithstanding the provisions of K.S.A. 75-5159, and amendments thereto, or of any other statute, the director of accounts and reports shall transfer \$6,751,952 from the division of vehicles modernization fund of the department of revenue to the state general fund.

Sec. 73.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund.....	No limit
Lottery operating fund.....	No limit
<i>Provided</i> , That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.	
Expanded lottery receipts fund.....	No limit
Lottery gaming facility manager fund.....	No limit
Expanded lottery act revenues fund.....	\$0

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection, an amount of not less than \$4,500,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2012, and on or before the 15th of each month thereafter through June 15, 2013: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund to the state gaming revenues fund and shall credit such amount to the state gaming revenues fund for the fiscal year ending June 30, 2013: *Provided, however*; That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2013 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15th of each month through June 15, 2013, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,500,000: *Provided further*; That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2013 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2013 is equal to or more than \$71,300,000: *And provided further*; That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2013 pursuant to this subsection shall be equal to or more than \$71,300,000: *And provided further*; That the transfers prescribed by this subsection shall

be made in lieu of transfers under subsection (d) of K.S.A. 74-8711, and amendments thereto, for fiscal year 2013.

(c) Notwithstanding the provisions of K.S.A. 79-4801, and amendments thereto, or any other statute and in addition to the requirements of subsection (b) of this section, on or after June 15, 2013, upon certification by the executive director of the lottery, the director of accounts and reports shall transfer from the lottery operating fund to the state gaming revenues fund the amount of total profit attributed to the special veterans benefits game under K.S.A. 2011 Supp. 74-8724, and amendments thereto, during fiscal year 2013: *Provided*, That the director of accounts and reports shall transfer immediately thereafter such amount of total profit attributed to the special veterans benefits game from the state gaming revenues fund to the state general fund: *Provided further*, That, on or before June 25, 2013, the executive director of the lottery shall certify to the director of accounts and reports the amount equal to the amount of total profit attributed to the special veterans benefits game under K.S.A. 2011 Supp. 74-8724, and amendments thereto, during fiscal year 2013: *And provided further*, That, at the same time as such certification is transmitted to the director of accounts and reports, the executive director of the lottery shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(d) In addition to the purposes for which expenditures of moneys in the lottery operating fund may be made, as authorized by provisions of K.S.A. 74-8711, and amendments thereto, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act, and the Kansas expanded lottery act.

Sec. 74.

KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund.....No limit
Provided, That expenditures from the state racing fund for official hospitality shall not exceed \$2,500.

Racing reimbursable expense fund.....No limit
 Racing applicant deposit fund.....No limit
 Kansas horse breeding development fund.....No limit
 Kansas greyhound breeding development fund.....No limit

Provided, That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to subsection (b) of K.S.A. 2011 Supp. 74-8767, and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds which win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*, That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with subsection (b) of K.S.A. 2011 Supp. 74-8767, and amendments thereto.

Racing investigative expense fund.....No limit

Horse fair racing benefit fund.....No limit
 Tribal gaming fund.....No limit
Provided, That expenditures from the tribal gaming fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$1,500.
 Expanded lottery regulation fund.....No limit
Provided, That expenditures from the expanded lottery regulation fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$2,500.
 Live horse racing purse supplement fund.....No limit
 Live greyhound racing purse supplement fund.....No limit
 Greyhound promotion and development fund.....No limit
 Gaming background investigation fund.....No limit
 Education and training fund.....No limit
Provided, That expenditures may be made from the education and training fund for operating expenditures, including official hospitality, incurred for hosting or providing training, in-service workshops and conferences: *Provided further*, That the Kansas racing and gaming commission is hereby authorized to fix, charge and collect fees for hosting or providing training, in-service workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for hosting or providing such training, in-service workshops and conferences: *And provided further*, That all fees received for hosting or providing such training, in-service workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.
 Illegal gambling enforcement fund.....No limit
Provided, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory activities, including, but not limited to: (1) Conducting investigations of illegal gambling operations or activities; (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however*, That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further*, That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2012, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs

incurred by the state gaming agency during fiscal year 2013 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund of the Kansas racing and gaming commission during fiscal year 2013 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2013, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with subsection (b) of K.S.A. 75-5516, and amendments thereto, pursuant to bills which are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund for fiscal year 2013 for the Kansas racing and gaming commission by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 2013 for the state gaming agency regulatory oversight of class III gaming, including but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming, which are hereby authorized.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from the Kansas greyhound breeding development fund of the Kansas racing and gaming commission to the greyhound tourism fund of the department of wildlife, parks and tourism that is directed to be made on or before June 30, 2013, by subsection (b)(1) of K.S.A. 74-8831, and amendments thereto, and shall transfer on or before June 30, 2013, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2013, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from the parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee, projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and

all expenses related to reopening any race track or other racing facility: *And provided further*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund.

Sec. 75.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Employment incentive for persons with a disability.....\$500,000

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Older Kansans employment program.....\$281,202

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the older Kansans employment program account is hereby reappropriated for fiscal year 2013.

Rural opportunity zones program.....\$1,829,838

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2013.

Senior community service employment program.....\$8,075

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the senior community service employment program account is hereby reappropriated for fiscal year 2013.

Strong military bases program.....\$100,000

Governor's council of economic advisors.....\$186,104

Innovation growth program.....\$3,022,805

Creative industries commission.....\$700,000

Operating grant (including official hospitality).....\$9,215,560

Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Job creation program fund.....No limit

Kan-grow engineering fund – KU.....\$3,500,000

Kan-grow engineering fund – KSU.....\$3,500,000

Kan-grow engineering fund – WSU.....\$3,500,000

Creative industries commission special gifts fund.....No limit

Governor's council of economic advisors private operations fund.....No limit

Publication and other sales fund.....No limit

Conversion of equipment and materials fund.....No limit

Conference registration and disbursement fundNo limit
 Reimbursement and recovery fund.....No limit
 Community development block grant – federal fund.....No limit
 National main street center fund.....No limit
 IMPACT program services fund.....No limit
 IMPACT program repayment fund.....No limit
 Kansas partnership fund.....No limit
Provided, That the interest rate on any loan made from the Kansas partnership fund shall be annually indexed to the federal discount rate.
 General fees fund.....No limit
Provided, That expenditures may be made from the general fees fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.
 Kansas existing industry expansion fund.....No limit
Provided, That expenditures may be made from the Kansas existing industry expansion fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the Kansas existing industry expansion program: *Provided further*, That all moneys received by the department of commerce for repayment of loans made under the Kansas existing industry expansion program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas existing industry expansion fund.
 Athletic fee fund.....No limit
 WIA adult – federal fund.....No limit
 WIA youth activities – federal fund.....No limit
 WIA dislocated workers – federal fund.....No limit
 Trade adjustment assistance – federal fund.....No limit
 Disabled veterans outreach program – federal fund.....No limit
 Local veterans employment representative program – federal fund.....No limit
 Wagner Peyser employment services – federal fund.....No limit
 Senior community service employment program – federal fund.....No limit
 Indirect cost – federal fund.....No limit
 State affordable airfare fund.....No limit
Provided, That the regional economic area partnership, hereinafter referred to as "REAP", shall submit an annual report to the legislature on or before May 1, 2013: *Provided further*, That the annual report shall be delivered and REAP shall appear in person to the house committee on commerce and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding such annual report: *And provided further*, That the secretary of commerce shall conduct an independent review of the financial reports submitted by REAP and an analysis of the data used by REAP: *And provided further*, That the secretary of commerce shall submit a report and appear in person to the house committee on commerce and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding these matters: *And provided further*, That the secretary of

commerce shall develop and implement the necessary procedures to conduct such a review.

Temporary labor certification foreign workers – federal fund.....	No limit
Work opportunity tax credit – federal fund.....	No limit
American job link alliance – federal fund.....	No limit
American job link alliance job corps – federal fund.....	No limit
Early childhood associate apprenticeship program – federal fund.....	No limit
Registered apprenticeship works – federal fund.....	No limit
Green jobs grant – federal fund.....	No limit
Enterprise facilitation fund.....	No limit
Unemployment insurance – federal fund.....	No limit
State small business credit initiative – federal fund.....	No limit
Second chance act – federal fund.....	No limit
SBA step grant – federal fund.....	No limit
H-1B technical skills training grant – federal fund.....	No limit
Creative industries commission gifts, grants and bequests – federal fund.....	No limit
Energy efficiency revolving loan – federal fund.....	No limit
State broadband data development – federal fund.....	No limit
Transition assistance program – federal fund.....	No limit
Veteran workforce investment program – federal fund.....	No limit
Health profession opportunity – federal fund.....	No limit
Health care workforce planning – federal fund.....	No limit
Employment incentive for persons with a disability gifts, grants and donations fund.....	No limit

Provided, That the secretary of commerce is hereby authorized to accept gifts, grants and donations to be used to fund the incentives for qualified individuals with disabilities pilot program: *Provided further*, That such gifts, grants and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the employment incentive for persons with a disability gifts, grants and donations fund.

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2013, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from

such special revenue funds of the department of commerce for fiscal year 2013, in accordance with the provisions of this or other appropriation act of the 2012 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund for fiscal year 2013 for the department of commerce as authorized by this or other appropriation act of the 2012 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund for fiscal year 2013 for official hospitality.

(f) On or after July 1, 2012, the secretary of commerce shall certify to the director of the budget and to the director of accounts and reports a report of the activities of the regional economic area partnership (REAP) and the progress attained by REAP during the fiscal year 2012 to develop and implement the program to provide more air flight options, more competition for air travel and affordable air fares for Kansas, including a regional airport in western Kansas. At the same time as such certification is transmitted to the director of accounts and reports and the director of the budget, the secretary of commerce shall transmit a copy of such certification to the director of the legislative research department. Upon receipt of such certification from the secretary of commerce, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$5,000,000 from the state economic development initiatives fund to the state affordable airfare fund of the department of commerce.

(g) Any unencumbered balance of the engineering expansion grants account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(h) Any unencumbered balance of the small technology pilot program account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(i) Any unencumbered balance of the entrepreneurial centers account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(j) Any unencumbered balance of the centers of excellence account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(k) Any unencumbered balance of the MAMTC account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(l) Any unencumbered balance of the air service incentive fund account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby

reappropriated for fiscal year 2013.

(m) On July 1, 2012, the governor's economic council private operations fund of the department of commerce is hereby redesignated as the governor's council of economic advisors private operations fund of the department of commerce.

Sec. 76.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund.....No limit

Provided, That all expenditures from the state housing trust fund shall be made by the Kansas housing resources corporation for the purposes of administering and supporting housing programs of Kansas housing resources corporation.

Sec. 77.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$385,721

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2013, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-5413 *et seq.*, and 75-4321 *et seq.*, and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen's compensation fee fund.....\$10,694,767

Occupational health and safety – federal fund.....No limit

Boiler inspection fee fund.....No limit

Employment security interest assessment fund.....No limit

Special employment security fund.....No limit

Provided, That expenditures may be made from the special employment security fund for payment of communications costs: *Provided further*, That expenditures from this fund for payment of communications costs shall not exceed \$10,000.

Employment security administration fund.....No limit

Wage claims assignment fee fund.....No limit

Employment security computer systems institute fund.....No limit

Department of labor special projects fund.....No limit

Federal indirect cost offset fund.....\$316,700

Employment security fund.....No limit

Labor force statistics federal fund.....No limit

Compensation and working conditions federal fund.....No limit

Employment services Wagner-Peyser funded activities federal fund.....No limit
 Dispute resolution fund.....No limit
Provided, That all moneys received by the secretary of labor for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, shall be deposited in the state treasury and credited to the dispute resolution fund: *Provided further*, That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures.

(c) In addition to the other purposes for which expenditures may be made by the department of labor from the employment security fund for fiscal year 2013 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2013 from the employment security fund from moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of debt service on a bond issued for the rewrite of the unemployment insurance benefit system: *Provided*, That expenditures from the employment security fund during fiscal year 2013 of moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of such debt service shall not exceed \$2,642,600.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2013, expenditures may be made by the above agency from the special employment security fund for fiscal year 2013 for the following capital improvement purposes: Payment on the master lease agreement for the renovation of the Eastman building on the Topeka west complex: *Provided*, That expenditures from this fund for fiscal year 2013 for such capital improvement purposes shall not exceed \$18,874: *Provided further*, That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitation imposed on the special employment security fund for fiscal year 2013.

Sec. 78.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures – veteran services.....\$1,216,059

Provided, That any unencumbered balance in the operating expenditures – veterans services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

Operations – state veterans cemeteries\$543,058

Provided, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,200.

Operating expenditures – Kansas soldiers' home.....\$1,884,108

Provided, That any unencumbered balance in the operating expenditures – Kansas

soldiers' home account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Operating expenditures – Kansas veterans' home.....\$2,263,781

Provided, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Scratch lotto – Kansas veterans' home.....\$101,058

Scratch lotto – veterans services.....\$326,090

Scratch lotto – Kansas soldiers' home.....\$74,118

Scratch lotto – veterans cemeteries.....\$158,590

Operating expenditures – administration.....\$398,590

Provided, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,500.

Veterans claim assistance program – service grants.....\$576,000

Provided, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided, however*; That no expenditures shall be made by the Kansas commission on veterans affairs from the veterans claim assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund.....\$1,748,587

Soldiers' home benefit fund.....No limit

Soldiers' home work therapy fund.....No limit

Soldiers' home medicare fund.....No limit

Soldiers' home medicaid fund.....No limit

Soldiers' home canteen fund.....No limit

Veterans' home medicare fund.....No limit

Veterans' home medicaid fund.....No limit

Veterans' home fee fund.....\$3,300,000

Veterans' home canteen fund.....No limit

Veterans' home benefit fund.....No limit

Soldiers' home outpatient clinic fund.....No limit

State veterans cemeteries fee fund.....No limit

State veterans cemeteries donations and contributions fund.....No limit

Outpatient clinic patient federal reimbursement fund – federal.....No limit

VA burial reimbursement fund – federal.....\$124,923

Veterans home federal fund.....\$3,615,424

Soldiers home federal fund.....	\$2,411,178
Commission on veterans affairs federal fund.....	\$210,904
Kansas veterans memorials fund.....	No limit
Vietnam war era veterans' recognition award fund.....	No limit
Kansas hometown heroes fund.....	No limit

(c) (1) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 73-1231, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or K.S.A. 2011 Supp. 73-1233, and amendments thereto, or any other statute, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs to another special revenue fund of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection (c), "special revenue fund" means the soldiers' home fee fund, veterans' home fee fund, soldiers' home outpatient clinic fund, soldiers' home benefit fund, soldiers' home work therapy fund, veterans' home canteen fund, soldiers' home canteen fund, veterans' home benefit fund, Persian Gulf War veterans health initiative fund, state veterans cemeteries fee fund, state veterans cemeteries donations and contributions fund, and Kansas veterans memorials fund.

(d) During the fiscal year ending June 30, 2013, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the Kansas commission on veterans affairs or any institution or facility under the general supervision of management of the Kansas commission on veterans affairs to another item of appropriation for fiscal year 2013 from the state general fund for the Kansas commission on veterans affairs or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 79.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$3,834,981
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account of the department of health and environment – division of health in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Operating expenditures (including official hospitality) – health.....\$3,320,165
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Office of the inspector general.....\$79,722
Provided, That any unencumbered balance in the office of the inspector general account of the department of health and environment – division of health care finance in excess of \$100 as of June 30, 2012, is hereby reappropriated to the office of the inspector general account of the above agency for fiscal year 2013.

Vaccine purchases.....\$732,897
Provided, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Aid to local units.....\$4,805,709
Provided, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary health projects.....\$7,877,649
Provided, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchase of drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs at not-for-profit or publicly-funded primary care clinics, including federally qualified community health centers and federally qualified community health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay: *And provided further*, That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted.

Aid to local units – women's wellness.....\$94,296
Provided, That any unencumbered balance in the aid to local units – family planning account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the aid to local units – women's wellness account for fiscal year 2013: *Provided further*, That all expenditures from the aid to local units – women's wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs.....\$447,418
Provided, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Breast cancer screening program.....\$219,336
Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Ryan White matching funds.....\$47,682

Provided, That any unencumbered balance in the Ryan White matching funds account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Pregnancy maintenance initiative.....\$338,846

Provided, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Cerebral palsy posture seating.....\$105,537

Provided, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

PKU treatment.....\$199,274

Provided, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Teen pregnancy prevention activities.....\$338,846

Provided, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Medical assistance – federal fund.....No limit

Substance abuse and mental health services administration – federal fund.....No limit

Breast and cervical cancer program and detection – federal fund.....No limit

Health and environment training fee fund – health.....No limit

Provided, That expenditures may be made from the health and environment training fee fund – health for acquisition and distribution of division of health program literature and films and for participation in or conducting training seminars for training employees of the division of health of the department of health and environment, for training recipients of state aid from the division of health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2013, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2013 for agency operations for the division of health.

Health facilities review fund.....No limit

Insurance statistical plan fund.....No limit

Health and environment publication fee fund – health.....No limit

Provided, That expenditures from the health and environment publication fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

District coroners fund.....	No limit
Sponsored project overhead fund – health.....	No limit
Tuberculosis elimination and laboratory – federal fund.....	No limit
Maternity centers and child care facilities licensing fee fund.....	No limit
Child care and development block grant – federal fund.....	No limit
Federal supplemental funding for tobacco prevention and control – federal fund ..	No limit
Coordinated chronic disease prevention and heath promotion program – federal fund.....	No limit
Office of rural health – federal fund.....	No limit
Emergency medical services for children – federal fund.....	No limit
Primary care offices – federal fund.....	No limit
Injury intervention – federal fund.....	No limit
Oral health workforce activities – federal fund.....	No limit
Rural hospital flex program – federal fund.....	No limit
Hospital bioterrorism preparedness – federal fund.....	No limit
Kansas coalition against sexual and domestic violence – federal fund.....	No limit
ARRA migrant health – federal fund.....	No limit
ARRA child care development – federal fund.....	No limit
ARRA Kansas health information exchange project – federal fund.....	No limit
ARRA epidemiology and lab capacity – federal fund.....	No limit
ARRA immunization and vaccines for children – federal fund.....	No limit
ARRA women infants and children – federal fund	No limit
ARRA primary care offices – federal fund.....	No limit
ARRA collaborative component I – federal fund.....	No limit
ARRA collaborative component III – federal fund.....	No limit
ARRA ambulatory surgical center ASC/HAI medicare – federal fund.....	No limit
ARRA prevention of healthcare associated infections – federal fund.....	No limit
Medicare – federal fund.....	No limit
<i>Provided</i> , That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2013 pursuant to a contract which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.	
Migrant health program – federal fund.....	No limit
Refugee health – federal fund.....	No limit
Strengthen public health immunization infrastructure – federal fund.....	No limit
Healthy homes and lead poisoning prevention – federal fund.....	No limit
Children's mercy hospital lead program – federal fund.....	No limit
Women, infants and children health program – federal fund.....	No limit
WIC health program fund – senior farmer's market – federal.....	No limit
Assistance for firefighters grant program – federal fund	No limit
Immunization and vaccines for children grants – federal fund.....	No limit

Home visiting grant – federal fund.....	No limit
Preventive health block grant – federal fund.....	No limit
Maternal and child health block grant – federal fund.....	No limit
National center for health statistics – federal fund.....	No limit
Title X family planning services program – federal fund.....	No limit
Comprehensive STD prevention systems – federal fund.....	No limit
Children with special health care needs – federal fund.....	No limit
Make a difference information network – federal fund.....	No limit
Ryan White Title II – federal fund.....	No limit
Bicycle helmet distribution – federal fund.....	No limit
Bicycle helmet revolving fund.....	No limit
SSA fee fund.....	No limit
Lead certification cooperation agreement – federal fund.....	No limit
Childhood lead poisoning prevention program – federal fund	No limit
State implementation projects for prevention of secondary conditions – federal fund	No limit
Title IV-E – federal fund.....	No limit
HIV prevention projects – federal fund	No limit
HIV/AIDS surveillance – federal fund	No limit
Infants & toddlers Title 1 – federal fund.....	No limit
Universal newborn hearing screening – federal fund.....	No limit
State loan repayment program – federal fund	No limit
Opt-out testing initiative – federal fund	No limit
Kansas system for early registration of volunteers – federal fund	No limit
Cardiovascular health programs – federal fund	No limit
Adult lead surveillance data – federal fund	No limit
Medical reserve corps contract – federal fund	No limit
Trauma fund.....	No limit
<i>Provided</i> , That expenditures may be made by the department of health and environment for fiscal year 2013 from the trauma fund of the department of health and environment – division of health for the stroke prevention project: <i>Provided further</i> , That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.	
Homeland security – federal fund	No limit
Homeland security real ID – federal fund	No limit
Special education state grants – federal fund.....	No limit
Refugee assistance – federal fund.....	No limit
Personal responsibility education program – federal fund.....	No limit
Mammography quality standards act – federal fund.....	No limit
Education, training, and enhanced services to end violence against and abuse of women with disabilities – federal fund	No limit
Diagnostic x-ray program – federal fund	No limit
HRSA small hospital improvement grant program – federal fund	No limit
State indoor radon grant – federal fund	No limit
HUD lead hazard control program of Kansas City – federal fund.....	No limit
Gifts, grants and donations fund – health.....	No limit
Special bequest fund – health.....	No limit
Civil registration and health statistics fee fund.....	No limit

Power generating facility fee fund No limit
 Nuclear safety emergency preparedness special revenue fund.....No limit
Provided, That all moneys received by the department of health and environment – division of health from the adjutant general from the nuclear safety emergency management fee fund of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment – division of health.
 Radiation control operations fee fund.....No limit
 Lead-based paint hazard fee fund.....No limit
 Strengthening public health infrastructure – federal fund.....No limit
 Improving minority health – federal fundNo limit
 Abstinence education – federal fund.....No limit
 Affordable care act – federal fundNo limit
 Carbon monoxide detector/fire injury prevention – federal fund..... No limit
 Health information exchange – federal fund.....No limit
 Kansas newborn screening fund.....No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Healthy start.....\$237,914
Provided, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
 Infants and toddlers program.....\$5,700,000
Provided, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
 Smoking prevention.....\$1,000,000
Provided, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
 Newborn hearing aid loaner program.....\$47,161
Provided, That any unencumbered balance in the newborn hearing aid loaner program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
 SIDS network grant.....\$96,374
Provided, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
 Newborn screening.....\$233,190
Provided, That any unencumbered balance in the newborn screening account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(d) On July 1, 2012, and on other occasions during fiscal year 2013 when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of health or of the department of health and environment – division of environment, to the sponsored project overhead fund – health of the department of health and environment – division of health.

(e) On July 1, 2012, October 1, 2012, January 1, 2013, and April 1, 2013, or as

soon after each such date as moneys are available, the director of accounts and reports shall transfer \$559,307 from the child care/development block grant federal fund of the Kansas department for children and families to the child care and development block grant – federal fund of the department of health and environment – division of health.

(f) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of health, which have available moneys, to the sponsored project overhead fund – health of the department of health and environment – division of health for expenditures, as the case may be, for administrative expenses.

(g) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of health from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the department of health and environment – division of health from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 for up to four full-time equivalent positions in the unclassified service under the Kansas civil service act in the division of health: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, all such additional full-time equivalent positions in the unclassified service under the Kansas civil service act shall be in addition to other positions within the department of health and environment in the unclassified service as prescribed by law and shall be established by the secretary of health and environment within the position limitation established for the department of health and environment on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2013 made by this or other appropriation act of the 2012 regular session of the legislature: *Provided, however*, That the authority to establish such additional positions in the unclassified service shall not affect the classified service status of any person who is an employee of the department of health and environment in the classified service under the Kansas civil service act.

(h) During the fiscal year ending June 30, 2013, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of health to the sponsored project overhead fund – health of the department of health and environment – division of health pursuant to this section may include amounts equal to up to 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(i) During the fiscal year ending June 30, 2013, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification

to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of health from moneys appropriated from the district coroners fund for fiscal year 2013, as authorized by this or other appropriation act of the 2012 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment – division of health from such moneys appropriated from the district coroners fund for fiscal year 2013 pursuant to K.S.A. 22a-242, and amendments thereto.

(k) During the fiscal year ending June 30, 2013, subject to any applicable requirements of federal statutes, rules, regulations or guidelines, any expenditures or grants of money by the department of health and environment – division of health for family planning services financed in whole or in part from federal title X moneys shall be made subject to the following two priorities: First priority to public entities (state, county, local health departments and health clinics) and, if any moneys remain, then, Second priority to non-public entities which are hospitals or federally qualified health centers that provide comprehensive primary and preventative care in addition to family planning services: *Provided*, That, as used in this subsection "hospitals" shall have the same meaning as defined in K.S.A. 65-425, and amendments thereto, and "federally qualified health center" shall have the same meaning as defined in K.S.A. 65-1669, and amendments thereto.

Sec. 80.

DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Health policy operating expenditures\$11,743,027

Provided, That any unencumbered balance in the operating expenditures account of the Kansas health policy authority in excess of \$100 as of June 30, 2012, is hereby reappropriated to the health policy operating expenditures account of the above agency for fiscal year 2013: *Provided further*, That expenditures shall be made from the health policy operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Other medical assistance \$634,870,000

Provided, That any unencumbered balance in the other medical assistance account of the Kansas health policy authority in excess of \$100 as of June 30, 2012, is hereby reappropriated to the other medical assistance account of the above agency for fiscal year 2013: *Provided further*, That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And provided further*, That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the joint committee on health policy oversight prior to the start of the regular session of the legislature in 2013.

Children's health insurance program.....\$19,293,612

Provided, That any unencumbered balance in the children's health insurance program account of the Kansas health policy authority in excess of \$100 as of June 30, 2012, is

hereby reappropriated to the children's health insurance program account of the above agency for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Preventive health care program fund\$671,552
 Cafeteria benefits fundNo limit

Provided, That expenditures from the cafeteria benefits fund for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$1,920,129.

State workers compensation self-insurance fund..... No limit

Provided, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$3,698,812.

Dependent care assistance program fund No limit

Provided, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$430,916.

Non-state employer group benefit fund\$153,313

Division of health care finance special revenue fund No limit

Provided, That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$1,000.

Health committee insurance fund..... \$305,571

Health care database fee fund No limit

Association assistance plan fund.....No limit

Medical programs fee fund \$64,826,805

Health benefits administration clearing fund – remit admin service orgNo limit

Provided, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$7,854,305.

Health insurance premium reserve fund.....No limit

Other state fees fund\$627,912

Health care access improvement fund.....No limit

Children's health insurance program federal fundNo limit

State planning – health care – uninsured fundNo limit

Medicaid infrastructure grant – disability employment

federal fundNo limit

HIV care formula grant federal fund.....No limit

Medical assistance program federal fund..... No limit

Quality care fund..... \$0

Quality based community assessment fund.....No limit

(c) During the fiscal year ending June 30, 2013, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June

30, 2013, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

Sec. 81.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$6,350,703
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account of the department of health and environment – division of environment in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mined-land conservation and reclamation fee fund.....No limit
Publication fee fund – environment.....No limit
Solid waste management fund.....No limit
Provided, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2013, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.
Public water supply fee fund.....No limit
Voluntary cleanup fund.....No limit
Storage tank fee fund.....No limit
Air quality fee fund.....No limit
Hazardous waste collection fund.....No limit
Health and environment training fee fund – environment.....No limit

Provided, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215,

and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2013, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2012 for agency operations for the division of environment.

Driving under the influence equipment fund.....	No limit
Waste tire management fund.....	No limit
Health and environment publication fee fund – environment.....	No limit
<i>Provided</i> , That expenditures from the health and environment publication fee fund – environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.	
Local air quality control authority regulation services fund.....	No limit
Surface mining fee fund.....	No limit
Environmental response fund.....	No limit
Sponsored project overhead fund – environment.....	No limit
Chemical control fee fund.....	No limit
QuantiFERON TB laboratory fund.....	No limit
Resource conservation and recovery act – federal fund.....	No limit
Superfund state cooperative agreements – federal fund.....	No limit
Water supply – federal fund.....	No limit
Air quality section 103 – federal fund.....	No limit
EPA – core support – federal fund.....	No limit
Network exchange grant – federal fund.....	No limit
ARRA Kansas clean diesel assistance program grant – federal fund.....	No limit
Performance partnership grants – federal fund.....	No limit
Kansas clean diesel grant – federal fund.....	No limit
Air quality program – federal fund.....	No limit
Section 106 monitoring initiative – federal fund.....	No limit
Air quality section 105 – federal fund.....	No limit
Leaking underground storage tank trust – federal fund.....	No limit
Surface mining control and reclamation act – federal fund.....	No limit
Abandoned mined-land – federal fund.....	No limit
Department of defense and state cooperative agreement – federal fund.....	No limit
EPA non-point source – federal fund.....	No limit
Pollution prevention program – federal fund.....	No limit
EPA operator expense reimbursement for drinking water – federal fund.....	No limit
EPA water monitoring – federal fund.....	No limit
Gifts, grants and donations fund – environment.....	No limit
Special bequest fund – environment.....	No limit
Aboveground petroleum storage tank release trust fund.....	No limit
Underground petroleum storage tank release trust fund.....	No limit
Drycleaning facility release trust fund.....	No limit
Public water supply loan fund.....	No limit
Public water supply loan operations fund.....	No limit

Kansas water pollution control revolving fund.....No limit
Provided, That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L.92-500) shall be credited to the Kansas water pollution control revolving fund: *Provided further*, That expenditures from this fund shall be made to provide for the payment of such matching grants.

Kansas water pollution control operations fund.....No limit

Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds.....No limit

Surcharge fund for Kansas water pollution control revolving fund revenue bonds.....No limit

Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds.....No limit

Debt service reserve fund.....No limit

EPA water related grants – federal fund.....No limit

Provided, That no moneys from any grant that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year shall be deposited to the credit of the EPA water related grants – federal fund.

Subsurface hydrocarbon storage fund.....No limit

Natural resources damages trust fund.....No limit

Hazardous waste management fund.....No limit

Brownfields revolving loan program – federal fund.....No limit

Mined-land reclamation fund.....No limit

Operator outreach training program – federal fund.....No limit

Underground storage tank – federal fund.....No limit

EPA underground injection control – federal fund.....No limit

Laboratory medicaid cost recovery fund – environment.....No limit

EPA state response program – federal fund.....No limit

Environmental use control fund.....No limit

Environmental response remedial activity specific sites – federal fund.....No limit

Emergency environmental response – nonspecific sites federal fund.....No limit

Medicare program – environment – federal fund.....No limit

EPA pollution prevention – federal fund.....No limit

Inspections Kansas infrastructure projects – federal fund.....No limit

Marais Des Cygnes targeted watershed project – federal fund.....No limit

Healthy watershed initiative – federal fund.....No limit

Salt solution mining well plugging fund.....No limit

UST redevelopment fund.....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the state water plan project or projects specified as follows:

Contamination remediation.....\$775,000

Provided, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

TMDL initiatives and use attainability analysis.....\$200,000

Provided, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Watershed restoration and protection plan.....\$625,000

Provided, That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Local environmental protection program.....\$900,000

Provided, That any unencumbered balance in the local environmental protection program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Nonpoint source program.....\$296,761

Provided, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, for the project specified as follows:

Newborn screening.....\$1,187,081

(e) During the fiscal year ending June 30, 2013, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2013 from the state water plan fund for the department of health and environment – division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(f) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund of the department of health and environment which are directed to be made on or before the 10th day of each month by K.S.A. 65-3024, and amendments thereto.

(g) On July 1, 2012, and on other occasions during fiscal year 2013 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of health or of the department of health and environment – division of environment, to the sponsored project overhead fund – environment of the department of health and environment – division of environment.

(h) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of environment, which have available moneys, to the sponsored project overhead fund – environment of the department of health and

environment – division of environment or to the sponsored project overhead fund – health of the department of health and environment – division of health, as the case may be, for expenditures for administrative expenses.

(i) During the fiscal year ending June 30, 2013, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) During the fiscal year ending June 30, 2013, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of environment to the sponsored project overhead fund – environment of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

Sec. 82.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Administration.....\$551,100

Provided, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,748.

Administration – assessments.....\$36,566

Provided, That any unencumbered balance in the administration – assessments account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – assessments – Level II care.....\$44,042

Provided, That any unencumbered balance in the administration – assessments – Level II care account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – assessments – Level I care.....\$363,826

Provided, That any unencumbered balance in the administration – assessments – Level I care account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – medicaid.....\$1,490,124

Provided, That any unencumbered balance in the administration – medicaid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – medicaid MFP – admin match.....\$2,841

Provided, That any unencumbered balance in the administration – medicaid MFP – admin match account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – older Americans act match.....\$172,521
Provided, That any unencumbered balance in the administration – older Americans act match account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Senior care act.....\$2,667,848
Provided, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2012 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2012: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2013 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2012: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition – state match.....\$3,845,725
Provided, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2012 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2012: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2013 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2012: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – TCM/FE.....\$2,512,895
Provided, That any unencumbered balance in the LTC – medicaid assistance – TCM/FE account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from the LTC – medicaid assistance – TCM/FE account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – HCBS/FE.....\$32,023,028
Provided, That any unencumbered balance in the LTC – medicaid assistance –

HCBS/FE account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from the LTC – medicaid assistance – HCBS/FE account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – NF.....\$175,661,600

Provided, That any unencumbered balance in the LTC – medicaid assistance – NF account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures: *And provided further*, That, notwithstanding the provisions of K.S.A. 2011 Supp. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary for aging and disability services shall institute trending methods to provide rate increases for nursing facilities for fiscal year 2013.

LTC – medicaid assistance – PACE.....\$2,458,943

Provided, That any unencumbered balance in the LTC – medicaid assistance – PACE account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures made from the LTC – medicaid assistance – PACE account shall be for the PACE program: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Nursing facilities regulation.....\$464,274

Provided, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Nursing facilities regulation – title XIX.....\$1,017,488

Provided, That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Any unencumbered balance in the LTC – medicaid assistance – MFP account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Health occupational credentialing.....\$645,573

State operations.....\$11,231,497

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the state operations account for fiscal year 2013: *Provided further*, That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse services grants.....\$1,811,703

Provided, That any unencumbered balance in the alcohol and drug abuse services grants account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the alcohol and drug abuse services grant account of the above agency for fiscal year 2013.

Mental health and retardation services aid and assistance.....\$182,027,163
Provided, That any unencumbered balance in the mental health and retardation services aid and assistance account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the mental health and retardation services aid and assistance account of the above agency for fiscal year 2013.

Kansas neurological institute – operating expenditures.....\$10,345,259
Provided, That any unencumbered balance in the Kansas neurological institute – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Kansas neurological institute – operating expenditures account of the above agency for fiscal year 2013: *Provided, however*, That expenditures from the Kansas neurological institute – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150: *Provided further*, That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating expenditures.....\$31,788,422
Provided, That any unencumbered balance in the Larned state hospital – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Larned state hospital – operating expenditures account of the above agency for fiscal year 2013: *Provided, however*, That expenditures from the Larned state hospital – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital – sexual predator treatment program.....\$16,631,179
Provided, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Larned state hospital – sexual predator treatment program account of the above agency for fiscal year 2013.

Osawatomie state hospital – operating expenditures\$14,666,027
Provided, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Osawatomie state hospital – operating expenditures account of the above agency for fiscal year 2013: *Provided however*, That expenditures from the Osawatomie state hospital – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150.

Parsons state hospital and training center – operating expenditures.....\$10,221,423
Provided, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Parsons

state hospital and training center – operating expenditures account of the above agency for fiscal year 2013: *Provided, however;* That expenditures from the Parsons state hospital and training center – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150: *And provided further;* That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: *And provided further;* That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further;* That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Rainbow mental health facility – operating expenditures.....\$4,473,536
Provided, That any unencumbered balance in the Rainbow mental health facility – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Rainbow mental health facility – operating expenditures account of the above agency for fiscal year 2013: *Provided, however;* That expenditures from the Rainbow mental health facility – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150.

Children's mental health initiative.....\$335,210
Provided, That any unencumbered balance in the children's mental health initiative account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the children's mental health initiative account of the above agency for fiscal year 2013: *Provided, however;* That no expenditures shall be made from the children's mental health initiative account of the above agency for inpatient hospital beds for children.

Community based services.....\$89,881,531
Provided, That any unencumbered balance in the community based services account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the community based services account of the above agency for fiscal year 2013.

Other medical assistance.....\$133,027,754
Provided, That any unencumbered balance in the other medical assistance account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the other medical assistance account of the above agency for fiscal year 2013.

Community mental health centers supplemental funding.....\$2,500,000
Provided, That any unencumbered balance in the community mental health centers supplemental funding account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the community mental health centers supplemental funding account of the above agency for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall

not exceed the following:

Title XIX fund.....\$47,383,912

Provided, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and retardation services may be credited to the title XIX fund: *Provided further*, That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance.

Kansas neurological institute fee fund.....\$1,572,867

Kansas neurological institute – foster grandparents program – federal fund.....\$383,079

Kansas neurological institute – FGP gifts, grants, donations special fund.....No limit

Kansas neurological institute – FGP gifts, grants, donations fund.....No limit

Kansas neurological institute – patient benefit fund.....No limit

Kansas neurological institute – work therapy patient benefit fund.....No limit

Kansas neurological institute – conferences fees fund.....No limit

Provided, That all moneys received as fees for conference activities by Kansas neurological institute shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas neurological institute – conferences fees fund: *Provided further*, That the superintendent of Kansas neurological institute is hereby authorized to fix, charge and collect fees for conference activities sponsored by Kansas neurological institute: *And provided further*, That expenditures may be made from this fund to defray the costs of such conference activities.

Larned state hospital fee fund.....\$4,466,618

Larned state hospital – elementary and secondary education fund – federal.....No limit

Larned state hospital – vocational education fund – federal.....No limit

Larned state hospital – motor pool revolving fund.....No limit

Larned state hospital work therapy patient benefit fund.....No limit

Larned state hospital – canteen fund.....No limit

Larned state hospital – patient benefit fund.....No limit

Osawatomie state hospital – ECIA fund – federal.....No limit

Osawatomie state hospital – canteen fund.....No limit

Osawatomie state hospital – patient benefit fund.....No limit

Osawatomie state hospital – work therapy patient benefit fund.....No limit

Osawatomie state hospital – motor pool revolving fund.....No limit

Osawatomie state hospital – training fee revolving fund.....No limit

Provided, That all moneys received as fees for training activities for Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Osawatomie state hospital – training fee revolving fund: *Provided further*, That the superintendent of Osawatomie state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomie state hospital: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomie state hospital.

Osawatomie state hospital fee fund.....\$9,210,738

Provided, That all moneys received as fees for the use of video teleconferencing

equipment at Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Osawatomie state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomie state hospital: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomie state hospital fee fund.

- Parsons state hospital and training center – canteen fund.....No limit
- Parsons state hospital and training center – patient benefit fund.....No limit
- Parsons state hospital and training center – work therapy patient benefit fund....No limit
- Parsons state hospital and training center fee fund.....\$1,354,867

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

- Rainbow mental health facility fee fund.....\$2,426,018
- Rainbow mental health facility – patient benefit fund.....No limit
- Rainbow mental health facility – work therapy patient benefit fund.....No limit
- AoA demonstration lifespan respite project.....No limit
- Community putting prevention to work.....No limit
- Special program for aging IIIB – federal fund.....No limit
- Special program for aging IIIC – federal fund.....No limit
- Special program for aging IIID – federal fund.....No limit
- National family caregiver support program IIIE – federal fund.....No limit
- Special program for aging IV & II – federal fund.....No limit
- Special program for aging VII-2 – federal fund.....No limit
- Special program for aging VII-3 – federal fund.....No limit
- Alzheimer's disease fund.....No limit
- Survey & certification – federal fund.....No limit
- Center for medicare/medicaid service – federal fund.....No limit
- Money follows the person grant – federal fund.....No limit
- Medicaid assistance program – federal fund.....No limit

Provided, That transfers of moneys from the title XIX fund – federal to the state fire marshal may be made during fiscal year 2013 pursuant to a contract which is hereby authorized to be entered into by the secretary for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

- Social service block grant fund.....\$4,500,000

Provided, That each grant agreement with an area agency on aging for a grant from the

social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2012 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2012: *Provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2013 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2012: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services which are determined to be the most economical services available.

Nutrition service incentive program fund – federal.....No limit

National bioterrorism hospital preparedness program – federal fund.....No limit

Senior citizen nutrition check-off fund.....No limit

Conferences and workshops attendance and publications fees fund.....No limit

Provided, That the secretary for aging and disability services is hereby authorized to fix, charge and collect conference and workshop attendance fees for conferences and workshops sponsored by the Kansas department for aging and disability services and fees for copies of publications: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conferences and workshops attendance and publications fees fund: *And provided further*, That expenditures may be made from this fund to defray all or part of the costs of such conferences and workshops including official hospitality and of such publications.

Health policy nursing facility quality care fund.....No limit

Provided, That the secretary for aging and disability services, acting as the agent of the Kansas health policy authority, is hereby authorized to collect the quality care assessment under K.S.A. 2011 Supp. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 2011 Supp. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the health policy nursing facility quality care fund: *Provided further*, That all moneys in the health policy nursing facility quality care fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 2011 Supp. 75-7435, and amendments thereto.

State licensure fee fund.....No limit

General fees fund.....No limit

Provided, That the secretary for aging and disability services is hereby authorized to collect (1) fees from the sale of surplus property, (2) fees charged for searching, copying and transmitting copies of public records, (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property, and (4) other miscellaneous fees: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That expenditures shall be made from this fund to meet the obligations of the department on aging, or to benefit and meet the mission of the Kansas department for

aging and disability services.

Gifts and donations fund.....No limit

Provided, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Medical resources and collection fund.....No limit

Provided, That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury and in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund and expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *Provided further*, That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund and expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

SHICK fund – grants – federal.....No limit

Senior services fund.....No limit

Long-term care loan and grant fund.....No limit

Intergovernmental transfer administration fund.....\$0

Non-government grant fund.....No limit

Health facilities review fund.....No limit

Medicare enrollment assistance program fund – federal.....No limit

Medical assistance program – federal fund.....No limit

DADS social welfare fund.....\$222,900

Other state fees fund.....No limit

Substance abuse/mental health services federal fund.....No limit

Community mental health block grant federal fund.....No limit

Prevention/treatment substance abuse federal fund.....No limit

Problem gambling and addictions grant fund.....No limit

Alternatives to psych. resid. treatment facilities for children federal fund.....No limit

Substance abuse performance outcome grant federal fund.....No limit

ADAS data collection grant federal fund.....No limit

Money follows the person rebalancing demonstration federal fund.....No limit

Temporary assistance for needy families – fed funds.....No limit

Public health/social services emergency response federal fund.....No limit

Assistance in transition from homelessness federal fund.....No limit

Developmental disabilities basic support federal fund.....No limit

Olmstead fellowship program.....No limit

Medicare fund.....No limit

Medicare fund – oasis.....No limit

Nonfederal reimbursements fund.....No limit

Provided, That all nonfederal reimbursements received by the Kansas department for

aging and disability services shall be deposited in the state treasury and credited to the nonfederal reimbursements fund.

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Family centered system of care.....\$4,750,000
 Children's mental health waiver.....\$3,800,000

Provided, That any unencumbered balance in the children's mental health waiver account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the children's mental health waiver account of the above agency for fiscal year 2013.

(d) On July 1, 2012, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital – canteen fund to the Osawatomie state hospital – patient benefit fund.

(e) On July 1, 2012, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center – canteen fund to the Parsons state hospital and training center – patient benefit fund.

(f) On July 1, 2012, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital – canteen fund to the Larned state hospital – patient benefit fund.

(g) During the fiscal year ending June 30, 2012, no moneys paid by the Kansas department for aging and disability services from the mental health and retardation services aid and assistance account of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit, or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2013, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2013 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2013 for the department of health and environment – division of

health, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the secretary for children and families and the secretary of health and environment for fiscal year 2013 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2013: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2013 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2013 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(j) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer the amounts specified by the director of the budget from the LTC – medicaid assistance – NF account of the state general fund of the Kansas department for aging and disability services to the LTC – medicaid assistance – HCBS/FE account of the state general fund of the Kansas department for aging and disability services or to the community based services account of the Kansas department for aging and disability services: *Provided*, That such amounts to be transferred shall be certified by the director of the budget on December 1, 2012, and on June 1, 2013, to reflect the nursing facility rate paid for persons moving from a nursing facility to the home and community-based services waiver for the physically disabled or the frail elderly for the six months preceding the date of certification: *Provided further*, That each of the individuals transferred must meet the requirements described in a policy jointly developed by the secretary for aging and disability services and the secretary for children and families governing the operations of this transfer: *And provided further*, That the director of the budget shall transmit a copy of each such certification to the director of legislative research: *And provided further*, That the Kansas department for aging and disability services shall report to the legislature at the beginning of the regular session in 2013 with expenditure data regarding this program.

(k) On July 1, 2012, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund of the health care stabilization fund board of governors to the health facilities review fund of the Kansas department for aging and disability services for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from

the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 *et seq.*, and amendments thereto.

(l) During the fiscal year ending June 30, 2013, in addition to other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the Kansas department for aging and disability services from the state general fund or from any special revenue fund or funds for fiscal year 2013, to contract for mental health education, outreach and advocacy services with keys for networking, the national alliance on mental illness, and the consumer advisory council in an amount not less than \$150,000 for each contract for such mental health education, outreach and advocacy services.

Sec. 83.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

State operations.....\$95,419,343

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures from the state operations account for official hospitality shall not exceed \$500.

Youth services aid and assistance.....\$103,188,486

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Vocational rehabilitation aid and assistance.....\$6,162,641

Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *Provided, however*; That all such expenditures for durable equipment or assistive technology devices shall require a \$1 for \$1 match from non-state sources: *And provided further*; That expenditures may be made from this account by the secretary for children and families for the purchase of worker's compensation insurance for consumers of vocational rehabilitation services and assessments at work site and job tryout sites throughout the state.

Cash assistance.....\$30,133,787

Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Nonfederal reimbursements fund.....No limit

Provided, That all nonfederal reimbursements received by the Kansas department for children and families shall be deposited in the state treasury and credited to the

nonfederal reimbursements fund.	
Social services clearing fund.....	No limit
Social welfare fund.....	\$28,696,008
Other state fees fund.....	No limit
Child welfare services state grants federal fund.....	No limit
Social services block grant – federal fund.....	No limit
Child care/development block grant federal fund.....	No limit
Temporary assistance to needy families federal fund.....	No limit
Promoting safe/stable families federal fund.....	No limit
Title IV-E foster care federal fund.....	No limit
Medical assistance program federal fund.....	No limit
Rehabilitation services – vocational rehabilitation federal fund.....	No limit
Enhance child safety – parental substance abuse federal fund.....	No limit
SRS enterprise fund.....	No limit
SRS trust fund.....	No limit
Child support enforcement federal fund.....	No limit
Energy assistance block grant federal fund.....	No limit
Family and children trust account – family and children investment fund.....	No limit
<i>Provided, That expenditures from the family and children trust account – family and children investment fund for official hospitality shall not exceed \$1,500.</i>	
Low-income home energy assistance federal fund.....	No limit
Commodity supp food program federal fund.....	No limit
Social security – disability insurance federal fund.....	No limit
Supplemental nutrition assistance program federal fund.....	No limit
Emergency food assistance program federal fund.....	No limit
Child care and development mandatory and matching federal fund.....	No limit
Community-based child abuse prevention grants federal fund.....	No limit
Chafee education and training vouchers program federal fund.....	No limit
Title IV-E FDF federal fund.....	No limit
Adoption incentive payments federal fund.....	No limit
State sexual assault and domestic violence coalitions grants federal fund.....	No limit
National bioterrorism hospital preparedness program federal fund.....	No limit
Assistance in transition from homelessness federal fund.....	No limit
Adoption assistance federal fund.....	No limit
Chafee foster care independence program federal fund.....	No limit
Refugee and entrant assistance federal fund.....	No limit
Head start federal fund.....	No limit
Developmental disabilities basic support federal fund.....	No limit
Children's justice grants to states federal fund.....	No limit
Child abuse and neglect state grants federal fund.....	No limit
Independent living state grants federal fund.....	No limit
Independent living services for older blind federal fund.....	No limit
Supported employment for individuals with severe disabilities federal fund.....	No limit
Rehabilitation training – general training federal fund.....	No limit
CMS research, demonstration and evaluations federal fund.....	No limit
Administrative matching grants for food assistance program federal fund.....	No limit
Temporary assistance for needy families emergency funds federal fund.....	No limit

Rehabilitation services-vocational rehabilitation – ARRA federal fund.....	No limit
Independent living older blind – ARRA federal fund.....	No limit
Prevention fellowship program grant federal fund.....	No limit
Federal Olmstead grant federal fund.....	No limit
Child care discretionary federal fund	No limit
Supplemental security income federal fund.....	No limit
Child support enforcement research federal fund	No limit
Child abuse and neglect discretionary federal fund.....	No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Children's cabinet accountability fund.....\$519,325
Provided, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Child care.....\$5,033,679
Provided, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Early head start.....\$66,584
Provided, That any unencumbered balance in the early head start account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Family preservation.....\$2,154,357
Provided, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Quality initiative infants & toddlers.....\$500,000
Provided, That any unencumbered balance in the quality initiative infants & toddlers account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Early childhood block grant.....\$18,180,251
Provided, That any unencumbered balance in the early childhood block grant account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Reading roadmap program.....\$256,637
Provided, that any unencumbered balance in the reading roadmap program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(d) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2013, the following:

Children's cabinet administration.....\$264,126

(e) During the fiscal year ending June 30, 2013, the secretary for children and families, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2013 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) During the fiscal year ending June 30, 2013, the secretary for children and families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are

credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the nonfederal reimbursements fund to the social welfare fund the amount specified by the secretary for children and families.

(h) During the fiscal year ending June 30, 2013, all moneys received by the secretary for children and families, to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund, shall be deposited in the state treasury to the credit of the family and children endowment account of the family and children investment fund.

(i) During the fiscal year ending June 30, 2013, to the extent it is determined by the secretary for children and families to be cost effective, the secretary for children and families shall apply for and accept donations from private sources to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund. During the fiscal year ending June 30, 2013, upon receipt of one or more donations of moneys from private sources for deposit to the credit of the family and children endowment account of the family and children investment fund, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from any moneys appropriated from the state general fund or any special revenue fund or funds for the fiscal year 2013, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the Kansas department for children and families from any such moneys appropriated for fiscal year 2013 for payments into the family and children endowment account of the family and children investment fund that match the aggregate amount of all such donations and that are equal to the aggregate amount of moneys donated to and credited to the family and children endowment account of the family and children investment fund during fiscal year 2013.

(j) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2013 for the Kansas department for children and families as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the secretary for children and families for fiscal year 2013 to fix, charge and collect fees from parents for services provided to their children by an institution or program of the Kansas department for children and families: *Provided*, That all moneys received by the Kansas department for children and families for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the social welfare fund.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the child care/development block grant federal fund, any other

special revenue fund or funds, or from any state general fund account for fiscal year 2013, expenditures shall be made by the above agency from the child care/development block grant federal fund, any other special revenue fund or funds, or any state general fund account for fiscal year 2013 in an amount of not less than \$11,223,189, to provide funding for the early head start program.

(l) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 for the Kansas department for children and families as authorized by this or any other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the secretary for children and families for fiscal year 2013 to develop and present a proposal for a program which would expand the Kansas foster child educational assistance program to allow attendance by eligible foster children at private colleges located in Kansas: *Provided*, That the secretary shall present such proposal to the house of representatives committee on appropriations and the senate committee on ways and means at the beginning of the 2013 legislative session.

Sec. 84.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Kansas guardianship program.....\$1,157,539
Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Sec. 85.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$11,308,802
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Special education services aid.....\$427,717,630

Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013:

Provided further; That expenditures shall not be made from the special education services aid account for the provision of instruction for any homebound or hospitalized child unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality:

And provided further; That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-983, and amendments thereto: *And provided further*; That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing proviso, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-978, and amendments thereto.

General state aid.....\$1,967,322,680

Provided, That any unencumbered balance in the general state aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That, if 2012 Senate Substitute for House Bill No. 2200, or any other legislation which increases the state prescribed percentage as defined in K.S.A. 2011 Supp. 72-6433, and amendments thereto, in fiscal year 2013 from 31% to 32%, is not passed by the legislature during the 2012 regular session and enacted into law, then, on July 1, 2012, of the \$1,967,322,680 appropriated for the above agency for the general state aid account, the sum of \$50,000,000 is hereby lapsed.

Supplemental general state aid.....\$366,212,000

Provided, That any unencumbered balance in the supplemental general state aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That, if 2012 Senate Substitute for House Bill No. 2200, or any other legislation which increases the state prescribed percentage as defined in K.S.A. 2011 Supp. 72-6433, and amendments thereto, in fiscal year 2013 from 31% to 32%, is not passed by the legislature during the 2012 regular session and enacted into law, then, on July 1, 2012, of the \$366,212,000 appropriated for the above agency for the supplemental general state aid account, the sum of \$27,000,000 is hereby lapsed.

Discretionary grants.....\$322,457

Provided, That the above agency shall make expenditures from the discretionary grants account during the fiscal year 2013, in the amount not less than \$125,000 for after school programs for middle school students in the sixth, seventh and eighth grade: *Provided further*, That the after school programs may also include fifth and ninth grade students, if they attend a junior high: *And provided further*, That such discretionary grants shall be awarded to after school programs that operate for a minimum of two hours a day, every day that school is in session, and a minimum of six hours a day for a minimum of five weeks during the summer: *And provided further*, That the discretionary grants awarded to after school programs shall require a \$1 for \$1 local match: *And provided further*, That the aggregate amount of discretionary grants awarded to any one after school program shall not exceed \$25,000.

School food assistance.....\$2,510,486

Professional development.....\$2,500,000

School safety hotline.....\$10,000

Mentor teacher program grants.....\$484,337

Moving expenses.....\$700,000

Technical education transportation.....\$500,000

Technical education promotion.....\$50,000

KPERS – employer contributions.....\$332,095,628

Provided, That any unencumbered balance in the KPERS – employer contributions account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures from the KPERS – employer contributions account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939, and amendments thereto: *And provided further*, That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

Educable deaf-blind and severely handicapped children's programs aid.....\$110,000

School district juvenile detention facilities and Flint Hills job

corps center grants.....\$6,012,355
Provided, That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-8187, and amendments thereto.

Any unencumbered balance in the governor's teaching excellence scholarships and awards account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures from the governor's teaching excellence scholarships and awards account for teaching excellence scholarships shall be made in accordance with K.S.A. 72-1398, and amendments thereto: *And provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants for governor's teaching excellence scholarships shall be deposited in the state treasury and credited to the governor's teaching excellence scholarships program repayment fund.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State school district finance fund.....	No limit
School district capital improvements fund.....	No limit
<i>Provided</i> , That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-6761, and amendments thereto.	
School district capital outlay state aid fund.....	\$0
Conversion of materials and equipment fund.....	No limit
State safety fund.....	No limit
School bus safety fund.....	No limit
Motorcycle safety fund.....	No limit
Federal indirect cost reimbursement fund.....	No limit
Teacher and administrator fee fund.....	No limit
Food assistance – federal fund.....	No limit
Education jobs fund – federal.....	No limit
Food assistance – school breakfast program – federal fund.....	No limit
Food assistance – national school lunch program – federal fund.....	No limit
Food assistance – child and adult care food program – federal fund.....	No limit
Elementary and secondary school aid – federal fund.....	No limit
Elementary and secondary school aid – educationally deprived children – federal fund.....	No limit
Educationally deprived children – state operations – federal fund.....	No limit

Elementary and secondary school – educationally deprived children – LEA’s fund.....	No limit
ESEA chapter II – state operations – federal fund.....	No limit
Education of handicapped children fund – federal.....	No limit
Education of handicapped children fund – state operations – federal fund.....	No limit
Education of handicapped children fund – preschool – federal fund.....	No limit
Education of handicapped children fund – preschool state operations – federal.....	No limit
Elementary and secondary school aid – federal fund – migrant education fund.....	No limit
Elementary and secondary school aid – federal fund – migrant education – state operations.....	No limit
Vocational education amendments of 1968 – federal fund.....	No limit
Vocational education title II – federal fund.....	No limit
Vocational education title II – federal fund – state operations.....	No limit
Educational research grants and projects fund.....	No limit
Drug abuse fund – department of education – federal.....	No limit
Drug abuse funds – federal – state operations fund.....	No limit
Federal K-12 fiscal stabilization fund.....	No limit
Inservice education workshop fee fund.....	No limit
<i>Provided</i> , That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: <i>Provided further</i> , That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: <i>And provided further</i> , That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.	
Private donations, gifts, grants and bequests fund.....	No limit
Interactive video fee fund.....	No limit
<i>Provided</i> , That expenditures may be made from the interactive video fee fund for operating expenditures incurred in conjunction with the operation and use of the interactive video conference facility of the department of education: <i>Provided further</i> , That the state board of education is hereby authorized to fix, charge and collect fees for the operation and use of such interactive video conference facility: <i>And provided further</i> , That all fees received for the operation and use of such interactive video conference facility shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the interactive video fee fund.	
Reimbursement for services fund.....	No limit
Communities in schools program fund.....	No limit
Governor's teaching excellence scholarships program repayment fund.....	No limit
<i>Provided</i> , That all expenditures from the governor's teaching excellence scholarships	

program repayment fund shall be made in accordance with K.S.A. 72-1398, and amendments thereto: *Provided further*; That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*; That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*; That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor's teaching excellence scholarships program repayment fund.

Elementary and secondary school aid – federal fund – reading first.....	No limit
Elementary and secondary school aid – federal fund – reading first – state operations.....	No limit
State grants for improving teacher quality – federal fund.....	No limit
State grants for improving teacher quality – federal fund – state operations.....	No limit
21 st century community learning centers – federal fund.....	No limit
State assessments – federal fund.....	No limit
Rural and low-income schools program – federal fund.....	No limit
Language assistance state grants – federal fund.....	No limit
Service clearing fund.....	No limit
Helping schools license plate program fund.....	No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Pre-K program.....	\$4,799,812
Parent education program.....	\$7,237,635

Provided, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount which is equal to not less than 65% of the grant.

(d) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund of the Kansas department for children and families to the communities in schools program fund of the department of education.

(e) On March 30, 2013, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$750,000 from the state safety fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*; That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of education by other state agencies which receive appropriations from the state general fund to provide such services.

(f) On June 30, 2013, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$750,000 from the state safety fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of education by other state agencies which receive appropriations from the state general fund to provide such services.

(g) On July 1, 2012, and quarterly thereafter, the director of accounts and reports shall transfer \$73,259 from the state highway fund of the department of transportation to the school bus safety fund of the department of education.

(h) On July 1, 2012, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund of the department of education to the motorcycle safety fund of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to subsection (b)(2) of K.S.A. 8-272, and amendments thereto.

Sec. 86.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$1,587,664

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$941.

Grants to libraries and library systems.....\$3,101,865

Provided, That any unencumbered balance in the grants to libraries and library systems account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That, of the moneys appropriated in the grants to libraries and library systems account, \$1,480,465 shall be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555, and amendments thereto, \$1,230,084 shall be distributed for interlibrary loan development grants and \$391,316 shall be distributed for the Kansas talking book services.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund.....No limit

Federal library services and technology act – fund.....No limit

Grants and gifts fund.....No limit

Sec. 87.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2013, the following:

Operating expenditures.....	\$5,151,698
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: <i>Provided, however</i> ; That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.	
Arts for the handicapped.....	\$133,847

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
Reserve fund.....	No limit
Local services reimbursement fund.....	No limit
<i>Provided</i> , That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: <i>Provided further</i> ; That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.	
Student activity fees fund.....	No limit
Special bequest fund.....	No limit
Gift fund.....	No limit
Technology lending library – federal fund.....	No limit
Nine month payroll clearing fund.....	No limit
Food assistance – cash for commodities – federal fund.....	No limit
Food assistance – breakfast – federal fund.....	No limit
Food assistance – lunch – federal fund.....	No limit
Chapter I handicapped – federal fund.....	No limit
Education improvement – federal fund.....	No limit
Elementary and secondary education act – federal fund.....	No limit
Special education assistance – ARRA – federal fund.....	No limit
E-rate grant – federal fund.....	No limit
Preparation and mentoring of teachers of the blind and visually impaired – federal fund.....	No limit
Improve teacher quality grant – federal fund.....	No limit
School breakfast program – federal fund.....	No limit
Special education preschool grants – federal fund.....	No limit

Sec. 88.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....	\$8,615,380
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
Reserve fund.....	No limit
Local services reimbursement fund.....	No limit
<i>Provided</i> , That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts:	
<i>Provided further</i> , That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.	
Student activity fees fund.....	No limit
Elementary and secondary education act – federal fund.....	No limit
Elementary and secondary education act 2009 ARRA – federal fund.....	No limit
Vocational education fund – federal.....	No limit
School lunch program – federal fund.....	No limit
Special bequest fund.....	No limit
Special workshop fund.....	No limit
Gift fund.....	No limit
Nine month payroll clearing fund.....	No limit
Special education state grants – federal fund.....	No limit
Special education state grants ARRA – federal fund.....	No limit
Special education preschool ARRA – federal fund.....	No limit
Improve teacher quality grant – federal fund.....	No limit
School breakfast program – federal fund.....	No limit
National school lunch program ARRA – federal fund.....	No limit
Special education preschool grants – federal fund.....	No limit

Sec. 89.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....	\$4,783,063
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Kansas humanities council.....	\$60,886

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Credit card clearing fund.....	No limit
Vehicle repair and replacement fund.....	No limit
General fees fund.....	No limit
Archeology fee fund.....	No limit

Provided, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be

deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

Conversion of materials and equipment fund.....No limit

Soil/water conservation fund.....No limit

Microfilm fees fund.....No limit

Provided, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*; That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*; That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

Records center fee fund.....No limit

Provided, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records: *Provided further*; That the state historical society is hereby authorized to fix, charge and collect fees for such services: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*; That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the records center fee fund.

Historic properties fee fund.....No limit

Historic preservation grants in aid fund.....No limit

Historic preservation overhead fees fund.....No limit

National historic preservation act fund – local.....No limit

Private gifts, grants and bequests fund.....No limit

Museum and historic sites visitor donation fund.....No limit

Insurance collection replacement/reimbursement fund.....No limit

Heritage trust fund.....No limit

Provided, That expenditures from the heritage trust fund for state operations shall not exceed \$94,548.

Land survey fee fund.....No limit

Provided, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2013 for operating expenditures that are not related to administering the land survey program.

National trails fund.....No limit

State historical society facilities fund.....No limit

Historic properties fund.....No limit

Law enforcement memorial fund.....No limit

Highway planning/construction fund.....No limit

Save America's treasures fund.....No limit

Property sale proceeds fund.....No limit

Provided, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

Sec. 90.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$32,404,650

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Master's-level nursing capacity.....\$133,506

Kansas wetlands education center at Cheyenne bottoms.....\$262,764

Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas academy of math and science.....\$728,688

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts:

Special events; technology equipment; Gross coliseum services; performing arts center services; farm income; choral music clinic; yearbook; off-campus tours; memorial union activities; student activity (unallocated); Leader (newspaper); conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And*

provided further, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act – federal fund.....No limit
 Service clearing fund.....No limit

Provided, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund.....No limit
 Health fees fund.....No limit

Provided, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees fund.....No limit

Provided, That expenditures may be made from the student union fee fund for official hospitality.

Kansas career work study program fund.....No limit

Economic opportunity act – federal fund.....No limit

Kansas comprehensive grant fund.....No limit

Faculty of distinction matching fund.....No limit

Nine month payroll clearing account fund.....No limit

Federal Perkins student loan fund.....No limit

Housing system revenue fund.....No limit

Provided, That expenditures may be made from the housing system revenue fund for official hospitality.

Institutional overhead fund.....No limit

Oil and gas royalties fund.....No limit

Housing system suspense fund.....No limit

Housing system operations fund.....No limit

Housing system repairs, equipment and improvement fund.....No limit

Sponsored research overhead fund.....No limit

Kansas distinguished scholarship fund.....No limit

University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *Provided further*, That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund to the federal Perkins student loan fund.

Sec. 91.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$102,759,850

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Midwest institute for comparative stem cell biology.....\$129,833

Provided, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

Faculty of distinction matching fund.....No limit

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund.....No limit

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts:

Technology equipment; flight services; human resources management system; computer services; copy centers; standardized test fees; placement center; recreational services; college of technology and aviation; motor pool; music; professorships; student activities fees; army and aerospace uniforms; aerospace uniform augmentation; biology sales and services; chemistry; field camps; state department of education; physics storeroom; sponsored research, instruction, public service, equipment and facility grants; chemical engineering; nuclear engineering; contract-post office; library collections; civil engineering; continuing education; sponsored construction or improvement projects; attorney, educational and personal development, human resources; student financial assistance; application for undergraduate programs; speech and hearing fees; gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; student identification card; auditorium receipts; catalog sales; emission spectroscopy fees; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; human ecology storeroom; college of human ecology sales; family resource center fees; human movement performance; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for

all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75- 4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further*, That expenditures may be made from this fund for official hospitality.

- Kansas career work study program fund.....No limit
- Service clearing fund.....No limit
- Provided*, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.
- Sponsored research overhead fund.....No limit
- Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.
- Housing system suspense fund.....No limit
- Housing system operations fund.....No limit
- Provided*, That expenditures may be made from the housing system operations fund for official hospitality.
- Housing system repairs, equipment and improvement fund.....No limit
- Mandatory retirement annuity clearing fund.....No limit
- Student health fees fund.....No limit
- Provided*, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.
- Scholarship funds fund.....No limit
- Perkins student loan fund.....No limit

Board of regents – U.S. department of education awards fund.....	No limit
State agricultural university fund.....	No limit
Federal extension civil service retirement clearing fund.....	No limit
Salina – student union fees fund.....	No limit
Salina – housing system operation fund.....	No limit
Kansas distinguished scholarship fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Temporary deposit fund.....	No limit
Business procurement card clearing fund.....	No limit
Suspense fund.....	No limit
Voluntary tax shelter annuity clearing fund.....	No limit
Agency payroll deduction clearing fund.....	No limit
Payroll clearing fund.....	No limit
Pre-tax parking clearing fund.....	No limit
Salina student life center revenue fund.....	No limit
Child care facility revenue fund.....	No limit
University federal fund.....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Johnson county education research triangle fund.....	No limit
Energy conservation improvements fund.....	No limit
Animal health research fund.....	No limit
National bio agro-defense facility fund.....	No limit

Provided, That all expenditures from the national bio agro-defense facility fund shall be expended in accordance with the governor's national bio agro-defense facility steering committee's plan and shall be approved by the president of Kansas state university.

Kan-grow engineering fund – KSU.....	No limit
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(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed \$100,000 from the general fees fund to the Perkins student loan fund.

Sec. 92.

**KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS**

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Cooperative extension service (including official hospitality).....	\$18,600,461
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Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Agricultural experiment stations (including official hospitality).....	\$29,750,204
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Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy – Ashland farm; KSU agricultural research center – Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy – general; agronomy – experimental field crop sales; entomology sales; grain science and industry – Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation – construction; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2013: *And provided further*, That expenditures may be made from this fund for official hospitality.

Fertilizer research fund.....No limit

Sponsored research overhead fund.....No limit

Provided, That expenditures may be made from this fund for official hospitality.

Federal extension fund.....No limit

Federal experimental station fund.....No limit

Federal awards – advance payment fund.....No limit

Smith-Lever special program grant – federal fund.....No limit

Faculty of distinction matching fund.....No limit

Agricultural land use-value fund.....No limit

University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Agricultural experiment stations.....\$300,175

(d) During the fiscal year ending June 30, 2013, no moneys appropriated from the state general fund or any special revenue fund or funds for Kansas state university or Kansas state university extension systems and agriculture research programs shall be expended on or after the effective date of this act by Kansas state university or Kansas state university extension systems and agriculture research programs, directly or indirectly, for (1) any financial aid or other support for any 4-H competitive events or activities at county fairs for which the minimum age for participants is increased from 7 years of age to 9 years of age, or (2) any financial aid or other support for any 4-H organization or unit that sponsors competitive events at county fairs and that is planning to increase or has increased the minimum age for participants in such events from 7 years of age to 9 years of age.

Sec. 93.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$9,872,665

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Operating enhancement.....\$5,000,000

Provided, That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for rural Kansas.....\$400,000

Provided, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Veterinary medicine teaching hospital revenue fund.....No limit

Faculty of distinction matching fund.....No limit

Hospital and diagnostic laboratory improvement fund.....No limit

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship;

embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from this fund for official hospitality.

Sponsored research overhead fund.....No limit
Provided, That expenditures may be made from this fund for official hospitality.

Health professions student loan fund.....No limit

University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund to the health professions student loan fund.

Sec. 94.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$30,866,575

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Reading recovery program.....\$215,112

Nat'l Board Cert/Future Teacher Academy.....\$129,050

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees

fund for official hospitality.

Interest on state normal school fund fund.....No limit

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund.

Service clearing fund.....No limit

Provided, That the service clearing fund shall be used for the following service activities: Telecommunications services; office supplies inventory; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; data processing center; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund.....No limit

Kansas career work study program fund.....No limit

Student health fees fund.....No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Faculty of distinction matching fund.....No limit

Bureau of educational measurements fund.....No limit

National direct student loan fund.....No limit

Economic opportunity act – work study – federal fund.....No limit

Educational opportunity grants – federal fund.....No limit

Basic opportunity grant program – federal fund.....No limit

Research and institutional overhead fund.....No limit

Kansas comprehensive grant fund.....No limit

Housing system suspense fund.....No limit
 Housing system operations fund.....No limit
 Housing system repairs, equipment and improvement fund.....No limit
 Kansas distinguished scholarship fund.....No limit
 University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership federal fund.....No limit

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Emporia state university of not to exceed \$30,000 from the general fees fund to the national direct student loan fund.

Sec. 95.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$33,668,152

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

School of construction.....\$750,000

Polymer science program.....\$500,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund.....No limit

Provided, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*; That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*; That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Midwest Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity – state match; Kansas career work study; regents

supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further*; That expenditures may be made from this fund for official hospitality.

Service clearing fund.....No limit
Provided, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health fees fund.....No limit
Provided, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further*; That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund.....No limit

Faculty of distinction matching fund.....No limit

Perkins student loan fund.....No limit

Sponsored research overhead fund.....No limit

College work study fund.....No limit

Nursing student loan fund.....No limit

Housing system suspense fund.....No limit

Housing system operations fund.....No limit

Housing system repairs, equipment and improvement fund.....No limit

Kansas comprehensive grant fund.....No limit

Kansas distinguished scholarship program fundNo limit

University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the

following specified funds and accounts of funds: Perkins student loan fund; nursing student loan fund.

Sec. 96.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$131,031,704
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Geological survey.....\$5,883,407
Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Umbilical cord matrix project.....\$130,900
Provided, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities revenue fund.....No limit
 Faculty of distinction matching fund.....No limit
 General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund.....No limit
 Sponsored research overhead fund.....No limit
 Law enforcement training center fund.....No limit

Provided, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program.

Law enforcement training center fees fund.....No limit
Provided, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund.....No limit
Provided, That restricted fees shall be limited to receipts for the following accounts:

Institute for policy and social research; technology equipment; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's

degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however;* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further;* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further;* That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund.....No limit
Provided, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

- Health service fund.....No limit
- Kansas career work study program fund.....No limit
- Student union fund.....No limit
- Federal Perkins loan fund.....No limit
- Health professions student loan fund.....No limit
- Housing system suspense fund.....No limit
- Housing system operations fund.....No limit
- Housing system repairs, equipment and improvement fund.....No limit
- Educational opportunity act – federal fund.....No limit
- Loans for disadvantaged students fund.....No limit
- Prepaid tuition fees clearing fund.....No limit
- Kansas comprehensive grant fund.....No limit
- Fire service training fund.....No limit
- University federal fund.....No limit
- Johnson county education research triangle fund.....No limit
- Kan-grow engineering fund – KU.....No limit
- Medical resident FICA recovery fund.....No limit

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Federal Perkins student loan program account of the national direct student loan fund; federal supplemental educational opportunity program account of the national direct student loan fund; federal disadvantaged student loan program account of the national direct student loan fund; health professions student loan fund.

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the water plan project or projects specified, the

following:

Geological survey.....\$26,841

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the geological survey account is hereby reappropriated for fiscal year 2013.

Sec. 97.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$101,647,608

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans.....\$4,488,171

Provided, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Faculty of distinction matching fund.....No limit

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to the following accounts: Technology equipment; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines

prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

- Scientific research and development – special revenue fund.....No limit
- Kansas breast cancer research fund.....No limit
- Sponsored research overhead fund.....No limit
- Parking fund – Wichita campus.....No limit
- Services to hospital authority fund.....No limit
- Direct medical education reimbursement fund.....No limit
- Service clearing fund.....No limit

Provided, That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; instructional services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

- Educational nurse faculty loan program fund.....No limit
- Federal college work study fund.....No limit
- AMA education and research grant fund.....No limit
- Federal health professions/primary care student loan fund.....No limit
- Federal nursing student loan fund.....No limit
- Suspense fund.....No limit
- Federal student educational opportunity grant fund.....No limit
- Federal Pell grant fund.....No limit
- Federal Perkins student loan fund.....No limit
- Medical loan repayment fund.....No limit

Provided, That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund.

- Medical student loan programs provider assessment fund.....No limit
- Graduate medical education administration reserve fund.....No limit
- University of Kansas medical center private practice foundation reserve fund.....No limit
- Robert Wood Johnson award fund.....No limit
- Federal scholarship for disadvantaged students fund.....No limit
- University federal fund.....No limit
- Leveraging educational assistance partnership federal fund.....No limit
- Graduate medical education support fund.....No limit
- Johnson county education research triangle fundNo limit
- Cancer center research fund.....No limit

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of

accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following funds: Federal Perkins student loan fund; federal nursing student loan fund; federal student education opportunity grant fund; federal college work study fund; educational nurse faculty loan program fund; federal health professions/primary care student loan fund.

(d) During the fiscal year ending June 30, 2013, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for medical students enrolled at the university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

Sec. 98.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$65,202,226
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit
Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit
Provided, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And*

provided further, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund.....No limit

Provided, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunication; computer service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Faculty of distinction matching fund.....No limit

Kansas career work study program fund.....No limit

Scholarship funds fund.....No limit

Sponsored research overhead fund.....No limit

Economic opportunity act – federal fund.....No limit

Education opportunity grant – federal fund.....No limit

Matching education opportunity grant fund.....No limit

Health professions student assistance program – loans fund.....No limit

Nine month payroll clearing account fund.....No limit

Pell grants fund.....No limit

Housing system suspense fund.....No limit

Housing system operations fund.....No limit

Housing system renovation principal and interest fund.....No limit

Housing system renovation and bond reserve fund.....No limit

WSU housing system depreciation and replacement fund.....No limit

Perkins loan fund.....No limit

Kansas distinguished scholarship fund.....No limit

Kansas comprehensive grant fund.....No limit

WSU housing systems revenue fund.....No limit

University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership – federal fund.....No limit

Center of innovation for biomaterials in orthopaedic research –

Wichita state university fund.....No limit

Aviation research.....No limit

Kan-grow engineering fund – WSU.....No limit

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Aviation infrastructure.....\$4,981,537

Provided, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013:

Provided further, That during the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account of the state economic

development initiatives fund for fiscal year 2013 by Wichita state university by this or other appropriation act of the 2012 regular session of the legislature, the moneys appropriated in the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2013 may only be expended for training and equipment expenditures of the national center for aviation training.

(d) During the fiscal years ending June 30, 2012, and June 30, 2013, in addition to the other purposes for which expenditures may be made by Wichita state university from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2012 or fiscal year 2013 by chapter 118 of the 2011 Session Laws of Kansas, or by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Wichita state university from the state general fund or from any special revenue fund or funds for fiscal year 2012 and fiscal year 2013, after consultation with the national institute for aviation research, to provide for the establishment of a technical training board: *Provided*, That, except as otherwise provided in this subsection (d), such board shall be similar in composition to the aviation research board and shall advise the president of Wichita state university, and others representing Wichita state university, on all expenditures from the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2012 and fiscal year 2013: *Provided further*, That such board shall review and evaluate all such expenditures: *And provided further*, That the executive director of the national institute for aviation research shall be the administrator for the technical training board: *And provided further*, That the membership of the technical training board shall include representatives of Sedgwick county and representatives of the Wichita area technical college as *ex officio*, nonvoting members: *And provided further*, That the technical training board shall prepare and submit a report to the legislature, which shall be presented to the education budget committee of the house of representatives and to the appropriate subcommittee of the ways and means committee of the senate, not later than the first calendar day of the 2013 regular session of the legislature, detailing the findings of the technical training board regarding the expenditures by Wichita state university from the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2012 and fiscal year 2013.

Sec. 99.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$3,380,046

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That, during fiscal year 2013, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2013 by the state board of regents as authorized by this or other appropriation act of the 2012 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2013 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance

and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2013, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2013 by the state board of regents as authorized by this or other appropriation act of the 2012 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2013 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education commission.....\$95,000

State scholarship program.....\$1,065,919

Provided, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 72-6816, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*, That, of the total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program.....\$15,758,338

Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Ethnic minority scholarship program.....\$296,498

Provided, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas work-study program.....\$496,813

Provided, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 *et seq.*, and amendments thereto: *And provided further*, That all moneys transferred from this account to the Kansas career work study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships.....\$175,335

Provided, That any unencumbered balance in the ROTC service scholarships account in

excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Military service scholarships.....\$470,314
Provided, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 2011 Supp. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program.....\$1,846,320
Provided, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

National guard educational assistance.....\$870,869
Provided, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Vocational scholarships.....\$114,075
Provided, That any unencumbered balance in the vocational scholarships account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Nursing student scholarship program.....\$417,255
Provided, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Optometry education program.....\$107,089
Provided, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Municipal university operating grant.....\$11,242,229

Adult basic education.....\$1,457,031

Postsecondary tiered technical education state aid.....\$54,943,658
Provided, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2013, in the postsecondary tiered technical education state aid account is greater than the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2012, in the postsecondary tiered technical education state aid account, then the difference between the amount of moneys appropriated for the fiscal year 2013 and the amount of moneys appropriated for the above agency fiscal year 2012 shall be distributed based on each eligible institution's calculated gap, according to the postsecondary tiered technical education state aid act, K.S.A. 2011 Supp. 71-1801 through 71-1810, and amendments thereto, as determined by the state board of regents: *Provided further*, That no eligible institution shall receive an amount of money from the postsecondary tiered technical education state aid account in fiscal year 2013 that is less than the amount such eligible institution received from such account in fiscal year 2012, unless the amount of moneys appropriated for the above agency 2012 in the postsecondary tiered technical education state aid account for fiscal year 2013 is less than the amount of moneys appropriated for the above agency for fiscal year 2012 in the postsecondary tiered technical education state aid account: *And provided further*, That if the amount of moneys appropriated for the above agency for fiscal year 2013 is less than the amount of moneys appropriated for the above agency for fiscal year 2012 in the postsecondary tiered technical education state aid account, then each eligible institution shall receive an amount of moneys as determined by the

state board of regents.

Non-tiered course credit hour grant.....\$79,853,632

Technology equipment at community colleges and Washburn university.....\$398,475

Provided, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Vocational education capital outlay aid.....\$71,585

Payment to KPERS.....\$1,750,905

Tuition waivers.....\$84,657

Nurse educator grant program.....\$188,126

Provided, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies grant program.....\$1,787,193

Provided, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas postsecondary education institutions from the nursing faculty and supplies grant program account for expansion of nursing faculty and consumable laboratory supplies: *And provided further*, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nurse faculty and supplies grant program account for \$1 from the state educational institution receiving the grant: *And provided further*, That not less than \$94,064 in such grants shall be made to accredited private postsecondary educational institutions in Kansas.

Postsecondary technical education authority.....\$682,240

Provided, That, in addition to the other purposes for which expenditures may be made by the above agency from the postsecondary technical education authority account for fiscal year 2013, expenditures shall be made by the above agency from the postsecondary technical education authority account for fiscal year 2013 to develop a report on the participation in technical education courses that lead to high-wage, high-demand technical occupations and result in Kansas board of regents approved industry credentials: *Provided further*, That such report shall be made available to the house of representatives committee on appropriations and the senate committee on ways and means no later than the first day of the 2013 regular legislative session.

Southwest Kansas access project.....\$243,000

Provided, That any unencumbered balance in the Southwest Kansas access project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship repayment fund.....No limit
 Vocational education scholarship discontinued attendance fund.....No limit
 Regents' scholarship gift fund.....No limit
Provided, That expenditures may be made from the regents' scholarship gift fund for scholarships awarded to Kansas residents who are attending institutions of postsecondary education in Kansas which are authorized under the laws of this state to award academic degrees and who meet academic and other eligibility criteria established by the state board of regents by rules and regulations: *Provided, however*, That a financial needs test shall not be one of the eligibility criteria established by the state board of regents for such scholarships: *Provided further*, That no scholarship awarded from this fund shall exceed \$2,000 per academic year: *And provided further*, That any recipient of a scholarship awarded from this fund may also receive either a state scholarship under K.S.A. 72-6810 through 72-6816, and amendments thereto, or a tuition grant under K.S.A. 72-6107 through 72-6111, and amendments thereto, or both: *And provided further*, That there shall be no reduction of any scholarship awarded from this fund for the amount of any such state scholarship or tuition grant received.

KAN-ED fund.....No limit
Provided, That expenditures may be made from the KAN-ED fund for official hospitality for the purposes of the KAN-ED act.

Health profession opportunity grant – federal.....No limit
 Rigorous program of study – federal.....No limit
 Earned indirect costs fund – federal.....No limit
 Faculty of distinction program fund.....No limit
 Paul Douglas teacher scholarship fund – federal.....No limit
 GED credentials processing fees fund.....No limit
 Proprietary school fee fund.....No limit
Provided, That expenditures may be made from the proprietary school fee fund for official hospitality.

Tuition waiver gifts, grants and reimbursements fund.....No limit
 Adult basic education – federal fund.....No limit
 Truck driver training fund.....No limit
 No child left behind federal fund.....No limit
 Comprehensive grant program discontinued attendance fund.....No limit
 State scholarship discontinued attendance fund.....No limit
 Kansas ethnic minority fellowship program fund.....No limit
 Private postsecondary educational institution degree authorization
 expense reimbursement fee fund.....No limit
 Substance abuse education fund – federal.....No limit
 Nursing service scholarship program fund.....No limit
 Clearing fund.....No limit
 Conversion of materials and equipment fund.....No limit
 Teacher scholarship program fund.....No limit
 Motorcycle safety fund.....No limit
 Financial aid services fee fund.....No limit
Provided, That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents:

Provided further, That the chief executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications and other activities related to student financial assistance programs administered by the state board of regents: *And provided further,* That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: *And provided further,* That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.

Inservice education workshop fee fund.....	No limit
Optometry education repayment fund.....	No limit
Teacher scholarship repayment fund.....	No limit
Advanced registered nurse practitioner service scholarship program fund.....	No limit
Nursing service scholarship repayment fund.....	No limit
Nurse educator service scholarship repayment fund.....	No limit
ROTC service scholarship program fund.....	No limit
ROTC service scholarship repayment fund.....	No limit
Carl D. Perkins vocational and technical education – federal fund.....	No limit
College access challenge grant program.....	No limit
Kansas national guard educational assistance program repayment fund.....	No limit
Carl D. Perkins technical preparation – federal fund.....	No limit
Grants fund.....	No limit
Workforce development loan fund.....	No limit
Regents clearing fund.....	No limit
Private and out-of-state postsecondary educational institution fee fund.....	No limit
Statewide data systems ARRA – unifying data systems to support systemic changes fund.....	No limit
Distance learning/telemedicine federal grant.....	No limit
Statewide data systems federal fund.....	No limit
USAC E-rate program federal fund.....	No limit
WIA youth activities federal fund.....	No limit
WIA adult set-aside federal fund.....	No limit
WIA dislocated workers set-aside federal fund.....	No limit

(c) During the fiscal year ending June 30, 2013, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2013, to another item of appropriation in an account of the state general fund for fiscal year 2013. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, "account": (1) Means the operating expenditures (including official hospitality) account of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university; and (2) includes each other account of the state general fund of the state board of regents.

(d) (1) In addition to the other purposes for which expenditures may be made by

any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 for such state educational institution as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2013: *Provided, however*, That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further*, That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*, That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal or greater than the cost of debt service on such bonds: *And provided further*, That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection (d)(1) at the beginning of the 2013 regular session of the legislature.

(2) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated from the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

SEDIF – vocational education capital outlay aid.....\$2,547,726

Provided, That expenditures from the SEDIF – vocational education capital outlay aid account for each grant of vocational education capital outlay aid shall be matched by the postsecondary institution awarded such grant in an amount which is equal to 50% of the grant: *Provided further*, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the SEDIF – vocational education capital outlay aid account is hereby reappropriated for fiscal year 2013.

SEDIF – technology innovation and internship program.....\$179,284

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the

SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2013.

SEDIF – EPSCOR.....\$993,265
Community and technical college competitive grants.....\$500,000

Provided, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*; That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1 for \$1 basis and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

(f) During the fiscal year ending June 30, 2013, notwithstanding any provisions of subsection (f) of K.S.A. 2011 Supp. 66-2010, and amendments thereto, as such subsection existed prior to June 30, 2009, to the contrary, the amount of \$3,750,000 shall be certified before July 1, 2013, by the chief executive officer of the state board of regents to the administrator of the KUSF and the administrator of the KUSF shall pay such amount from the Kansas universal service fund of the state corporation commission to the KAN-ED fund of the state board of regents during the fiscal year 2013 in accordance with the provisions of subsections (f)(1) and (f)(2) of K.S.A. 2011 Supp. 66-2010, and amendments thereto, as such subsections existed prior to June 30, 2009.

Sec. 100.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures\$24,495,189

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Community corrections.....\$17,583,912

Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2013 which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Local jail payments.....\$347,060

Provided, That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under subsection (b) of K.S.A. 19-1930, and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs.....\$49,784,426

Provided, That any unencumbered balance in the treatment and programs account in

excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Topeka correctional facility – facilities operations.....\$13,538,001
Provided, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility – facilities operations.....\$30,070,713
Provided, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility – facilities operations.....\$39,007,056
Provided, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility – facilities operations.....\$13,073,987
Provided, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility – facilities operations.....\$12,521,518
Provided, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility – facilities operations.....\$15,084,988
Provided, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility – facilities operations.....\$24,079,980
Provided, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility – facilities operations.....\$10,200,475
Provided, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Facilities operations.....\$13,761,662
Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Labette facility operations.....\$2,200,000
 Any unencumbered balance in excess of \$100 as of June 30, 2012, in each of the following accounts is hereby reappropriated for fiscal year 2013: Department of corrections forensic psychologist fund.

Any unencumbered balance in the DUI treatment services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for the fiscal year 2013: *Provided further*; That expenditures may be made from the DUI treatment services account for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Federal flexible fiscal stabilization fund.....No limit
- Supervision fees fund.....No limit
- Residential substance abuse treatment – federal fund.....No limit
- Department of corrections forensic psychologist fund.....No limit
- Victim assistance fund.....No limit
- Ed Byrne memorial justice assistance grants – federal fund.....No limit
- Violence against women – federal fund.....No limit
- Sex offender management grant – federal fund.....No limit
- Recovery act justice assistance – federal fund.....No limit
- Department of corrections state asset forfeiture fund.....No limit
- Chapter I – federal fund.....No limit
- Victims of crime act – federal fundNo limit
- Correctional industries fund.....No limit

Provided, That expenditures may be made from the correctional industries fund for official hospitality.

- Ed Byrne state and local law assistance – federal fund.....No limit
- Safeguard community grants – federal fund.....No limit
- Workforce investment act – federal fund.....No limit
- Workplace and community transition training – federal fund.....No limit
- USMS reimbursement – federal fund.....No limit
- Corrections training and staff development – federal fund.....No limit
- Second chance act – federal fund.....No limit
- Alcohol and drug abuse treatment fund.....No limit

Provided, That expenditures may be made from the alcohol and drug abuse fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

- State of Kansas – department of corrections inmate benefit fund.....No limit
- Department of corrections – alien incarceration grant fund – federal.....No limit
- Department of corrections – general fees fund.....No limit

Provided, That expenditures may be made from the department of corrections – general fees fund for operating expenditures for training programs for correctional personnel,

including official hospitality: *Provided further*, That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.

JEHT reentry program fund.....	No limit
Sedgwick county program fund.....	No limit
Topeka correctional facility – community development block grant – federal fund.....	No limit
Topeka correctional facility – bureau of prisons contract – federal fund.....	No limit
Topeka correctional facility – general fees fund.....	No limit
Topeka correctional facility – laundry equipment depreciation reserve fund.....	No limit
Hutchinson correctional facility – general fees fund.....	No limit
Federal flexible fiscal stabilization fund – Hutchinson correctional facility.....	No limit
Lansing correctional facility – general fees fund.....	No limit
Ellsworth correctional facility – general fees fund.....	No limit
Winfield correctional facility – general fees fund.....	No limit
Federal flexible fiscal stabilization fund – Winfield correctional facility.....	No limit
Norton correctional facility – general fees fund.....	No limit
Federal flexible fiscal stabilization fund – Norton correctional facility.....	No limit
El Dorado correctional facility – general fees fund.....	No limit
Larned correctional mental health facility – general fees fund.....	No limit
Correctional services special revenue fund.....	No limit
Community corrections supervision fund.....	No limit
Community corrections special revenue fund.....	No limit

(c) During the fiscal year ending June 30, 2013, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2013 from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account of the state general fund during fiscal year 2013 for costs pursuant to subsection (b) of K.S.A. 19-1930, and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund during fiscal year 2013 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2012, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2013.

(f) On July 1, 2012, October 1, 2012, January 1, 2013, and April 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$233,750 from the correctional industries fund to the department of corrections – general fees fund.

(g) During the fiscal year ending June 30, 2013, all expenditures made by the department of corrections from the correctional industries fund shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) On July 1, 2012, in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account for fiscal year 2013, an amount not to exceed \$368,000 may be expended for the purchase of the St. Francis boy's home in Ellsworth county, Kansas: *Provided*, That, if 2012 Senate Bill No. 434, or any other legislation which grants the secretary of corrections the authority to purchase the St. Francis boy's home is not passed by the legislature during the 2012 regular session and enacted into law, then, on July 1, 2012, the provisions of this subsection are hereby declared to be null and void and shall have no force and effect.

(i) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the community corrections special revenue fund of the department of corrections.

Sec. 101.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$3,426,754

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Management information systems.....\$845,273

Provided, That any unencumbered balance in the management information systems account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas juvenile correctional complex facility operations.....\$17,018,781

Provided, That any unencumbered balance in the Kansas juvenile correctional complex facility operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be

negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739, and amendments thereto.

Larned juvenile correctional facility operations.....\$8,767,801
Provided, That any unencumbered balance in the Larned juvenile correctional facility operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Purchase of services.....\$23,524,240
Provided, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Prevention and graduated sanctions community grants.....\$21,383,874
Provided, That any unencumbered balance in the intervention and graduated sanctions community grants account in excess of \$100 as of June 30, 2012, are hereby reappropriated to the prevention and graduated sanctions community grants account for fiscal year 2013: *Provided further*; That money awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Medical assistance program – federal fund.....	No limit
Title IV-E fund.....	No limit
Juvenile accountability incentive block grant – federal fund.....	No limit
Juvenile justice delinquency prevention – federal fund.....	No limit
Juvenile detention facilities fund.....	No limit
Juvenile justice fee fund – central office.....	No limit
Juvenile justice federal fund – Larned juvenile correctional facility.....	No limit
Juvenile justice federal fund – Kansas juvenile correctional complex.....	No limit
Juvenile justice federal fund.....	No limit
Byrne grant – federal fund – Kansas juvenile correctional complex.....	No limit
Kansas juvenile delinquency prevention trust fund.....	No limit
Byrne grant – federal fund.....	No limit
Prisoner reentry initiative demonstration – federal fund.....	No limit
Comprehensive approaches to sex offender management discretionary grant – federal fund.....	No limit
Part E – developing, testing, and demonstrating promising new programs – federal fund.....	No limit
Title V – delinquency prevention program – federal fund.....	No limit
Block grants for prevention and treatment of substance	

abuse – federal fund.....	No limit
Promoting safe and stable families – federal fund.....	No limit
Title I program for neglected and delinquent children – federal fund.....	No limit
Improving teacher quality state grants – federal fund.....	No limit
Kansas juvenile correctional complex – juvenile accountability block grant – federal fund.....	No limit
Workforce investment act – federal fund – Kansas juvenile correctional complex.....	No limit
National school lunch program – federal fund – Kansas juvenile correctional complex.....	No limit
National school lunch program – federal fund – Larned juvenile correctional facility.....	No limit
Atchison youth residential center fee fund.....	No limit
Larned juvenile correctional facility fee fund.....	No limit
Larned juvenile correctional facility – title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Larned juvenile correctional facility.....	No limit
Dev/test/demo new prgs – Larned juvenile correctional facility – federal fund.....	No limit
Kansas juvenile correctional complex fee fund.....	No limit
Kansas juvenile correctional complex – title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Kansas juvenile correctional complex.....	No limit
Kansas juvenile correctional complex – gifts, grants, and donations fund.....	No limit
Dev/test/demo new prgs – Kansas juvenile correctional complex – federal fund.....	No limit
Comprehensive approach to sex offender management discretionary grant – Kansas juvenile correctional complex – federal fund.....	No limit

(c) During the fiscal year ending June 30, 2013, the commissioner of juvenile justice, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to another item of appropriation for fiscal year 2013 from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice. The commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) In addition to the other purposes for which expenditures may be made by the juvenile justice authority from the juvenile detention facilities fund for fiscal year 2013, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, the juvenile justice authority is hereby authorized and directed to make expenditures from the juvenile detention facilities fund for fiscal year 2013 for purchase of services.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$4,597,566

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,250.

Disaster relief.....\$6,029,197

Provided, That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Incident management team.....\$16,202

Provided, That any unencumbered balance in the incident management team account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Civil air patrol – operating expenditures.....\$34,628

Military activation payments.....\$15,807

Provided, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 2011 Supp. 75-3228, and amendments thereto: *Provided further*, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas military emergency relief\$9,881

Provided, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Conversion of materials and equipment fund – military division.....No limit

Adjutant general expense fund.....No limit

State asset forfeiture fund.....No limit

Emergency management – federal fund matching – administration fund.....No limit

State emergency fund.....No limit

State emergency fund weather disasters 5/4/2007.....No limit

State emergency fund weather disasters 12/06, 7/07.....No limit

Disaster reimbursement fund.....	No limit
Disaster grants – public assistance federal fund.....	No limit
National guard military operations/maintenance federal fund	No limit
Intra-agency hazardous mitigation trn/pl federal fund.....	No limit
Econ adjustment/military installation federal fund.....	No limit
Public safety partnership/community policing federal fund.....	No limit
Disaster assistance to individual/household federal fund.....	No limit
Interoperability communication equipment fund.....	No limit
Homeland security FFY05 int federal fund.....	No limit
State homeland security program federal fund.....	No limit
Nuclear safety emergency management fee fund.....	No limit
<i>Provided, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2013 pursuant to agreements which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 et seq., and amendments thereto.</i>	
Military fees fund – federal.....	No limit
<i>Provided, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.</i>	
Armories and units general fees fund.....	No limit
Emergency systems for advanced registration for volunteer health professionals – federal fund.....	No limit
Civil air patrol – grants and contributions – federal fund.....	No limit
Emergency management performance grant – federal fund.....	No limit
NG – federal forfeiture fund.....	No limit
Inaugural expense fund.....	No limit
Kansas military emergency relief fund.....	No limit
<i>Provided, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: Provided further, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: And provided further, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.</i>	
Emergency management assistance compact federal fund.....	No limit
Public safety interoperable communications grant program federal fund.....	No limit

Military construction national guard federal fund.....No limit
 National guard civilian youth opportunities federal fund.....No limit
 Hazard mitigation grant federal fund.....No limit
 Citizen corps federal fund.....No limit
 Law enforcement terrorism prevention program federal fund.....No limit
 Safe and drug-free schools and communities national programs federal fund.....No limit
 National guard museum assistance fund.....No limit

Provided, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35th infantry division museum and education center facility.

Great plains joint regional training center fee fund.....No limit

Provided, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*; That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*; That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*; That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to other positions within the adjutant general's department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*; That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2013 made by this or other appropriation act of the 2012 regular session of

the legislature.

Sec. 103.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund.....\$3,624,540
Provided, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$500.

Gifts, grants and donations fund.....No limit

Hazardous material program fund.....\$374,191

Intragovernmental service fund.....No limit

State fire marshal liquefied petroleum gas fee fund.....\$189,542

Hazardous materials emergency fund.....\$250,000

Provided, That expenditures may be made by the state fire marshal from the hazardous materials emergency fund for fiscal year 2013 for the purposes of responding to specific incidences of emergencies related to hazardous materials without prior approval of the state finance council: *Provided, however*; That expenditures from the hazardous materials emergency fund during fiscal year 2013 for the purposes of responding to any specific incidence of an emergency related to hazardous materials without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session.

Fire safety standard and firefighter protection act enforcement fund.....No limit

Cigarette fire safety standard and firefighter protection act fund.....No limit

Non-fuel flammable or combustible liquid aboveground storage tank system fund.....No limit

Homeland security grant – federal fund.....No limit

(b) On July 1, 2012, and January 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$187,095.50 from the fire marshal fee fund of the state fire marshal to the hazardous material program fund of the state fire marshal.

(c) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund to the hazardous materials emergency fund of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. *Provided*, That the aggregate amount of such transfers for the fiscal year ending June 30, 2013, shall not exceed \$50,000.

(d) During the fiscal year ending June 30, 2013, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund during fiscal year 2013, and, upon a finding by the director of the budget in consultation with the

director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2013 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2013 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the hazardous materials emergency fund to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2013 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(e) During the fiscal year ending June 30, 2013, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund and any other resources available to the fire marshal fee fund during the fiscal year 2013, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2012 are insufficient to meet in full the estimated expenditures for fiscal year 2013 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2013: *Provided*, That the aggregate amount of such transfers during fiscal year 2013 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection is transmitted to the director of accounts and reports during fiscal year 2012, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 104.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
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Provided, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and

amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law.

For patrol of Kansas turnpike fund.....No limit
Provided, That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol motor vehicle fund.....No limit

Department of justice – federal recovery act – Edward J. Byrne memorial justice assistance grant program – federal fund.....No limit

Kansas highway patrol state forfeiture fund.....No limit

Disaster grants – public assistance – federal fund.....No limit

Edward Byrne memorial assistance grant – state and local law enforcement – federal fund.....No limit

Bulletproof vest partner – federal fund.....No limit

Performance registration information system management – federal fund.....No limit

Commercial vehicle information system network – federal fund.....No limit

Highway planning and construction – federal fund.....No limit

Public safety interoperability grant – federal fund.....No limit

Citizen corps – federal fund.....No limit

Emergency management performance grants – federal fund.....No limit

Safety data improvement project – federal fund.....No limit

Interoperability communication equipment – federal fund.....No limit
Edward Byrne memorial assistance grant – federal fund –

federal American recovery and reinvestment act.....No limit

Cops grant – federal fund.....No limit

KHP federal forfeiture – federal fund.....No limit

Law enforcement terrorism prevention – federal fund.....No limit

High intensity drug trafficking areas – federal fund.....No limit

State domestic preparedness equipment sprrt – federal fund.....No limit

Metro med response system – federal fund.....No limit

Homeland security program – federal fund.....No limit

Buffer zone protection program – federal fund.....No limit

Rural law enforcement assistance grant – federal fund – federal American recovery and reinvestment act.....No limit

Edward Byrne memorial justice assistance grant – federal fund.....No limit

Emergency ops cntr – federal fund.....No limit

State and community highway safety – federal fund.....No limit

Gifts and donations fund.....No limit

Provided, That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.

Motor carrier safety assistance program state fund.....No limit

Provided, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

National motor carrier safety assistance program – federal fund.....No limit

Provided, That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with

K.S.A. 75-3225, and amendments thereto.

Aircraft fund – on budget.....No limit
 Highway safety fund.....No limit
 Capitol area security fund.....No limit
 Vehicle identification number fee fund.....No limit
 Motor vehicle fuel and storeroom sales fund.....No limit

Provided, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol operations fund.....\$53,322,814

Provided, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: *Provided further*, That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund of not more than \$627,766 for the purpose of paying the overtime and holiday compensation to highway patrol officers and troopers who have accumulated such overtime and holiday pay that remained unpaid: *And provided further*, That such payment shall be made during fiscal year 2013: *And provided further*, That, of the \$627,766 for such compensation payment purpose, any amount not expended or encumbered during fiscal year 2013 for such purpose shall be lapsed on July 1, 2013.

Highway patrol training center fund.....No limit

Provided, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft fund.....No limit

Provided, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*; That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*; That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund.

1122 program clearing fund.....No limit

(b) On or before the 10th of each month during the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2012, and January 1, 2013, or as soon after each date as moneys are available the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$650,000 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program state fund of the Kansas highway patrol.

(d) On July 1, 2012, and January 1, 2013, or as soon after each date as moneys are available, the director of accounts and reports shall transfer \$26,329,860.50 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2013 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2013 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$287,000 from the state highway fund of the department of transportation to the highway safety fund of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the state highway fund of the department of transportation to the general fees fund of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2012, and January 1, 2013, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 74-2136, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$300,000 from the highway patrol motor vehicle fund of the Kansas highway patrol to the aircraft fund – on budget of the Kansas highway patrol.

(h) On July 1, 2012, the director of accounts and reports shall transfer \$627,766

from the state general fund to the Kansas highway patrol operations fund of the Kansas highway patrol.

Sec. 105.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$15,616,246

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the operating expenditures account for fiscal year 2013: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup.....\$450,000

Provided, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state forfeiture fund.....No limit

Provided, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

Federal forfeiture fund.....No limit

Provided, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

High intensity drug trafficking area – federal fund.....No limit

Federal grants – marijuana eradication – federal fund.....No limit

Criminal justice information system line fund.....\$751,740

DNA database fund.....No limit

Kansas bureau of investigation motor vehicle fund.....No limit

Provided, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*; That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials fee fund.....No limit

Provided, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct

or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation: *Provided, however;* That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by subsection (e) of K.S.A. 28-176, and amendments thereto: *Provided further;* That all fees received for such laboratory tests, including all moneys received pursuant to subsection (a) of K.S.A. 28-176, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

General fees fund.....No limit
Provided, That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however;* That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter *Provided,* for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further;* That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further;* That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further;* That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further;* That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures.

Record check fee fund.....No limit
Provided, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating

expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however;* That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further;* That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.

Intergovernmental service fund.....	No limit
Agency motor pool fund.....	No limit
National criminal history improvement program federal fund.....	No limit
Public safety partnership and community policing federal fund.....	No limit
Forensic DNA backlog reduction federal fund.....	No limit
Coverdell forensic sciences improvement federal fund.....	No limit
Anti-gang initiative federal fund.....	No limit
Homeland security federal fund.....	No limit
State homeland security program federal fund.....	No limit
Convicted/arrestee DNA backlog reduction federal fund.....	No limit
Disaster grants – public assistance federal fund.....	No limit
Ed Byrne memorial justice assistance federal fund.....	No limit
Ed Byrne state/local law enforcement federal fund.....	No limit
Violence against women – ARRA federal fund.....	No limit
AWA implementation grant program federal fund.....	No limit
Ed Byrne memorial JAG – ARRA federal fund.....	No limit
Convicted/offender/arrestee DNA backlog reduction federal fund.....	No limit
KBI-FBI reimbursement federal fund.....	No limit
Project safe neighborhoods fund.....	No limit
Social security administration reimbursement – federal fund.....	No limit

Sec. 106.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Rural health options grant fund.....	No limit
Rural access to emergency devices grant – federal fund.....	No limit
Emergency medical services operating fund.....	\$1,344,862

Provided, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further;* That such fees may be fixed in order to recover all or part of such costs: *And provided further;* That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further;* That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the

credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*, That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant payment fund.....No limit
Provided, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund.....No limit
Provided, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*, That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*, That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2013.

National bioterrorism hospital preparedness – federal fund.....No limit
Highway safety – federal fund.....No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the board of emergency medical services operating fund for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2013 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants, instructor-coordinators and training officers: *Provided further*, That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants, instructor-coordinators and training officers: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants, instructor-coordinators and training officers who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund for the emergency medical services board for fiscal year 2013, as authorized by this or any other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund for the emergency medical services board for fiscal year 2013 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in the EMS region are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and

disbursed to such EMS region for the operation of the education and training of emergency medical attendants in such EMS region.

(d) On July 1, 2012, and January 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund to the educational incentive grant payment fund of the emergency medical services board.

(e) During the fiscal year ending June 30, 2013, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2013, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2013 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2013 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2013 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2013, if any EMS regional council enters into a grant agreement with the emergency medical service board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2013.

Sec. 107.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$681,549

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Substance abuse treatment programs.....\$6,338,396

Provided, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
Statistical analysis – federal fund.....	No limit
Drug abuse fund – federal.....	No limit

Sec. 108.

KANSAS COMMISSION ON PEACE OFFICERS'
STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers' standards and training fund.....	\$560,000
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Provided, That expenditures from the Kansas commission on peace officers' standards and training fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$500.

Local law enforcement training reimbursement fund.....	No limit
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Sec. 109.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....	\$10,345,271
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the operating expenditures account for fiscal year 2013: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$10,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dairy fee fund.....	No limit
Meat and poultry inspection fee fund.....	No limit
Wheat quality survey fund.....	No limit
Plant protection fee fund.....	No limit
Laboratory equipment fund.....	No limit
Water structures – state highway fund.....	\$114,415
Soil amendment fee fund.....	No limit
Agricultural liming materials fee fund.....	No limit
Weights and measures fee fund.....	No limit
Water appropriation certification fund.....	No limit
Water resources cost fund.....	No limit

Provided, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 2011 Supp. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

Agriculture seed fee fund.....	No limit
Chemigation fee fund.....	No limit

Agriculture statistics fund.....	No limit
Petroleum inspection fee fund.....	No limit
Water transfer hearing fund.....	No limit
Grain commodity commission services fund.....	No limit
Kansas agricultural remediation fund.....	No limit
Warehouse fee fund.....	No limit
U.S. geological survey cooperative gauge agreement grants fund.....	No limit
<i>Provided, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: Provided further, That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: And provided further, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.</i>	
Computer services fund.....	No limit
Agricultural chemical fee fund.....	No limit
Feeding stuffs fee fund.....	No limit
Fertilizer fee fund.....	No limit
Plant pest emergency response fund.....	No limit
Pesticide use fee fund.....	No limit
Geographic information system fee fund.....	No limit
Egg fee fund.....	No limit
Water structures fund.....	\$112,176
Meat and poultry inspection fund – federal.....	No limit
EPA pesticide performance partnership grant – federal fund.....	No limit
FEMA dam safety – federal fund.....	No limit
FEMA – hazard mitigation map federal fund.....	No limit
FEMA stream mapping – federal fund.....	No limit
Pest detection and survey – federal fund.....	No limit
State trade and export promotion – federal fund.....	No limit
FDA tissue residue – federal fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Trademark fund.....	No limit
Market development fund	No limit
<i>Provided, That expenditures may be made from the market development fund for official hospitality: Provided further, That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary: And provided further, That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.</i>	
Reimbursement and recovery fund.....	No limit
<i>Provided, That expenditures may be made from the reimbursement and recovery fund for official hospitality.</i>	

Conference registration and disbursement fund.....No limit
Provided, That expenditures may be made from the conference registration and disbursement fund for official hospitality.

Buffer participation incentive fund.....No limit

Targeted watershed grants – federal fund.....No limit

Agency motor pool fund.....No limit

Land reclamation fee fund.....No limit

Animal health protection fund.....No limit

Animal donation fund.....No limit

Livestock and pseudorabies indemnity fund.....No limit

County option brand fee fund.....No limit

Livestock brand emergency revolving fund.....No limit

Livestock brand fee fund.....No limit
Provided, That expenditures from the livestock brand fee fund for official hospitality shall not exceed \$250.

Livestock market brand inspection fee fund.....No limit

Veterinary inspection fee fund.....No limit

Animal dealers fee fundNo limit
Provided, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300: *Provided further*; That expenditures shall be made from the animal dealers fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets.

Animal disease control fundNo limit
Provided, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Meat poultry egg production inspection – federal fund.....No limit

Market protection promotion – federal fund.....No limit

Health and human services retail food audit – federal fundNo limit

USDA cooperative – federal fund.....No limit

Specialty crop block grant – federal fund.....No limit

Publications fee fund.....No limit
Provided, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*; That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*; That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*; That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and

amendments thereto, and shall be credited to the publications fee fund.

Homeland security grant – federal fund.....	No limit
USDA national agricultural statistics services – federal fund.....	No limit
FDA food protection conference grant – federal fund.....	No limit
Retail food good manufacturing practice management – federal fund.....	No limit
Medicated feed and FDA BSE inspection – federal fund.....	No limit
National floodplain insurance assistance (CAP) – federal fund.....	No limit
Environmental quality incentive program – federal fund	No limit
Disease control fund – federal.....	No limit
National dam safety program – federal fund.....	No limit
Cooperating technical partners – federal fund.....	No limit
Plant and animal disease & pest control – federal fund.....	No limit
Country of origin labeling (COOL) – federal fund.....	No limit
USDA Kansas forestry service – federal fund.....	No limit
USDA pesticide recordkeeping – federal fund.....	No limit
Civil litigation fee fund.....	No limit
<i>Provided</i> , That the above agency is authorized to make expenditures from the civil litigation fee fund for costs or other expenses associated with investigation and litigation regarding fraudulent meat sales: <i>Provided further</i> , That a portion of the moneys received by the state from fines and other moneys collected as a result of the settlement of fraudulent meat sales cases, as determined by the secretary of agriculture and the attorney general, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the civil litigation fee fund.	
Food safety fee fund.....	No limit
Gifts and donations fund.....	No limit
<i>Provided</i> , That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: <i>Provided further</i> , That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.	
General fees fund.....	No limit
<i>Provided</i> , That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: <i>Provided further</i> , That the secretary of agriculture is hereby authorized to fix, charge and collect fees in order to recover all or part of the costs incurred for such regulatory program activities and for official hospitality: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the operating expenses incurred for the regulatory program activity or official hospitality for which such fees are imposed: <i>And provided further</i> , That all amounts received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.	
Lodging fee fund.....	No limit
Watershed protect approach/WTR RSRCE MGT fund.....	No limit
NRCS contribution agreement farm bill – federal fund.....	No limit
Licensing online transition fund.....	No limit
<i>Provided</i> , That, notwithstanding the provisions of any statute to the contrary, during	

fiscal year 2013 the Kansas department of agriculture may prorate license fees and alter license due dates as needed in order to transition to online license applications and renewals for the fiscal year ending June 30, 2013.

Grain warehouse inspection fund.....No limit
Provided, That during the fiscal year ending June 30, 2013, the above agency shall make every effort to ensure services performed in the grain warehouse inspection program will not be compromised by budget reductions for the fiscal year ending June 30, 2013.

Feral swine eradication fund.....No limit
Livestock market reporting fund.....No limit
Compliance education fee fund.....\$250,000

Provided, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2013, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided further*, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Laboratory testing services fee fund.....No limit
Provided, That all expenditures from the laboratory testing services fee fund shall be for the purposes of providing laboratory testing of samples upon request: *Provided further*, That the secretary of agriculture is hereby authorized to fix, charge and collect fees for such laboratory testing: *And provided further*, That such fees shall be fixed in order to recover all or part of the costs incurred to provide the services and any other necessary and incidental expenses incurred in conjunction with such laboratory testing: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the laboratory testing services fee fund.

Arkansas river gaging fund.....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the water plan project or projects specified, the following:

Water resources cost share.....\$2,008,700

Provided, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2013 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise and/or non-salary administration expenditures of the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0% of the budget amount for fiscal year 2012 for the water resources cost share account.

Nonpoint source pollution assistance.....\$2,008,691

Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year

2013.

Conservation district aid.....\$2,260,000
Provided, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Watershed dam construction.....\$625,000
Provided, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Lake restoration.....\$190,000
Provided, That any unencumbered balance in the lake restoration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas water quality buffer initiatives.....\$270,000
Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices: *And provided further*, That such expenditures may be made from this account from the approved budget amount for fiscal year 2013 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and wetland program.....\$165,000
Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Basin management.....\$667,551
Provided, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Water use.....\$60,000
Provided, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Interstate water issues.....\$481,511
Provided, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Water transition assistance program/conservation reserve enhancement program.....\$672,281
Provided, That any unencumbered balance in the water transition assistance program/conservation reserve enhancement program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That, in addition, fiscal year 2013 expenditures, from the water transition assistance program/conservation reserve enhancement program account, are authorized to be made by the division of conservation of the Kansas department of agriculture for the conservation reserve enhancement program: *And provided further*, That all expenditures under the water transition assistance program/conservation reserve enhancement program, referred to as CREP in this subsection, are subject to the following criteria: (1) The total number of acres enrolled in Kansas in CREP for the six fiscal years 2008, 2009, 2010, 2011, 2012, and 2013 shall not exceed 40,000 acres; (2) the number of

acres eligible for enrollment in CREP in Kansas shall be limited to one-half of the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the CREP area, except that if federal law permits the land enrolled in the CREP program to be used for agricultural purposes such as planting of agricultural commodities, including, but not limited to, grains, cellulosic or biomass materials, alfalfa, grasses, legumes or other cover crops then the number of acres eligible for enrollment shall be limited to the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the CREP area; (3) lands enrolled in the conservation reserve program as of January 1, 2008, shall not be eligible for enrollment in CREP; (4) no more than 25% of the acreage in CREP may be in any one county; (5) no water right that is owned by a governmental entity, except a groundwater management district, shall be purchased or retired by the state or federal government pursuant to CREP; and (6) only water rights in good standing are eligible for inclusion under CREP: *And provided further*, That to be a water right in good standing the following criteria must be met: (A) At least 50% of the maximum annual quantity authorized to be diverted under the water right has been used in any three years from 2001 through 2005; (B) in the years 2001 through 2005 the water rights used for the acreage in CREP shall not have exceeded the maximum annual quantity authorized to be diverted and shall not have been the subject of enforcement sanctions by the division of water resources in the last four years; and (C) the water right holder has submitted the required annual water use report required by K.S.A. 82a-732, and amendments thereto, for each of the most recent 10 years; *And provided further*, That the Kansas department of agriculture shall submit a CREP report to the senate committee on natural resources and the house committee on agriculture and natural resources at the beginning of the 2013 regular session of the legislature which shall contain a description of program activities and shall include: (i) The total water rights, measured in acre feet, retired in CREP during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and fiscal year 2013, to date, (ii) the acreage enrolled in CREP during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and in fiscal year 2013, to date, (iii) the dollar amounts received and expended for CREP during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and in fiscal year 2013, to date, (iv) the economic impact of the CREP, (v) the change in groundwater levels in the CREP area during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and fiscal year 2013, to date, (vi) the annual amount of water usage in the CREP area during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and fiscal year 2013, to date, (vii) an assessment of meeting each of the program objectives identified in the agreement with the farm service agency, and (viii) such other information as the Kansas department of agriculture shall specify.

(d) During the fiscal year ending June 30, 2013, the secretary of agriculture, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of

legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2012, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$112,234 from the state highway fund of the department of transportation to the water structures – state highway fund of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:
Agriculture marketing program.....\$627,530
Provided, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture therefor under the agricultural value added center program.

Sec. 110.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund.....No limit
Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.
State fair federal transfer fund.....No limit
State fair special cash fund.....No limit
State fair debt service special revenue fund.....No limit

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

State fair debt service.....\$854,331

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Enhanced marketing promotion.....\$25,000

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$400,000 from the state economic development initiatives fund to the state fair capital improvements fund of the state fair board.

Sec. 111.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Water resources operating expenditures.....\$1,329,134

Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$250.

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Local water project match fund.....No limit

Provided, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*; That all moneys credited to this fund shall be used to match state funds or federal funds, or both for water projects.

Water supply storage assurance fund.....No limit

Provided, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2013, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 *et seq.*, and amendments thereto, to supply water to users which is not held under contract in such reservoirs.

Water supply storage acquisition fund.....No limit

Provided, That, on July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$120 from the water supply storage acquisition fund to the state general fund.

State conservation storage water supply fund.....No limit

Water marketing fund.....No limit

EPA wetland grant – federal fund.....No limit

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*; That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*; That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Indirect cost fund.....No limit

Motor pool vehicle replacement fund.....No limit

Reservoir storage beneficial use fund.....No limit

Provided, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

Arkansas river water conservation projects fund.....No limit

Republican river water conservation projects – Nebraska moneys fund.....No limit

Republican river water conservation projects – Colorado moneys fund.....No limit

Lower Smoky Hill water supply access fund.....No limit

(c) There is appropriated for the above agency from the state water plan fund for

the fiscal year ending June 30, 2013, for the state water plan project or projects specified, the following:

Assessment and evaluation.....\$540,000

Provided, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

GIS data base development.....\$170,000

Provided, That any unencumbered balance in the GIS data base development account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Water resource education.....\$40,000

Provided, That any unencumbered balance in the water resource education account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

MOU – storage operations and maintenance.....\$360,364

Provided, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Stream gaging.....\$448,663

Provided, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Suspended sediment monitoring.....\$100,000

Provided, That any unencumbered balance in the suspended sediment monitoring account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Technical assistance to water users.....\$413,000

Provided, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Wichita aquifer storage and recovery project.....\$500,000

Provided, That any unencumbered balance in the Wichita aquifer recovery project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Weather modification program.....\$200,000

Provided, That any unencumbered balance in the weather modification program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013:

Provided further, That any unencumbered balance in the weather modification program account in excess of \$100 as of June 30, 2011, is hereby reappropriated for fiscal year 2012:

And provided further, That, during fiscal year 2013, the above agency shall be authorized to expend no more than \$20,000 for each county that enrolls in the weather modification program:

And provided further, That, during fiscal year 2013, no more than ten counties may enroll in the weather modification program: *Provided, however*,

That, if less than ten counties enroll in the weather modification program during fiscal year 2013, then \$20,000 for each county less than ten, is hereby lapsed.

Any unencumbered balance in each of the following accounts in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: Neosho river basin issues.

(d) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

Wichita aquifer storage and recovery project.....\$500,000

Provided, That any unencumbered balance in the Wichita aquifer storage and recovery

project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(e) During the fiscal year ending June 30, 2013, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(f) During the fiscal year ending June 30, 2013, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(g) During the fiscal year ending June 30, 2013, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to

this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(h) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2013, from the water marketing fund to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 *et seq.*, and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(i) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general fund or from any special revenue fund or funds for fiscal year 2013, to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

Sec. 112.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) Any unencumbered balance in the state parks operating expenditures account of the state general fund in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$3,485,643

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013:

Provided, however; That expenditures from this account for official hospitality shall not exceed \$1,000: *Provided further*; That, in addition to the other purposes for which

expenditures may be made by the above agency from the operating expenditures account for fiscal year 2013, expenditures shall be made by the above agency from the

operating expenditures account for fiscal year 2013 to include a provision on the calendar year 2013 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the

annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard

members: *And provided further*; That all moneys received as voluntary contributions to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to

Kansas national guard members, and annual park permits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions

of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating expenditures.....\$2,300,871

Provided, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Travel and tourism operating expenditures.....\$1,858,634

Provided, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Reimbursement for annual licenses issued to national guard members.....\$36,342

Provided, That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2013 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses: *Provided, however*; That no other hunting or fishing licenses or permits shall be eligible to be paid from this account: *Provided further*; That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Reimbursement for annual park permits issued to national guard members.....\$17,922

Provided, That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2013 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided, however*; That not more than one annual park vehicle permit per family shall be eligible to be paid from this account: *Provided further*; That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Reimbursement for annual licenses issued to Kansas disabled veterans.....\$39,827

Provided, That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2013 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however*; That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service connected disability is equal to or greater than 30%:

Provided further, That no other hunting or fishing licenses or permits shall be eligible to be paid from this account: *And provided further*, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(c) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

Cabin loan payoff.....\$1,785,473

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund.....\$24,702,188

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2013 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2013: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Parks fee fund.....\$5,650,680

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2013 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2013: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund.....\$1,063,265

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 2013 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2013: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Central aircraft fund.....No limit

Provided, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies, and for the purchase of state aircraft insurance: *Provided further*, That the secretary of wildlife, parks and tourism is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*, That such fees shall be fixed to recover all or part of the

operating expenditures incurred in providing such services: *And provided further*, That all fees received for such services shall be credited to the central aircraft fund.

Department access roads fund.....	\$1,104,195
Wildlife, parks and tourism nonrestricted fund.....	No limit
Prairie spirit rails-to-trails fee fund.....	No limit
Nongame wildlife improvement fund.....	No limit
Plant and animal disease and pest control fund.....	No limit
Wildlife conservation fund.....	No limit
Federally licensed wildlife areas fund.....	No limit
State agricultural production fund.....	No limit
Land and water conservation fund – state.....	No limit
Land and water conservation fund – local.....	No limit
Development and promotions fund.....	No limit
Department of wildlife and parks private gifts and donations fund.....	No limit
Fish and wildlife restitution fund.....	No limit
Parks restitution fund.....	No limit
Nonfederal grants fund.....	No limit
Disaster grants – public assistance fund.....	No limit
Soil/water conservation fund.....	No limit
Navigation projects fund.....	No limit
Recreation resource management fund.....	No limit
Cooperative endangered species conservation fund.....	No limit
Landowner incentive program fund.....	No limit
Bulletproof vest partnership fund.....	No limit
Recreational trails program fund.....	No limit
Highway planning/construction fund.....	No limit
Americorps – ARRA fund.....	No limit
Cooperative forestry assistance fund.....	No limit
North America wetland conservation fund.....	No limit
Wildlife services fund.....	No limit
Fish/wildlife management assistance fund.....	No limit
Fish/wildlife core act fund.....	No limit
Watershed protection/flood prevention fund.....	No limit
Suspense fund.....	No limit
Employee maintenance deduction clearing fund.....	No limit
Cabin revenue fund.....	No limit
Boating safety financial assistance fund.....	No limit
Sport fish restoration fund.....	No limit
Wildlife restoration fund.....	No limit
Feed the hungry fund.....	No limit
State wildlife grants fund.....	No limit
Outdoor recreation acquisition, development and planning fund.....	No limit
Publication and other sales fund.....	No limit

Provided, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2013, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures if necessary in order to comply with the

requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditures made from publication and other sales fund for fiscal year 2013: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Free licenses and permits fund	No limit
Enforce underage drinking law fund.....	No limit
Migratory bird monitoring.....	No limit
Voluntary public access.....	No limit

(e) In addition to other purposes for which expenditures may be made by the Kansas department of wildlife, parks and tourism from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the Kansas department of wildlife, parks and tourism from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 to negotiate and enter into contracts for promotional advertising services for the performance of the powers, duties and functions of the Kansas department of wildlife, parks and tourism: *Provided*, That all such contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Sec. 113.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund.....	No limit
<i>Provided</i> , That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.	
Special city and county highway fund.....	No limit
County equalization and adjustment fund.....	\$2,500,000
Highway special permits fund.....	No limit
Highway bond debt service fund.....	No limit
Rail service improvement fund.....	No limit
Transportation revolving fund.....	No limit
Rail service assistance program loan guarantee fund.....	No limit
Railroad rehabilitation loan guarantee fund	No limit

Provided, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount which the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2013, in satisfaction of liabilities arising from the unconditional guarantee of payment which was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor vehicle fuel sales fund.....	No limit
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Provided, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas highway patrol: *Provided further*; That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to the Kansas highway patrol: *And provided further*; That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: *And provided further*; That all fees received for such sales of motor vehicle fuel shall be credited to the interagency motor vehicle fuel sales fund.

Coordinated public transportation assistance fund.....	No limit
Public use general aviation airport development fund.....	No limit
Highway bond proceeds fund.....	No limit
Communication system revolving fund.....	No limit
Traffic records enhancement fund.....	No limit
Other federal grants fund.....	No limit
Kansas intermodal transportation revolving fund.....	No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2013, from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2013 other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Agency operations.....\$284,864,859

Provided, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: *Provided further*; That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto: *And provided further*; That, if 2012 House Bill No. 2757 or any other legislation which provides for the naming of the SP4 Michael T. Martin and SGT Joseph A Zutterman Jr. Memorial Bridges is not passed by the legislature during the 2012 regular session and enacted into law, then on July 1, 2012 of the \$284,549,681 appropriated for the above agency for the fiscal year ending June 30, 2013 by this section from the state highway fund in the agency operations account, the sum of \$3,840 is hereby lapsed.

Conference fees.....No limit

Provided, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: *Provided further*; That such fees shall be deposited in the state treasury and credited to the conference fees account of the state highway fund: *And provided further*; That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance.....No limit

ClaimsNo limit

Payments for city connecting links.....\$3,360,000

Federal local aid programs.....No limit

Bond services fees.....No limit

Construction, remodeling and special maintenance projects for buildings.....\$0

Provided, That expenditures may be made from the construction, remodeling and

special maintenance projects for buildings account of the state highway fund of amounts in unexpended balances as of June 30, 2012, in capital improvement project accounts of projects approved for prior fiscal years: *Provided further*; That expenditures from this account of amounts in such unexpended balances shall be in addition to any expenditure limitation imposed on this account for fiscal year 2013.

Other capital improvements.....No limit
Provided, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair	\$3,374,157
Buildings – reroofing.....	\$368,826
Buildings – other construction, renovation and repair.....	\$3,031,432

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2013, expenditures may be made by the above agency from the state highway fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2013 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2012, subject to the provisions of section (d): *Provided further*; That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2013.

(d) During the fiscal year ending June 30, 2013, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2013 from the state highway fund for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2013 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2013, the director of accounts and reports shall transfer from the motor pool service fund of the department of administration to the state highway fund of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2013, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund, the director of accounts and reports shall transfer from the state highway fund to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2013, from the state highway fund to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2013.

(h) For the fiscal year ending June 30, 2013, the department of transportation shall prepare and submit along with the documents required under K.S.A. 75-3717, and amendments thereto, additional documents that present the revenues, transfers, and expenditures that are considered to be in support of the transportation works for Kansas program (T-WORKS) authorized by K.S.A. 68-2314b *et seq.*, and amendments thereto: *Provided*, That documents shall include both reportable as well as nonreportable and off-budget items that reflect the revenues, transfers and expenditures associated with the comprehensive transportation program.

(i) During the fiscal year ending June 30, 2013, no expenditures shall be made by the above agency from any moneys appropriated from the state general fund or any special revenue fund or funds for the fiscal year ending June 30, 2013, to participate in TIGER IV grant programs.

Sec. 114. *Position limitations.* (a) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2013, made in this or other appropriation act of the 2012 regular session of the legislature for the following agencies shall not exceed the following, except upon approval of the state finance council or pursuant to subsection (b):

Attorney General.....	106.50
Secretary of State.....	51.00
State Treasurer.....	46.50
Insurance Department.....	122.36
<i>Provided</i> , That any attorney positions established in the insurance department for the purpose of defense of the workers compensation fund shall be in addition to any limitation imposed on the full-time and regular part-time equivalent number of positions, excluding seasonal and temporary positions, paid from appropriations made for fiscal year 2013 for the department of insurance.	
Department of Commerce.....	238.00
Health Care Stabilization Fund Board of Governors.....	18.00
Judicial Council.....	5.00
Kansas Human Rights Commission.....	23.00
State Corporation Commission.....	209.00
Citizens' Utility Ratepayer Board.....	6.00
Department of Administration.....	542.25
Office of Administrative Hearings.....	13.00
State Court of Tax Appeals.....	19.00
Department of Revenue.....	994.00
Kansas Lottery.....	96.00
Kansas Racing and Gaming Commission – state racing operations and expanded gaming regulation division.....	74.00
Kansas Racing and Gaming Commission – state gaming agency.....	24.00
Department of Labor.....	489.00
Kansas Commission on Veterans Affairs.....	333.00
Department of Health and Environment – Division of Health.....	536.93

Department of Health and Environment – Division of Environment.....	404.63
Kansas Department for Aging and Disability Services.....	277.25
Kansas Department for Children and Families.....	2,987.60
Kansas Neurological Institute.....	469.70
Larned State Hospital.....	889.20
Osawatomie State Hospital.....	386.40
Parsons State Hospital and Training Center.....	437.20
Rainbow Mental Health Facility.....	109.20
Kansas Guardianship Program.....	10.00
State Library	24.00
Kansas State School for the Blind.....	82.50
Kansas State School for the Deaf.....	150.50
State Historical Society.....	117.00
State Board of Regents.....	62.50
Department of Corrections.....	3,058.00
<i>Provided, That, if 2012 Senate Bill No. 434, or any other legislation which grants the secretary of corrections the authority to purchase the St. Francis Boy's Home in Ellsworth County, Kansas, is not passed by the legislature during the 2012 regular session and enacted into law, then on July 1, 2012, the position limitation for the above agency for the fiscal year ending June 30, 2013, by this section is hereby decreased from 3,058.0 to 3,043.0.</i>	
Juvenile Justice Authority.....	468.50
Adjutant General.....	197.00
State Fire Marshal.....	48.00
Attorney General – Kansas Bureau of Investigation.....	218.00
Emergency Medical Services Board.....	14.00
Kansas Sentencing Commission.....	8.00
Kansas Commission on Peace Officers' Standards and Training.....	7.00
Kansas Department of Agriculture.....	352.49
State Fair Board.....	25.00
Kansas Water Office.....	21.00
Kansas Department of Wildlife, Parks and Tourism.....	418.50
Department of Transportation.....	2,829.50

(b) During the fiscal year ending June 30, 2013, the secretary of aging and disability services may increase the position limitation for the Kansas department for aging and disability services or for any institution or facility under the general supervision and management of the secretary of aging and disability services by making a corresponding decrease in the position limitation for either the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary of aging and disability services. The secretary of aging and disability services shall certify each such increase and corresponding decrease to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(c) During the fiscal year ending June 30, 2013, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE

unclassified permanent positions, for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2013 made in this or other appropriation act of the 2012 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2013 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

Sec. 115.

JUDICIAL BRANCH

(a) On and after the effective date of this act, during the fiscal year ending June 30, 2012, notwithstanding the provisions of K.S.A. 20-1a11, and amendments thereto, or any other statute, the director of accounts and reports is hereby authorized and directed to transfer \$600,000 from the judicial branch education fund to the judicial branch surcharge fund.

(b) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 20-3207, and amendments thereto, or any other statute, the state treasurer is hereby authorized and directed to transfer \$107,002 from the judicial performance fund of the judicial council to the judicial branch surcharge fund of the judicial branch.

(c) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 20-3207, and amendments thereto, or any other statute, the state treasurer is hereby authorized and directed to transfer \$600,000 from the judicial performance fund of the judicial council to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the judicial performance fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the judicial performance fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to provide such services.

(d) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Judiciary operations.....\$500,000

Sec. 116.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Undermarket pay adjustment fund.....\$8,534,972

Provided, That all moneys in the undermarket pay adjustment fund shall be used for the purpose of paying the proportionate share of the cost to the state general fund, state economic development initiatives fund, children's initiative fund, and state water plan fund of the salary market adjustments, including associated employer contributions, for executive branch classified employees in positions in job classifications that are

reassigned under the market adjustment component during fiscal year 2013 and, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the undermarket pay adjustment fund by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with each such approval, to the proper accounts created by state general fund, state economic development initiatives fund, children's initiative fund, and state water plan fund appropriations for fiscal year 2013 for which such transfers are so approved under this section.

(b) Upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve increases in expenditure limitations on special revenue funds and accounts established for each fiscal year designated in subsection (a), for the fiscal year ending June 30, 2013, by the director of accounts and reports, who is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts in accordance with such approval, for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases and other amounts specified in subsection (a) for the fiscal year ending June 30, 2013.

(c) The director of the budget, on behalf of the executive branch of state government, shall prepare a budget estimate based upon the most recent payroll information for the salary increases and other amounts specified in subsection (a), and all amendments and revisions of such estimate, and the director of the budget shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the director of legislative research.

Sec. 117. (a) During the fiscal year ending June 30, 2013, no state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2013, from the state general fund or in any special revenue fund or funds for such state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, for acquisition of a new or used passenger car or truck as a replacement for a passenger car or truck owned by the state agency, unless:

(1) The passenger car or truck being replaced has an unadjusted odometer reading of 180,000 miles or more; or

(2) the passenger car or truck being replaced requires repairs which are estimated to cost more than the amount equal to 30.0 % of the replacement value of a new or used passenger car or truck of the same class, as the case may be, including parts and labor, in order to be safe to drive.

(b) As used in this section:

(1) "State agency" means each state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature, except that state agency shall not include the Kansas highway patrol;

(2) "passenger car" has the meaning ascribed thereto in K.S.A. 8-1445, and amendments thereto; and

(3) "truck" has the meaning ascribed thereto in K.S.A. 8-1481, and amendments thereto.

Sec. 118. (a) During the fiscal year ending June 30, 2012, in addition to the other purposes for which expenditures may be made by any state agency named in this or any other appropriation act of the 2012 regular session of the legislature, from moneys appropriated from the state general fund or any special revenue fund or funds for any such agency for fiscal year 2012, by chapter 118 of the 2011 Session Laws of Kansas, or by this or any other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by any such state agency from the state general fund or any special revenue fund or funds for fiscal year 2012, to increase the financial management system reimbursement rate to \$125 per individual, per month, to the service provider: *Provided*, That, such increase for the financial management system reimbursement rate to the service provider shall be in effect November 1, 2011, through June 30, 2012: *Provided further*, That, the head of any such agency shall certify the effective reimbursement rate for dates of service between November 1, 2011, through June 30, 2012, for such purposes to the director of the budget on June 30, 2012: *And provided further*, That, if such reimbursement rate certified by such agency head is less than the \$125 per individual, per month, to the service provider, as determined by the director of the budget, the director of the budget shall certify the difference and send a copy of the certification to the director of legislative research and the director of accounts and reports.

(b) On June 30, 2012, for fiscal year 2012, the director of accounts and reports upon receiving such certification of a rate difference in any account of the state general fund or any special revenue fund or funds for any such agency shall cause the additional appropriation for the increase of the financial management system reimbursement rate amount to be lapsed from the following state general fund accounts for the department on aging: the sum of \$99,634 in the LTC medicaid assistance – HCBE/FE account; and the department of social and rehabilitation services: the sum of \$91,429 in the mental health and retardation services aid and assistance account; and the sum of \$194,815 in the community based services account.

Sec. 119. (a) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2013, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2013 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a, and amendments thereto, an aggregate amount of allowance: (A) Equal to \$354.15 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2012 and for each of the 14 ensuing two-week periods thereafter; and (B) equal to \$354.15 for the two-week period which coincides with the biweekly payroll period which includes March 31, 2013, which is chargeable to fiscal year 2012 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and

other incidental expenses, which are chargeable to fiscal year 2013, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (a) and which are chargeable to fiscal year 2013.

(b) (1) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2012 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 to provide each employee, who is eligible for a longevity bonus payment pursuant to K.S.A. 75-5541, and amendments thereto, an additional amount of longevity bonus payment during fiscal year 2013 equal to the amount required to provide, along with the amount of the longevity bonus payment otherwise payable pursuant to K.S.A. 75-5541, and amendments thereto, an aggregate amount of longevity bonus that would be payable if the amount of the longevity bonus payment pursuant to K.S.A. 75-5541, and amendments thereto, were determined by multiplying the number of full years of state service, not to exceed 25 years, rendered by such employee by \$50: *Provided*, That all expenditures under this subsection (b) for such purposes shall be made in the same manner and at the same time that the longevity bonus payment determined under K.S.A. 75-5541, and amendments thereto, is payable during fiscal year 2013 to such employee: *Provided further*, That each such additional amount of longevity bonus payment to any such employee shall be deemed to have the same characteristics, be subject to the same withholding, deduction or contribution requirements, and is intended to be a bonus as defined in 29 C.F.R. § 778.208, to the same extent and effect as longevity bonus payments that are payable pursuant to K.S.A. 75-5541, and amendments thereto.

(2) As used in this subsection (b), "state agency" means any state agency in the executive branch, legislative branch or judicial branch of state government and "employee" means any officer or employee of a state agency.

Sec. 120. (a) In addition to the other purposes for which expenditures may be made by state agencies from one or more accounts of the state general fund and one or more special revenue funds in accordance with appropriations for the fiscal year ending June 30, 2013, made by this or other appropriation act of the 2012 regular session of the legislature, for additional amounts of compensation for state officers and employees in accordance with the following:

(1) (A) The governor is hereby authorized and directed to modify the pay plan for fiscal year 2013 in accordance with this subsection (a)(1)(A) and to adopt such pay plan as so modified. The existing pay plan for fiscal year 2013 shall be modified to provide for a base pay rate increase of 1.0% in the pay rates of such pay plan, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2013. The pay plan adopted by the governor under this subsection (a)(1)(A) shall be the pay plan for the classified service under the Kansas civil service act and shall be effective on the first day of the first biweekly payroll period which commences on or after June 10, 2012, and which is chargeable to the

fiscal year ending June 30, 2013. The pay plan adopted by the governor under this subsection for fiscal year 2013 shall be subject to modification and approval as provided under K.S.A. 75-2938, and amendments thereto, and to any enactment of the legislature applicable thereto.

(B) The governor is hereby authorized to modify or authorize the modification of the salaries of state officers and employees who are in the unclassified service under the Kansas civil service act and whose salaries are subject to approval by the governor under K.S.A. 75-2935b or 75-2935c, and amendments thereto, to provide for base salary increases, to be effective on the first day of the first payroll period which commences on or after June 10, 2012, and which is chargeable to the fiscal year ending on June 30, 2013, for which the base salary increase is authorized in accordance with this subsection (a)(1)(B), and to be distributed from a salary increase pool: *Provided*, That for each biweekly payroll period commencing on or after June 10, 2012, which is chargeable to fiscal year 2013, the average of such increases shall not exceed an additional 1.0% of the base salaries of such officers and employees; and (C) each elected state official of the executive branch of state government, including the state board of education, and the board of directors of the Kansas technology enterprise corporation, the members of Kansas, Inc., the state board of regents and the board of trustees of the Kansas public employees retirement system, in each such official, corporation or board's discretion, are hereby authorized to modify or to authorize the modification of the salaries of the state officers and employees of such official, corporation or board, who are in the unclassified service under the Kansas civil service act and whose salaries are not subject to approval by the governor under K.S.A. 75-2935b, and amendments thereto, to provide for base salary increases to be effective on the first day of the first payroll period which commences on or after June 10, 2012, and which is chargeable to the fiscal year ending June 30, 2013, for which the base salary increase is authorized in accordance with this subsection (a)(1)(B), and to be distributed from a salary increase pool: *Provided further*, That for each biweekly payroll period commencing on or after June 10, 2012, which is chargeable to fiscal year 2013, the average of such increases shall not exceed an additional 1.0% of the base salaries of such officers and employees of such official, corporation or board.

(b) (1) There is hereby appropriated for the state finance council from the state general fund for the fiscal year ending June 30, 2013, the sum of \$8,952,978 to be used for the purpose of paying the proportionate share of the cost to the state general fund of:

(A) The pay rate increases which are provided for by modification of the pay plan for state officers and employees in the classified service under the Kansas civil service act as provided in subsection (a)(1)(A), by providing a base pay rate increase of 1.0% in the pay rates of such pay plan, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2013; and

(B) the salary increases for state officers and employees in the unclassified service under the Kansas civil service act which are provided for in subsection (a)(1)(B) and subsection (a)(1)(C) for biweekly pay periods which are chargeable to the fiscal year ending June 30, 2013.

(2) To pay the proportionate share of the cost to the state general fund of each state agency for the salary increases specified in subsection (b)(1), including associated employer contributions, upon recommendation of the director of the budget, the state

finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (b)(1) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by state general fund appropriations for the fiscal year ending June 30, 2013.

(3) (A) There is hereby appropriated for the state finance council from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the sum of \$43,567 to be used for the purpose of paying the proportionate share of the cost to the state economic development initiatives fund of the salary increases specified in subsection (b)(1).

(B) To pay the proportionate share of the cost to the state economic development initiatives fund of each state agency for the salary increases specified in subsection (b) (1), including associated employer contributions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (b)(3)(A) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by state economic development initiatives fund appropriations for the fiscal year ending June 30, 2013.

(4) (A) There is hereby appropriated for the state finance council from the state water plan fund for the fiscal year ending June 30, 2013, the sum of \$12,767 to be used for the purpose of paying the proportionate share of the cost to the state water plan fund of the salary increases specified in subsection (b)(1).

(B) To pay the proportionate share of the cost to the state water plan fund of each state agency for the salary increases specified in subsection (b)(1), including associated employer contributions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (b)(4)(A) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by state water plan fund appropriations for the fiscal year ending June 30, 2013.

(5) (A) There is hereby appropriated for the state finance council from the children's initiatives fund for the fiscal year ending June 30, 2013, the sum of \$785 to be used for the purpose of paying the proportionate share of the cost to the children's initiatives fund of the salary increases specified in subsection (b)(1).

(B) To pay the proportionate share of the cost to the children's initiatives fund of each state agency for the salary increases specified in subsection (b)(1), including associated employer contributions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter

of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (b)(4)(A) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by children's initiatives fund appropriations for the fiscal year ending June 30, 2013.

(6) Upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve increases in expenditure limitations on special revenue funds and accounts established for the fiscal year ending June 30, 2013, by the director of accounts and reports, who is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts in accordance with such approval, for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases specified in subsection (b)(1) for the fiscal year ending June 30, 2013.

(7) The director of the budget, on behalf of the executive branch of state government, shall prepare a budget estimate based upon the most recent payroll information for the salary increases specified in subsection (b)(1), and all amendments and revisions of such estimate, and the director of the budget shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the director of legislative research.

(8)

LEGISLATIVE COORDINATING COUNCIL

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Legislative coordinating council – operations.....	\$4,473
Legislative research department – operations.....	\$32,574
Office of revisor of statutes – operations.....	\$22,610

(9)

LEGISLATURE

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations (including official hospitality).....	\$38,982
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(10)

DIVISION OF POST AUDIT

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations (including legislative post audit committee).....	\$17,456
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(11)

JUDICIAL BRANCH

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Judiciary operations.....	\$951,254
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(B) During the fiscal year ending June 30, 2013, notwithstanding the provisions of

K.S.A. 75-31201, and amendments thereto, this section or any other statute to the contrary, no expenditures shall be made from any moneys appropriated for the judicial branch from the state general fund or any special revenue fund for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature to pay any amount of salary or other compensation to provide for any increase in salary or other compensation for the chief justice of the supreme court, any other justice of the supreme court, the chief judge of the court of appeals, any other judge of the court of appeals, any district judge or any district magistrate judge for fiscal year 2013 that is greater than a 1.0% increase in any such salary or other compensation: *Provided*, That, during the fiscal year ending June 30, 2013, no provision of this section or any other statute shall be deemed to constitute or to otherwise authorize increases in the monthly rates of compensation from step movements of the pay plan for persons in the classified service under the Kansas civil service act under K.S.A. 75-31201, and amendments thereto, that would provide an aggregate percentage increase of compensation for fiscal year 2013 that is greater than 1.0% in the salary or other compensation of the chief justice of the supreme court, any other justice of the supreme court, the chief judge of the court of appeals, any other judge of the court of appeals, any district judge or any district magistrate judge and no such salary or other compensation shall be increased for fiscal year 2013 based upon the provisions of this section or any other statute by any aggregate percentage increase of compensation greater than 1.0%: *Provided further*, That, notwithstanding any provision of K.S.A. 75-31201, and amendments thereto, to the contrary, the provisions of K.S.A. 75-31201, and amendments thereto, shall be construed to provide an aggregate percentage increase of compensation equal to 1.0% for fiscal year 2013 for the chief justice of the supreme court, each other justice of the supreme court, the chief judge of the court of appeals, each other judge of the court of appeals, each district judge and each district magistrate judge, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2013.

(c) (1) Notwithstanding any provision of K.S.A. 75-3111a, and amendments thereto, to the contrary, the provisions of this section shall not authorize or provide any salary increase during the fiscal year ending June 30, 2013, for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance, attorney general, or any member of the legislature, or for any member of any state board, commission, council or committee receiving *per diem* compensation as provided by statute.

(2) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 75- 3111a, and amendments thereto, this section or any other statute to the contrary, no expenditures shall be made from any moneys appropriated for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance, attorney general, or the legislature from the state general fund or any special revenue fund for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature to pay any amount of salary or other compensation to provide for any increase in salary or other compensation for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance, attorney general, or any member of the legislature, for fiscal year 2013.

(3) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 75- 3111a, and amendments thereto, this section or any other statute to the

contrary, no expenditures shall be made from any moneys appropriated for any state agency named in this or other appropriation act of the 2012 regular session of the legislature from the state general fund or any special revenue fund for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature to pay any amount of salary or other compensation to provide for any increase in salary or other compensation for any member of any state board, commission, council or committee receiving *per diem* compensation as provided by statute, for fiscal year 2013.

Sec. 121. Except as otherwise provided in this section, during one year after the date of implementation of the managed care system or any managed care oversight, no state agency named in this or any other appropriation act of the 2012 regular session of the legislature shall expend moneys from the state general fund or from any special revenue fund or funds authorized by this or any other appropriation act of the 2012 regular session of the legislature, to provide services: (a) through the home and community based services waiver for individuals with developmental disabilities; (b) through intermediate care facilities, targeted case management or assessment services for individuals with developmental disabilities; or (c) to technology assisted waivers, under any managed care system or any managed care oversight or any function that is determined to be a managed care oversight during fiscal year 2013 and fiscal year 2014: *Provided*, That any community developmental disability organizations or community service providers shall not be required to contract with any managed care organization or participate in any managed care system or any managed care oversight during such year of implementation: *Provided further*, That services during such year of implementation shall be administered and provided consistent with laws and rules and regulations in force on April 1, 2012: *And provided further*, That moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 and fiscal year 2014, as authorized by this or any other appropriation act of the 2012 regular session of the legislature to provide services during such year of implementation: (a) through the home and community based services waiver for individuals with developmental disabilities; (b) through intermediate care facilities, targeted case management or assessment services for individuals with developmental disabilities; or (c) to technology assisted waivers, shall be expended only in the same manner as such moneys were expended during fiscal year 2012 pursuant to the developmental disabilities reform act, K.S.A. 39-1801 through 39-1810, and K.S.A. 2011 Supp. 39-1811, and amendments thereto, and the rules and regulations, policies and contracts, in force on April 1, 2012: *Provided, however*, That during fiscal year 2013 and fiscal year 2014, nothing in this section shall prevent any community service provider from voluntarily participating in a pilot program established during such year of implementation.

Sec. 122.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities.....\$153,737

Provided, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Judicial center rehabilitation and repair.....\$76,939
Provided, That any unencumbered balance in the judicial center rehabilitation and repair account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Replace Docking chillers.....	\$483,885
National bio and agro-defense facility – debt service.....	\$2,780,807
Kansas department of transportation – CTP – debt service.....	\$16,150,775
Statehouse improvements – debt service.....	\$13,502,124
Capitol complex repair and rehabilitation.....	\$2,303,075
Restructuring debt service.....	\$2,220,675

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Statehouse improvements – debt service.....	\$9,261,895
Statehouse parking garage – debt service.....	\$10,137,244
Judicial center improvements – debt service.....	\$445,297

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund.....	No limit
State facilities gift fund.....	No limit
Master lease program fund.....	No limit
State buildings depreciation fund.....	No limit
Executive mansion gifts fund.....	No limit
Topeka state hospital cemetery memorial gift fund.....	No limit
Landon state office building repair expense fund.....	No limit
MacVicar avenue assessment expense fund.....	No limit
Capitol area plaza authority planning fund.....	No limit

Provided, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Motor pool shop – debt service.....	No limit
Paint and grounds shop – debt service.....	No limit
Parking improvements and repair.....	No limit

(e) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2013, expenditures may

be made by the above agency from the building and ground fund for fiscal year 2013 from any unencumbered balance as of June 30, 2012, in each of the following capital improvement accounts of the building and ground fund: Parking improvements and repair: *Provided*, That the expenditures for fiscal year 2013 from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the building and ground fund for the fiscal year 2013 from the unencumbered balance in any such account shall be in addition to any expenditure limitation imposed on the building and ground fund for the fiscal year 2013.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas facilities projects – debt service.....No limit
Rehabilitation and repair.....\$400,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 2013.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2013, expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each capital improvement account of the state buildings depreciation fund for one or more projects approved for prior fiscal years: *Provided*, That expenditures from the unencumbered balance in any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from any such account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 2013.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Memorial hall – debt service.....No limit
Docking cooling towers replacement – debt serviceNo limit
Eisenhower building purchase and renovation – debt service.....No limit

(i) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Printing plant – debt service.....No limit

(j) In addition to the other purposes for which expenditures may be made from the

intragovernmental printing service depreciation reserve fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service depreciation reserve fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair.....\$75,000

(k) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, to provide additional financing for the capital improvement project to construct, equip, furnish, renovate, reconstruct and repair the state capitol: *Provided*, That such capital improvement project is hereby approved for the department of administration for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the department of administration may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$24,300,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds: *And provided further*, That no such bonds shall be issued by the Kansas development finance authority unless the director of the budget has certified to the department of administration and to the Kansas development finance authority that sufficient moneys will be available to make debt service payments for such bonds.

(l) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, to provide additional financing for the capital improvement project to construct, equip, furnish, renovate, reconstruct and repair the state capitol: *Provided*, That such capital improvement project is hereby approved for the department of administration for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the department

of administration may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however,* That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$10,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further,* That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further,* That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds: *And provided further,* That no such bonds shall be issued by the Kansas development finance authority unless the director of the budget has certified to the department of administration and to the Kansas development finance authority that sufficient moneys will be available to make debt service payments for such bonds.

Sec. 123.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2013, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – 1430 Topeka facilities.....\$135,350

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services – federal fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser employment services – federal fund during the fiscal year 2013, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair.....\$80,000

Sec. 124.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Insurance department rehabilitation and repair fund.....No limit

Sec. 125.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....\$1,415,629

Provided, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2013 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A.

76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*, That expenditures also may be made from this account during fiscal year 2013 for the purposes of rehabilitation and repair for facilities of the Kansas department for aging and disability services other than any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Sexual predator treatment program expansion.....	\$202,000
Debt service – new state security hospital	\$3,845,025
Debt service – state hospitals rehabilitation and repair.....	\$2,593,300
Larned state hospital – city of Larned wastewater treatment.....	\$124,827

Provided, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital's portion of the city of Larned's wastewater treatment system.

Sec. 126.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property sale fund.....No limit
Provided, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund for the unemployment insurance program: *Provided, however*; That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(b) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund for fiscal year 2013 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2013 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*; That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction:

Provided further, That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury to the credit of the employment security administration property sale fund of the department of labor: *And provided further*, That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature except upon approval of the state finance council.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2013, expenditures may be made by the above agency from the special employment security fund for fiscal year 2013 for the following capital improvement projects: Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the special employment security fund for fiscal year 2013 for such capital improvement purposes shall not exceed \$205,597: *Provided further*, That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitation imposed on the special employment security fund for fiscal year 2013.

Sec. 127.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and repair projects.....	\$218,279
Veterans' home rehabilitation and repair projects.....	\$1,021,505

(b) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$455,000 from the veterans cemeteries federal construction fund – federal of the Kansas commission on veterans affairs to the state institutions building fund.

Sec. 128.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$118,882
Security system upgrade project.....	\$110,498
Facilities conservation improvement debt service.....	\$33,519
Health center roof replacement.....	\$59,120

Sec. 129.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$215,000
Roth building repairs.....	\$1,601,188
Facilities conservation improvement debt service.....	\$69,303

Sec. 130.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Rehabilitation and repair projects.....\$250,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the national historic preservation act fund – local for fiscal year 2013, expenditures may be made by the above agency from the national historic preservation act fund – local for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the national historic preservation act fund – local: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in each account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the national historic preservation act fund – local for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the national historic preservation act fund – local for fiscal year 2013.

(c) In addition to other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the private gifts, grants and bequests fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Grinter place exterior rest room ADA remodel\$25,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the private gifts, grants and bequests fund for fiscal year 2013.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2013, expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the historic properties fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the historic properties fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the historic properties fee fund for fiscal year 2013.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2013, expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the state historical facilities fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall

not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the state historical facilities fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the state historical facilities fund for fiscal year 2013.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2013, expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the save America's treasures fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the save America's treasures fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the save America's treasures fund for fiscal year 2013.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2013, expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the historical society capital improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the historical society capital improvement fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the historical society capital improvement fund for fiscal year 2013.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2013, expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the historical preservation grant in aid fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the historical preservation grant in aid fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the historical preservation grant in aid fund for fiscal year 2013.

Sec. 131.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union refurbishing fund.....	No limit
Twin towers project revenue fund.....	No limit
Twin towers bond and interest sinking fund.....	No limit
Twin towers maintenance and equipment reserve fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit

(b) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund or the housing system repairs, equipment and improvement fund during the fiscal years ending June 30, 2012 or June 30, 2013, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund or the housing system repairs, equipment and improvement fund during fiscal year 2012 or fiscal year 2013 for a capital improvement project to plan, construct and remodel Singular/Trusler residence hall: *Provided, however*, That no such expenditures shall be made until the state board of regents has approved such capital improvement projects and has first advised and consulted on any such project with the joint committee on state building construction.

Sec. 132.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation – bond and interest sinking fund.....	No limit
Lewis field renovation – revenue fund.....	No limit
Memorial union renovation debt service fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit
Soccer facility fund	No limit
Wind power generation facility fund.....	No limit
Indoor practice facility.....	No limit

(b) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas

educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

Sec. 133.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Engineering complex phase II private gift fund.....	No limit
Ackert hall addition – gifts and grants fund.....	No limit
Student life center – Salina construction debt service fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit
Child care fund.....	No limit

(b) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 as authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to redevelop, renovate and equip the Jardine apartments: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$102,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the housing system operations fund or any other appropriate special revenue fund or funds of Kansas state university.

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act

compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(d) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 to raze building no. 457 (elevator and feed mill), building no. 437 (herdsman house), building no. 10002 (art kiln), building no. 145 (vet surgical instruction), building no. 200 (vet research lab greyhound kennels), building no. 224 (food animal barn and shed) and portions of building no. 025 (seaton court).

(e) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct student housing at Salina: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$6,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That Kansas state university may make provisions for the maintenance of the student housing at Salina.

(f) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or

from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct the engineering building expansion: *Provided*, That such capital improvement project is hereby approved for Kansas State university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$40,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That Kansas State university may make provisions for the maintenance of the engineering building expansion.

(g) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct student housing food service centers: *Provided*, That such capital improvement project is hereby approved for Kansas State university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$35,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as

prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*; That Kansas state university may make provisions for the maintenance of student housing food service centers.

Sec. 134.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 2013, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2013 for the following capital improvement project or projects:

Equine education and research center.....	No limit
Grain science center.....	No limit
Southeast research – extension center building.....	No limit

Sec. 135.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Armory/classroom/recreation center debt service.....	\$325,199
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Horace Mann renovation revenue fund.....	No limit
Overman renovation revenue fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit
Student health center – private gifts fund.....	No limit

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(d) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state

university for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for parking improvements: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$4,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

(e) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from the state general fund or any special revenue fund or funds for Pittsburg state university for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for student housing improvements and construction: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$22,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

(f) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from

the state general fund or any special revenue fund or funds for Pittsburg state university for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for improvements and construction of the student center, physical education center, and performing arts center: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$24,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

Sec. 136.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified as follows:

School of pharmacy debt service.....	\$1,628,005
School of pharmacy debt service 2009.....	\$2,494,314

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union renovation revenue fund.....	No limit
Student health facility maintenance, repair, and equipment fee fund	No limit
Regents center revenue fund – K DFA D bonds, 1990.....	No limit
Parking facilities surplus fund – K DFA G bonds, 1993.....	No limit
<i>Provided</i> , That the university of Kansas may transfer moneys during fiscal year 2013 from the parking facilities surplus fund – K DFA G bonds, 1993 to the restricted fees fund.	
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit
Child care facility operations account fund.....	No limit
Child care facility student fee account fund.....	No limit
Student recreation & fitness center revenue fund.....	No limit
Child care facility addition fund.....	No limit

Provided, That the university of Kansas may transfer moneys during fiscal year 2013 from the restricted fees fund or the general fees fund to the child care facility addition fund for the capital improvement project to construct an addition to the child care

facility: *Provided further*, That upon completion of the construction project, the university of Kansas may transfer unused moneys from the child care facility addition fund to the general fees fund or the restricted fees fund.

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

Sec. 137.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fund – K.C. campus.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit
Construct parking facility #4 fund.....	No limit

Provided, That the university of Kansas medical center may transfer moneys during fiscal year 2013 from appropriate accounts of the parking fees fund to the construct parking facility #4 fund for such capital improvement project.

(b) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

Sec. 138.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Aviation research debt service.....	\$1,645,500
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

On campus parking reserve account fund – K DFA B bonds.....	No limit
Parking system project – maintenance fund, K DFA revenue bonds.....	No limit
On campus parking principal and interest fund – K DFA B bonds.....	No limit
Parking system project revenue fund – K DFA bonds.....	No limit
WSU housing system surplus fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(d) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Wichita state university from moneys appropriated from the state general fund or from the state general fund or funds or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct Rhatigan student center: *Provided*, That such capital improvement project is hereby approved for Wichita state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Wichita state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$33,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds, including, but not limited to, money deposited in such fund or funds, including, but not limited to, money deposited in such fund or funds from amounts derived pursuant to K.S.A. 19-5001 *et seq.*, and amendments thereto.

Sec. 139.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

PEI infrastructure – debt service.....\$5,869,875

Provided, That, during the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund for fiscal year 2013 in the PEI infrastructure – debt service account of the state general fund for fiscal year 2013 after the principal payment has been received for fiscal year 2013 by the state treasurer from the postsecondary institutions that were recipients of the PEI infrastructure bond proceeds, (1) the state board of regents may expend the amount of moneys appropriated for fiscal year 2013 in the PEI infrastructure – debt service account for the principal payment from the PEI infrastructure – debt service account for any other purpose for which moneys are appropriated for fiscal year 2013 from the state general fund for the state board of regents; or (2) the state board of regents may transfer such amount of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2013 to an account or accounts of the state general fund of any institution under the control and supervision of the state board of regents to be expended by the institution for a purpose for which expenditures may be made for fiscal year 2013 from such account or accounts and which is approved by the state board of regents: *Provided further*; That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2013: *And provided further*; That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Postsecondary educational infrastructure finance K DFA

2008A revenue fundNo limit

Infrastructure maintenance fund.....No limit

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

(d) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects, Americans with disabilities act
compliance projects, state fire marshal code compliance projects,
and improvements to classroom projects for institutions of
higher education..... \$35,000,000

Provided, That the state board of regents is hereby authorized to transfer moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account to an account or accounts of the

Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects approved by the state board of regents: *Provided, however*; That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*; That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account: *And provided further*; That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

Research bond debt service fund.....No limit
Sec. 140.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issue.....\$1,038,663
Debt service payment for the reception and diagnostic unit
relocation bond issue.....\$1,403,888

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issues.....\$500,000
Capital improvements – rehabilitation and repair of correctional institutions..\$4,235,214

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2013 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2013 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

Debt service payment for the prison capacity expansion projects bond issue.....\$126,786
Sec. 141.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of juvenile
correctional facilities.....\$806,836

Provided, That the commissioner of juvenile justice is hereby authorized to transfer moneys during fiscal year 2013 from the capital improvements – rehabilitation and repair of juvenile correctional facilities account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to an account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general

supervision and management of the commissioner of juvenile justice to be expended during fiscal year 2013 for capital improvement projects approved by the commissioner of juvenile justice: *Provided further*, That the commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Debt service – Topeka complex and Larned juvenile correctional facility.....\$3,995,513
Sec. 142.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....\$100,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Electric panel replacement.....\$200,000
Sec. 143.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2013, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Rehabilitation and repair – training center – Salina.....\$53,110

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the highway patrol training center fund for fiscal year 2013.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2013, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service – vehicle inspection facility – Olathe.....\$60,656

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the vehicle identification number fee fund for fiscal year 2013.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2013, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service – Topeka fleet service.....\$371,575

Scale replacement and rehabilitation and repair of buildings.....\$232,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the Kansas highway patrol operations fund for fiscal year 2013.

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$603,575 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2013 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2013 for support and maintenance of the Kansas highway patrol.

Sec. 144.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service – training center.....	\$723,213
Debt service – armory/classroom/recreation center at PSU.....	\$115,588
Debt service – rehabilitation and repair of the statewide armories.....	\$2,757,012
Rehabilitation and repair projects.....	\$173,397

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Sec. 145.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital improvements fund.....	No limit
State fair fee fund.....	No limit

Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.

(b) On or before the 10th of each month during the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

State fair bonded debt service.....	\$11,182,256
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Sec. 146.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) In addition to the other purposes for which expenditures may be made by the above agency from the state general fund for fiscal year 2013, expenditures may be made by the above agency from the state general fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the state general fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount

of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the state general fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the state general fund for fiscal year 2013.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service – Kansas City district office.....\$6,600

Provided, That any unencumbered balance in the debt service – Kansas City district office account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund.....No limit

Provided, That, in addition to other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance fund.....No limit

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,804,195 from the state highway fund of the department of transportation to the department access road fund of the Kansas department of wildlife, parks and tourism.

(e) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the Kansas department of wildlife, parks and tourism.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the state agricultural production fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$513,000

(g) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2013, expenditures may be made by the above agency from the parks fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the parks fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the parks fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such

account of the parks fee fund for fiscal year 2013.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Kansas City district office.....\$10,400

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 2013.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2013, expenditures may be made by the above agency from the boating fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the boating fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*; That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the boating fee fund for fiscal year 2013.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2013, expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the boating safety and financial assistance fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*; That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the boating safety and financial assistance fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the boating safety and financial assistance fund for fiscal year 2013.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Federally mandated boating access\$1,204,000

Public lands major maintenance.....\$35,000

Debt service – Kansas City office.....\$43,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 2013.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2013, expenditures may be made

by the above agency from the wildlife fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife fee fund for fiscal year 2013.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife conservation fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife conservation fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife conservation fund for fiscal year 2013.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2013, expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the cabin revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the cabin revenue fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the cabin revenue fund for fiscal year 2013.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife restoration fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife restoration fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife restoration fund for fiscal year 2013.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or

accounts of the wildlife restoration fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition and development.....\$450,000
 Cheyenne bottoms inlet canal renovations.....\$1,582,912

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife restoration fund for fiscal year 2013.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife restoration fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife restoration fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife restoration fund for fiscal year 2013.

(r) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$600,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the sport fish restoration program fund for fiscal year 2013.

(s) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2013, expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the sport fish restoration program fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the sport fish restoration program fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the sport fish restoration program fund for fiscal year 2013.

(t) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2013 for the following capital improvement project or

projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition.....\$150,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2013.

(u) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2013, expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the migratory waterfowl propagation and protection fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the migratory waterfowl propagation and protection fund for fiscal year 2013.

(v) In addition to the other purposes for which expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2013, expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the nongame wildlife improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the nongame wildlife improvement fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the nongame wildlife improvement fund for fiscal year 2013.

(w) In addition to the other purposes for which expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2013, expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the plant and animal disease and pest control fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the plant and animal disease and pest control fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the plant and animal disease and pest control fund for fiscal year 2013.

(x) In addition to the other purposes for which expenditures may be made by the above agency from the land and water conservation fund – local for fiscal year 2013, expenditures may be made by the above agency from the land and water conservation fund – local for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in

each existing capital improvement account of the land and water conservation fund – local: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the land and water conservation fund – local for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the land and water conservation fund – local for fiscal year 2013.

(y) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the outdoor recreation acquisition, development and planning fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Outdoor recreation acquisition/development/planning operations
and maintenance.....\$375,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2013.

(z) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2013, expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the outdoor recreation acquisition, development and planning fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the outdoor recreation acquisition, development and planning fund for fiscal year 2013.

(aa) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the recreational trails program fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program.....\$400,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the recreational trails program fund for fiscal year 2013.

(bb) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2013, expenditures may be made by the above agency from the recreational trails program

fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the recreational trails program fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the recreational trails program fund for fiscal year 2013.

(cc) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$124,190

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the federally licensed wildlife areas fund for fiscal year 2013.

(dd) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2013, expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the federally licensed wildlife areas fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the federally licensed wildlife areas fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the federally licensed wildlife areas fund for fiscal year 2013.

(ee) In addition to the other purposes for which expenditures may be made by the above agency from the department of wildlife, parks and tourism gifts and donations fund for fiscal year 2013, expenditures may be made by the above agency from the department of wildlife, parks and tourism gifts and donations fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the department of wildlife, parks and tourism gifts and donations fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the department of wildlife, parks and tourism gifts and donations fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the department of wildlife, parks and tourism gifts and donations fund for fiscal year 2013.

(ff) In addition to the other purposes for which expenditures may be made by the above agency from the Tuttle Creek state park mitigation project fund for fiscal year

2013, expenditures may be made by the above agency from the Tuttle Creek state park mitigation project fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the Tuttle Creek state park mitigation project fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the Tuttle Creek state park mitigation project fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the Tuttle Creek state park mitigation project fund for fiscal year 2013.

(gg) In addition to the other purposes for which expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2013, expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the highway planning/construction fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the highway planning/construction fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the highway planning/construction fund for fiscal year 2013.

(hh) In addition to the other purposes for which expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2013, expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the state wildlife grants fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the state wildlife grants fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the state wildlife grants fund for fiscal year 2013.

(ii) In addition to the other purposes for which expenditures may be made by the above agency from the disaster grants – public assistance for fiscal year 2013, expenditures may be made by the above agency from the disaster grants – public assistance for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the disaster grants – public assistance: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the disaster grants – public assistance for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of

the disaster grants – public assistance for fiscal year 2013.

Sec. 147.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) In addition to the purposes for which expenditures may be made by the above agency from the other state fees fund for fiscal year 2013, expenditures may be made by the above agency from the other state fees fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Area office rehabilitation and repair.....\$200,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the other state fees fund for fiscal year 2013.

Sec. 148. On July 1, 2012, K.S.A. 2011 Supp. 2-223 is hereby amended to read as follows: 2-223. (a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) On each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities, except that for the fiscal year ending June 30, 2012 2013, notwithstanding the other provisions of this section, on March 1, 2012 2013, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$350,000 or the amount equal to 5% of the total gross receipts during fiscal year 2012 2013 from state fair activities and non-fair days activities through March 1, 2012 2013, except that, subject to approval by the director of the budget prior to March 1, 2012 2013, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, 2012 2013, the state fair board may certify an amount on March 1, 2012 2013, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, 2012 2013, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year 2012 2013. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

(c) On each July 1, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund, an amount equal to the amount certified by the state fair board pursuant to subsection (b), except that: (1) No transfer from the state general fund under this subsection shall exceed \$300,000 in any fiscal year; and (2) no moneys shall be transferred pursuant to this section from the state general fund to the state fair capital improvements fund during the fiscal year ending June 30, 2012 ~~2013~~.

Sec. 149. On the effective date of this act, K.S.A. 2011 Supp. 12-5256 is hereby amended to read as follows: 12-5256. (a) All expenditures from the state housing trust fund made for the purposes of K.S.A. 2011 Supp. 12-5253 through 12-5255, and amendments thereto, shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the Kansas housing resources corporation.

(b) On the effective date of this act and on July 1, 2008, and July 1, 2014, the director of accounts and reports shall transfer \$4,000,000 from the state general fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto. (1) On July 1, 2012, and on July 1, 2013, the director of accounts and reports shall transfer \$2,000,000 from the ~~state~~ economic development initiatives fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto. ~~Notwithstanding the provisions of K.S.A. 2011 Supp. 74-8959, and amendments thereto, to the contrary, of the \$2,000,000 transferred to the state housing trust fund for the fiscal year ending June 30, 2013, pursuant to this subsection, \$600,000 shall be expended to pay the bond indebtedness for the water and sewer infrastructure of the city of Harveyville, Kansas. The president of the Kansas housing resources corporation shall implement and administer the provisions of this paragraph to make such payment for such purposes.~~

(2) On July 1, 2012 ~~July 1, 2014~~, and on July 1, 2013 ~~2015~~, the director of accounts and reports shall transfer \$2,000,000 from the state general fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto.

(3) On July 1, 2012, the director of accounts and reports shall transfer \$600,000 from the state general fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto.

(4) Notwithstanding the provisions of K.S.A. 2011 Supp. 74-8959, and amendments thereto, to the contrary, during fiscal year 2013, except as provided in subsection (b)(1), and fiscal year 2014, moneys in the state housing trust fund shall be used solely for the purpose of loans or grants to cities or counties for infrastructure or housing development in rural areas. During such fiscal years, on or before January 14, 2013, and January 13, 2014, the president of the Kansas housing resources corporation shall submit a report concerning the activities of the state housing trust fund to the house of representatives committee on appropriations and the senate committee on ways and means.

Sec. 150. On July 1, 2012, K.S.A. 2011 Supp. 55-193 is hereby amended to read as follows: 55-193. On July 15, 1996, and on the 15th day of each calendar quarter thereafter before July 1, 2016, the director of accounts and reports shall transfer \$100,000 from the state general fund, \$100,000 from the state water plan fund established by K.S.A. 82a-951, and amendments thereto, and \$100,000 from the conservation fee fund established by K.S.A. 55-143, and amendments thereto, to the

abandoned oil and gas well fund established by K.S.A. 55-192, and amendments thereto, except that: (a) No transfers shall be made pursuant to this section from the state general fund to the abandoned oil and gas well fund during state fiscal year 2009, state fiscal year 2010, state fiscal year 2011, state fiscal year 2012 or, state fiscal year 2013 or state fiscal year 2014; (b) the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2009 shall not exceed \$320,000; (c) the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2010 shall not exceed \$288,000; (d) the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2011 shall not exceed \$374,865; and (e) the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2012 shall not exceed \$400,000; and (c) the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2013 shall not exceed \$600,000 and such transfer from the state water plan fund to the abandoned oil and gas well fund shall be made on the 15th day of each calendar quarter during state fiscal year 2013 in substantially equal amounts as determined by the director of accounts and reports.

Sec. 151. On July 1, 2012, K.S.A. 2011 Supp. 72-8814 is hereby amended to read as follows: 72-8814. (a) There is hereby established in the state treasury the school district capital outlay state aid fund. Such fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district which levies a tax pursuant to K.S.A. 72-8801 *et seq.*, and amendments thereto, shall be entitled to receive payment from the school district capital outlay state aid fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp. 72-8814b, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school

district, except that the state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(5) determine the amount levied by each school district pursuant to K.S.A. 72-8801 *et seq.*, and amendments thereto;

(6) multiply the amount computed under (5), but not to exceed 8 mills, by the applicable state aid percentage factor. The product is the amount of payment the school district is entitled to receive from the school district capital outlay state aid fund in the school year.

(c) The state board shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital outlay state aid fund for distribution to school districts, except that no transfers shall be made from the state general fund to the school district capital outlay state aid fund during the fiscal years ending June 30, 2012, 2013, or June 30, 2013, 2014. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund.

(d) Payments from the school district capital outlay state aid fund shall be distributed to school districts at times determined by the state board of education. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the capital outlay fund of the school district to be used for the purposes of such fund.

(e) Amounts transferred to the capital outlay fund of a school district as authorized by K.S.A. 72-6433, and amendments thereto, shall not be included in the computation when determining the amount of state aid to which a district is entitled to receive under this section.

Sec. 152. On July 1, 2012, K.S.A. 2011 Supp. 74-50,107 is hereby amended to read as follows: 74-50,107. (a) (1) The secretary shall determine and from time to time shall redetermine the rate at which moneys shall be credited to the IMPACT program repayment fund in order to satisfy all bond repayment obligations which have been incurred to finance program costs for IMPACT programs, which shall be referred to as the debt service rate, and the rate at which moneys shall be credited to the IMPACT program services fund in order to finance program costs that are not financed by bonds, which shall be referred to as the direct funding rate. The total of the debt service rate and the direct funding rate shall be the combined rate. Each rate so determined shall be certified to the secretary of revenue. The combined rate determined under this subsection shall not exceed 2%.

(2) Upon receipt of the rates determined and certified under subsection (a)(1), the secretary of revenue shall apply daily the combined rate to that portion of the moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 *et seq.*, and amendments thereto. The amount so determined shall be credited as follows: (A) The portion attributable to the debt service rate shall be credited to the IMPACT program repayment fund; and (B) the remaining portion shall be credited to the IMPACT program services fund.

(3) The aggregate of all amounts credited to the IMPACT program repayment fund

under this section during any fiscal year to pay bond repayment obligations on bonds to finance major project investments shall not exceed the amount which results when the rate of 2% is applied to all moneys withheld from the wages of individuals and received under the Kansas withholding and declaration of estimated tax act.

(4) The provisions of this subsection shall remain in effect prior to July 1, 2012.

(b) Commencing July 1, 2012, and on the first day of each month thereafter during fiscal year 2013 and fiscal year 2014, the secretary of revenue shall apply a rate of 2% to that portion of moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 *et seq.*, and amendments thereto. The amount so determined shall be credited on a monthly basis as follows: (1) An amount necessary to meet obligations of the debt services for the IMPACT program repayment fund; and (2) an amount to the IMPACT program services fund as needed for program administration; and (3) any remaining amounts to the job creation program fund created pursuant to K.S.A. 2011 Supp. 74-50,224, and amendments thereto.

(c) Commencing July 1, 2012 2014, and on an annual basis thereafter, the secretary of revenue shall estimate the amount equal to the amount of net savings realized from the elimination, modification or limitation of any credit, deduction or program pursuant to the provisions of this act as compared to the expense deduction provided for in K.S.A. 2011 Supp. 79-32,143a, and amendments thereto. Whereupon such amount of savings in accordance with appropriation acts shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount to the credit of the job creation program fund created pursuant to K.S.A. 2011 Supp. 74-50,224, and amendments thereto. In addition, such other amount or amounts of money may be transferred from the state general fund or any other fund or funds in the state treasury to the job creation program fund in accordance with appropriation acts.

Sec. 153. On the effective date of this act, K.S.A. 2011 Supp. 74-99b34 is hereby amended to read as follows: 74-99b34. (a) The bioscience development and investment fund is hereby created. The bioscience development and investment fund shall not be a part of the state treasury and the funds in the bioscience development and investment fund shall belong exclusively to the authority.

(b) Distributions from the bioscience development and investment fund shall be for the exclusive benefit of the authority, under the control of the board and used to fulfill the purpose, powers and duties of the authority pursuant to the provisions of K.S.A. 2011 Supp. 74-99b01 *et seq.*, and amendments thereto.

(c) The secretary of revenue and the authority shall establish the base year taxation for all bioscience companies and state universities. The secretary of revenue, the authority and the board of regents shall establish the number of bioscience employees associated with state universities and report annually and determine the increase from the taxation base annually. The secretary of revenue and the authority may consider any verifiable evidence, including, but not limited to, the NAICS code assigned or recorded by the department of labor for companies with employees in Kansas, when determining which companies should be classified as bioscience companies.

(d) (1) Except as provided in subsection (d)(2) or (h), (d)(3), (h) or (i), for a period of 15 years from the effective date of this act, the state treasurer shall pay annually 95% of withholding above the base, as certified by the secretary of revenue, upon Kansas

wages paid by bioscience employees to the bioscience development and investment fund. The state treasurer may make estimated payments to the bioscience authority more frequently based on estimates provided by the secretary of revenue and During the fiscal years ending June 30, 2013, and June 30, 2014, the state treasurer shall make payments to the bioscience authority on July 15, October 15, January 15 and April 15 in equal installments, subject to the limitations established in subsection (h). If on such dates, during fiscal years 2013 and 2014, such payments can not be made in equal amounts, the state treasurer shall make the payment in the amount of moneys that is available on such date and upon the next payment date, the state treasurer shall make the payment in an amount equal to the amount that is to be paid on that date plus any additional amount that is owed from a previous date. During the fiscal years ending June 30, 2015, and following fiscal years thereafter, the state treasurer shall make payments to the bioscience authority on July 15, October 15, January 15 and April 15 based on the certification provided by the secretary of revenue. Such payments shall be reconciled annually. On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the bioscience development and investment fund interest earnings based on:

(A) The average daily balance of moneys in the bioscience development and investment fund for the preceding month; and

(B) the net earnings rate of the pooled money investment portfolio for the preceding month.

(2) (A) For fiscal year 2012-2013, the first \$1,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees, shall be transferred by the director of accounts and reports from the sales tax refund state general fund of the department of revenue to the following: the center of innovation for biomaterials in orthopaedic research – Wichita state university fund.

(B) There is hereby established in the state treasury the center of innovation for biomaterials in orthopaedic research – Wichita state university fund which shall be administered by Wichita state university. All moneys credited to the fund shall be used for research and development. All expenditures from the center of innovation for biomaterials in orthopaedic research – Wichita state university fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the president of Wichita state university or by the person or persons designated by the president of Wichita state university.

(3) (A) For fiscal year 2013, the next \$5,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees above the first \$1,000,000 certified pursuant to subsection (d)(2)(A), shall be transferred by the director of accounts and reports from the state general fund to the following: The national bio agro-defense facility fund at Kansas state university.

(B) There is hereby established in the state treasury the national bio agro-defense facility fund which shall be administered by Kansas state university in accordance with the strategic plan adopted by the governor's national bio agro-defense facility steering committee. All moneys credited to the fund shall be used in accordance with the governor's national bio agro-defense facility steering committee's plan with the approval

of the president of Kansas state university. All expenditures from the national bio agro-defense facility fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the steering committee and the president of Kansas state university or by the person or persons designated by the president of Kansas state university.

(e) The cumulative amounts of funds paid by the state treasurer to the bioscience development and investment fund shall not exceed \$581,800,000.

(f) The division of post audit is hereby authorized to conduct a post audit in accordance with the provisions of the legislative post audit act, K.S.A. 46-1106 *et seq.*, and amendments thereto.

(g) At the direction of the authority, the fund may be held in the custody of and invested by the state treasurer, provided that the bioscience development and investment fund shall at all times be accounted for in a separate report from all other funds of the authority and the state.

(h) During the fiscal years ending June 30, 2012 2013, and June 30, 2013 2014, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed \$35,000,000 for each such fiscal year.

(i) During the fiscal year ending June 30, 2012, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed \$12,322,186 for such fiscal year.

Sec. 154. On July 1, 2012, K.S.A. 2011 Supp. 75-2319 is hereby amended to read as follows: 75-2319. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) Subject to the provisions of subsection (f), in each school year, each school district which is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the

median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 5% for contractual bond obligations incurred by a school district prior to the effective date of this act, and 25% for contractual bond obligations incurred by a school district on or after the effective date of this act;

(5) determine the amount of payments in the aggregate that a school district is obligated to make from its bond and interest fund and, of such amount, compute the amount attributable to contractual bond obligations incurred by the school district prior to the effective date of this act and the amount attributable to contractual bond obligations incurred by the school district on or after the effective date of this act;

(6) multiply each of the amounts computed under (5) by the applicable state aid percentage factor; and

(7) add the products obtained under (6). The amount of the sum is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, 2012 2013, and June 30, 2013 2014, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

(f) Amounts transferred to the capital improvements fund of a school district as authorized by K.S.A. 72-6433, and amendments thereto, shall not be included in the computation when determining the amount of state aid to which a district is entitled to receive under this section.

Sec. 155. On July 1, 2012, K.S.A. 2011 Supp. 75-6702 is hereby amended to read as follows: 75-6702. (a) The last appropriation bill passed in any regular session of the legislature shall be the omnibus reconciliation spending limit bill. Each bill which is

passed during a regular session of the legislature and which appropriates or transfers money from the state general fund for the ensuing fiscal year shall contain a provision that such bill shall take effect and be in force from and after the effective date of the omnibus reconciliation spending limit bill for that regular session of the legislature or from and after such effective date and a subsequent date or an event occurring after such effective date.

(b) Except as provided in subsection (c), the maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the 2004 regular session of the legislature and each regular session of the legislature thereafter, is hereby fixed so that there will be an ending balance in the state general fund for the ensuing fiscal year that is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year.

(c) The provisions of subsection (b) are hereby suspended for the fiscal year ending June 30, 2012 2013, and shall not prescribe a maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the 2011 2012 regular session of the legislature.

Sec. 156. On July 1, 2012, K.S.A. 2011 Supp. 76-775 is hereby amended to read as follows: 76-775. (a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 2011 Supp. 76-774, and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either (1) the endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution, or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsection shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, 2012 2013, and June 30, 2013 2014, shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund which shall be administered by the state board of regents. All moneys transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such eligible educational institutions. The state board of regents shall pay from the faculty of distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be

determined by the director of accounts and reports and shall be the amount of interest earnings that the amount of the qualifying gift certified by the state board of regents would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section and amendments thereto for a fiscal year is equal to or greater than \$6,000,000 in fiscal year 2009, \$7,000,000 in fiscal year 2010 and \$8,000,000 in fiscal year 2011 and in each fiscal year thereafter.

Sec. 157. On July 1, 2012, K.S.A. 2011 Supp. 76-783 is hereby amended to read as follows: 76-783. (a) (1) The Kansas development finance authority is hereby authorized to issue from time to time bonds on behalf of the board of regents in such principal amounts as the Kansas development finance authority and the board of regents determine to be necessary to provide sufficient funds to finance scientific research and development facilities, including, but not limited to, the payment of interest on such bonds, the establishment of reserves to secure such bonds, costs of issuance, refunding any outstanding bonds, and all other expenditures of the board of regents incident to and necessary or convenient to carry out the powers and functions authorized by this act. The Kansas development finance authority shall not issue any bond or bonds on behalf of the corporation formed by the board of regents under this act. The Kansas development finance authority shall not issue bonds under this act for more than \$120,000,000, in the aggregate, plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such scientific research and development facilities and any required reserves for payment of principal and interest on any such bond.

(2) Except as may otherwise be expressly provided by the board of regents, every obligation of the board of regents with respect to such bonds shall be an obligation of the board of regents payable out of any revenues or moneys of the board of regents derived from annual appropriations of the legislature. Subject only to any agreements with holders of particular bonds pledging any particular revenues, the board of regents shall use moneys derived from scientific research and development facilities to provide funds sufficient to pay principal and interest on any bonds issued pursuant to this act commencing after the date a project is completed and has been accepted by the board of regents. Subject to the provisions of appropriation acts, payment of principal and interest on the bonds shall be made by the state board of regents from annual appropriations by the legislature from such revenues as are furnished by the board of regents, or from any other available funds, in amounts sufficient to pay principal and interest on the bonds until the bonds are finally paid.

(3) Upon acceptance by the board of regents of each project initiated and completed under this act and upon a determination by the board of regents that the period for repayment of debt for such project is to commence, the board of regents shall certify to

the director of accounts and reports that principal and interest payments for such project are to commence and the dates and amounts of all principal and interest payments for such project. Pursuant to each such certification and commencing on or after July 1, 2004, the director of accounts and reports shall transfer, from the state general fund to the debt service fund or funds at a state educational institution as specified in the certification for such project, the amount certified on or before the respective payment date therefor. Transfers shall be made under this section pursuant to any such certification on or after July 1, 2004. All such transfers during the fiscal years ending June 30, 2012 2013, and June 30, 2013 2014, shall be considered to be revenue transfers from the state general fund. The aggregate of all such transfers from the state general fund during any fiscal year shall not exceed \$10,000,000 and the aggregate of all such transfers from the state general fund under this section shall not exceed \$50,000,000. The Kansas development finance authority and the board of regents shall enter into contracts with respect to the scientific research and development facilities financed under this act prescribing the obligation of the board of regents and the state educational institutions to provide for repayment of amounts of bond debt service in addition to those amounts provided for by transfers under this section from the state general fund.

(b) (1) The bonds shall be authorized by a resolution adopted by the board of directors of the Kansas development finance authority.

(2) Except as otherwise provided in this act, bonds issued by the Kansas development finance authority under authority of this act shall be subject to the provisions of K.S.A. 74-8901 *et seq.*, and amendments thereto.

(c) Any resolution authorizing the board of regents to incur any obligation with respect to bonds issued by the Kansas development finance authority may contain such provisions as deemed appropriate by the board of regents for the purpose of carrying out the purposes of this act and securing such bonds, which shall be a part of the contract with the holders thereof, including, but not limited to, provisions:

(1) Pledging all or any part of the revenues of the board of regents derived from scientific research and development facilities to secure the payment of the bonds or of any issue thereof, subject to such agreements with bondholders as may then exist;

(2) the setting aside of reserves or sinking funds and the regulation and disposition thereof;

(3) limitations on the issuance of additional bonds or other obligations, the terms upon which additional bonds or obligations may be issued and secured, and the refunding of outstanding or other bonds;

(4) defining the acts or omissions to act which shall constitute a default in the obligations and duties of the board of regents to the Kansas development finance authority, the applicable bond trustee or the holders of the bonds, except that such rights and remedies shall not be inconsistent with the general laws of this state and the other provisions of this act; and

(5) any other matters, of like or different character, which in any way affect the security or protection of the holders of the notes or bonds.

(d) Any of the provisions relating to any bonds described in this section may be set forth in a trust indenture, loan agreement, lease agreement or other financing document authorized by a resolution of the board of regents or the board of directors of the Kansas development finance authority.

(e) The bonds of each issue may, in the discretion of the board of directors of the

Kansas development finance authority, be made redeemable before maturity at such prices and under such terms and conditions as may be determined by the board of directors of the Kansas development finance authority. Bonds issued on behalf of the board of regents shall mature at such time, not exceeding 30 years from their date of issue, as may be determined by the board of regents and the board of directors of the Kansas development finance authority. The bonds may be issued as serial bonds payable in annual installments or as term bonds or as a combination thereof. The bonds shall bear interest at such rate either fixed or variable, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment and at such place, and be subject to such terms of redemption as provided in the resolution of trust indenture. The bonds may be sold by the Kansas development finance authority, at public or private sale, at such price as the board of directors of the Kansas development finance authority shall determine.

(f) In case any officer of the Kansas development finance authority whose signature or a facsimile of whose signature appears on any bonds or coupons attached thereto ceases to be such officer before the delivery thereof, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

(g) Any bonds issued by the Kansas development finance authority pursuant to this section, and the income therefrom (including any profit from the sale thereof) shall at all times be free from taxation by the state or any agency, political subdivision or instrumentality of the state, including income and property taxes.

(h) Any holder of bonds issued under the provisions of this act, or any coupons appertaining thereto and the trustee under any trust agreement or resolution authorizing the issuance of such bonds, except the rights under this act may be restricted by such trust agreement or resolution, may, either at law or in equity by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the state or granted under this act or under such agreement or resolution, or under any other contract executed by the board of regents pursuant to this act, and may enforce and compel the performance of all duties required by this act or by such trust agreement or resolution to be performed by the board of regents or by an officer thereof.

(i) The bonds shall be special, limited obligations of the Kansas development finance authority and the state shall not be liable for bonds issued by the Kansas development finance authority on behalf of the board of regents, and such bonds shall not constitute a debt of the state.

(j) Neither the board of regents, the board of the Kansas development finance authority nor any authorized employee of the board of regents or the Kansas development finance authority shall be personally liable for such bonds by reason of the issuance thereof.

(k) Nothing in this act shall be construed as a restriction or limitation upon any other powers which the board of regents might otherwise have under any other law of this state, and this act is cumulative to any such powers. This act does and shall be construed to provide a complete, additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws. The issuance of bonds under the provisions of this act need not comply with the requirements of any other state law applicable to the issuance

of bonds. No proceedings, notice or approval shall be required for the issuance of any bonds or any instrument as security therefor, except as is provided in this act.

(l) Any of the provisions relating to bonds described in this section may be included in any contracts between the board of regents and the Kansas development finance authority relating to obligations of the Kansas development finance authority issued on behalf of the board of regents.

Sec. 158. On July 1, 2012, K.S.A. 2011 Supp. 76-7,107 is hereby amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon thereafter as sufficient moneys are available, \$7,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto.

(2) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto, during the fiscal year ending June 30, 2010, pursuant to this section.

(3) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto, during the fiscal year ending June 30, 2012 2013, pursuant to this section.

(4)(3) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto, during the fiscal year ending June 30, 2013 2014, pursuant to this section.

(b) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

(c) All moneys credited to the infrastructure maintenance fund shall be expended or transferred only for the purpose of paying the cost of projects approved by the state board pursuant to the state educational institution long-term infrastructure maintenance program.

Sec. 159. On July 1, 2012, K.S.A. 2011 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local *ad valorem* tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts which in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of Kansas Statutes Annotated, and acts amendatory thereof and supplemental amendments thereto, during the preceding calendar year from the state general fund to the local *ad valorem* tax reduction fund, except that: (1) No moneys shall be transferred from the state general fund to the local *ad valorem* tax reduction fund during state fiscal years year 2009, 2010, 2011, 2012, and 2013, and (2) the amount of the transfer on each such date shall be \$13,500,000 \$22,500,000 during fiscal year 2014, \$20,250,000 during fiscal year 2015 2013, \$36,000,000 during fiscal year 2014, \$42,750,000 during fiscal year 2015, \$49,500,000 during fiscal year 2016, and \$27,000,000 during fiscal year 2016 2017 and all fiscal years thereafter. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to

be demand transfers from the state general fund, except that all such transfers during fiscal year 2014 shall be considered to be revenue transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) Sixty-five percent of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) thirty-five percent of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 160. On July 1, 2012, K.S.A. 2011 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts which in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and acts amendatory thereof and supplemental amendments thereto, during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal years 2012, 2013 and 2013, 2014. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 161. On July 1, 2012, K.S.A. 2011 Supp. 79-2978 is hereby amended to read as follows: 79-2978. (a) There is hereby established in the state treasury the business machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the business machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying *ad valorem* taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2007 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2008, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (e).

(2) On January 31, 2009, the secretary shall calculate for each county an amount

equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2008 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On March 2, 2009, subject to the provisions of subsection (d) and subsection (g), the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (e).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2009 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference for distribution as provided in subsection (e).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2010 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (e).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2011 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2012, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (e).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) The calculations required by subsection (b) shall be based upon a certification

made by the county clerk on or before November 15 of the tax year and submitted to the director of property valuation. Such certification shall be in a format devised and prescribed by the director of property valuation. Such certification shall report the total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment. The county clerk shall provide a copy of such certification to the county treasurer for the purpose of determining the distribution of moneys pursuant to the provisions of subsection (e)(2) paid to the county pursuant to subsection (b) by the state treasurer.

(d) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(e) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the business machinery and equipment tax reduction assistance fund, except that (A) the aggregate amount of moneys transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2009, pursuant to this section shall not exceed the maximum amount determined pursuant to subsection (g), (B) an amount equal to 50% of the maximum amount determined pursuant to subsection (g) shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund on March 2, 2009, (C) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2010, pursuant to this section, (D) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2011, pursuant to this section, and (E) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2012, pursuant to this section, (F) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2013, pursuant to this section, and (G) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2014, pursuant to this section.

(2) The state treasurer shall apportion and distribute the moneys credited to the business machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the *ad valorem* taxing subdivisions imposing *ad valorem* taxes on commercial and industrial machinery and equipment in an amount equal to the difference between the total *ad valorem* taxes on commercial and industrial machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year 2005 and the total *ad valorem* taxes on commercial and

industrial machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(f) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of *ad valorem* taxes on commercial and industrial machinery and equipment not included in the total *ad valorem* taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and such abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

(g) (1) The maximum amount that may be transferred during the fiscal year ending June 30, 2009, from the state general fund to the business machinery and equipment tax reduction assistance fund pursuant to this section shall be equal to (A) the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2979, and amendments thereto, multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2979, and amendments thereto.

(2) If a maximum amount is imposed under this subsection and the aggregate amount transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during state fiscal year 2009 pursuant to this section is reduced, then the amount allocated to each county by the state treasurer under subsection (b)(2) shall be reduced proportionately with respect to aggregate reduction in the amount of such transfer from the state general fund to the business machinery and equipment tax reduction assistance fund during state fiscal year 2009.

Sec. 162. On July 1, 2012, K.S.A. 2011 Supp. 79-2979 is hereby amended to read as follows: 79-2979. (a) There is hereby established in the state treasury the telecommunications and railroad machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the telecommunications and railroad machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying *ad valorem* taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount

equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2007 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2008, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (d).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2008 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On March 2, 2009, subject to the provisions of subsection (c) and subsection (f), the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (d).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2009 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference for distribution as provided in subsection (d).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2010 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (d).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2011 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2012, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (d).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(d) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund, except that (A) the aggregate amount of moneys transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2009, pursuant to this section shall not exceed the maximum amount determined pursuant to subsection (f), (B) an amount equal to 50% of the maximum amount determined pursuant to subsection (f) shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund on March 2, 2009, (C) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2010, pursuant to this section, (D) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2011, pursuant to this section, and (E) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2012, pursuant to this section, (F) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2013, pursuant to this section, and (G) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30,

2014, pursuant to this section.

(2) The state treasurer shall apportion and distribute the moneys credited to the telecommunications and railroad machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the *ad valorem* taxing subdivisions imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment in an amount equal to the difference between the total *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year 2005 and the total *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(e) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment not included in the total of *ad valorem* taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and the abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

(f) (1) The maximum amount that may be transferred during the fiscal year ending June 30, 2009, from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund pursuant to this section shall be equal to (A) the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2978, and amendments thereto, multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2978, and amendments thereto.

(2) If a maximum amount is imposed under this subsection and the aggregate amount transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during state fiscal year 2009 pursuant to this section is reduced, then the amount allocated to each county by the state treasurer under subsection (b)(2) shall be reduced proportionately with respect to aggregate reduction in the amount of such transfer from the state general fund to the

telecommunications and railroad machinery and equipment tax reduction assistance fund during state fiscal year 2009.

Sec. 163. On July 1, 2012, K.S.A. 2011 Supp. 79-3425i, as amended by section 10 of 2012 House Bill No. 2557, is hereby amended to read as follows: 79-3425i. (a) On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and annual commercial vehicle fees collected pursuant to section 1 of 2012 House Bill No. 2557, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; (2) no moneys shall be transferred from the state general fund to the special city and county highway fund during state fiscal year 2010, state fiscal year 2011, state fiscal year 2012 2013 or state fiscal year 2013 2014; (3) all transfers under this section shall be considered to be demand transfers from the state general fund; and (4) (A) on each January 14, April 14, July 14 and October 14 of state fiscal years 2012, 2013, 2014, 2015 and 2016 the state treasurer shall determine the amount of money to be paid the counties and cities on such dates of such year, pursuant to K.S.A. 79-3425c, and amendments thereto, and make the following adjustments prior to the apportionment and payment specified in K.S.A. 79-3425c, and amendments thereto: (i) The following amounts shall be added to the apportionment and payment to be paid to the following counties: Barton county, \$7,984.99; Butler county, \$96,937.27; Douglas county, \$128,245.99; Leavenworth county, \$55,766.22; Shawnee county, \$267,356.20; and (ii) the following amounts shall be deducted from the apportionment and payment to the following counties: Allen county, \$3,839.12; Anderson county, \$2,957.98; Atchison county, \$4,345.79; Barber county, \$1,813.76; Bourbon county, \$2,945.98; Brown county, \$1,590.14; Chase county, \$1,364.54; Chautauqua county, \$539.42; Cherokee county, \$5,874.25; Cheyenne county, \$1,317.84; Clark county, \$757.32; Clay county, \$968.54; Cloud county, \$2,774.68; Coffey county, \$2,894.76; Comanche county, \$446.63; Cowley county, \$2,116.31; Crawford county, \$5,558.19; Decatur county, \$1,615.15; Dickinson county, \$6,024.00; Doniphan county, \$2,626.24; Edwards county, \$1,580.33; Elk county, \$525.08; Ellis county, \$8,774.46; Ellsworth county, \$2,334.37; Finney county, \$5,837.57; Ford county, \$7,048.03; Franklin county, \$6,898.28; Geary county, \$976.57; Gove county, \$1,058.76; Graham county, \$1,409.48; Grant county, \$1,936.03; Gray county, \$2,355.25; Greeley county, \$941.53; Greenwood county, \$2,701.29; Hamilton county, \$1,060.71; Harper county, \$1,466.35; Harvey county, \$7,863.46; Haskell county, \$1,335.39; Hodgeman county, \$959.20; Jackson county, \$4,647.68; Jefferson county, \$6,701.43; Jewell county, \$1,211.66; Johnson county, \$115,947.72; Kearny county, \$1,160.82; Kingman county, \$2,801.87; Kiowa county, \$1,441.36; Labette county, \$5,563.25; Lane county, \$652.48; Lincoln county, \$1,203.05; Linn county, \$3,772.22; Logan county, \$1,169.58; Lyon county, \$8,236.73; Marion county, \$3,681.52; Marshall county, \$3,878.17; McPherson county, \$8,652.66; Meade county, \$1,048.56; Miami county, \$10,701.45; Mitchell county, \$3,466.79; Montgomery county, \$8,377.29; Morris county, \$1,955.91; Morton county, \$1,200.61; Nemaha county, \$3,774.74; Neosho county, \$5,507.28; Ness county, \$991.77; Norton county, \$1,800.14; Osage county, \$2,327.93; Osborne county, \$1,882.73; Ottawa county, \$2,063.91;

Pawnee county, \$1,802.09; Phillips county, \$2,622.20; Pottawatomie county, \$6,512.08; Pratt county, \$2,187.16; Rawlins county, \$1,119.60; Reno county, \$12,935.71; Republic county, \$2,272.31; Rice county, \$1,722.51; Riley county, \$11,149.53; Rooks county, \$2,252.51; Rush county, \$1,235.76; Russell county, \$577.59; Saline county, \$14,049.86; Scott county, \$1,340.37; Sedgwick county, \$117,126.91; Seward county, \$4,488.67; Sheridan county, \$1,786.11; Sherman county, \$194.37; Smith county, \$1,993.99; Stafford county, \$2,029.27; Stanton county, \$991.97; Stevens county, \$638.08; Sumner county, \$5,908.68; Thomas county, \$3,388.44; Trego county, \$1,781.87; Wabaunsee county, \$2,354.10; Wallace county, \$994.33; Washington county, \$2,554.75; Wichita county, \$1,333.92; Wilson county, \$3,659.10; Woodson county, \$1,214.90; Wyandotte county, \$16,818.00; (B) after determining and including such additions and deductions, the resulting apportionment and payment shall be paid by the state treasurer to the counties and cities prescribed therefor, notwithstanding the provisions of K.S.A. 79-3425c, and amendments thereto, or any other statute, each January 14, April 14, July 14 and October 14 of state fiscal years 2012, 2013, 2014, 2015 and 2016, with the requirement that the additional moneys received by each such county shall be deposited and administered in accordance with K.S.A. 79-3425c, and amendments thereto, including any redistributions provided for by that statute, except that the state treasurer shall calculate the annual equalization payment to each county without considering the deductions or additions to quarterly distributions required by subsection (a)(4)(A); and (C) acceptance of the payments made pursuant to this subsection (a)(4) shall be deemed as payment in full and a release of any liability from the county to the state treasurer for payments from the special city and county highway fund for state fiscal years 2000 through 2009.

(b) During the state fiscal year ending June 30, 2010, on July 15, 2009, and January 15, 2010, the director of accounts and reports shall transfer \$2,515,916 from the state highway fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto.

Sec. 164. On July 1, 2012, K.S.A. 2011 Supp. 79-34,156 is hereby amended to read as follows: 79-34,156. On April 1, 2007, the director of accounts and reports shall transfer \$437,500 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund. If sufficient moneys are not available in the state economic development initiatives fund for such transfer on April 1, 2007, then the director of accounts and reports shall transfer on such date the amount available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund. On July 1, 2007, and quarterly thereafter, the director of accounts and reports shall transfer \$875,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund, except: (a) That, during the fiscal year ending June 30, 2012 2013, on July 1, 2011 2012, October 1, 2011 2012, and January 1, 2012 2013, and April 1, 2012 2013, the director of accounts and reports shall transfer \$50,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund, and (b) that, if sufficient moneys are not available in the state economic development initiatives fund for any such transfer during the fiscal year ending June 30, 2012 2013, then the director of accounts and reports shall transfer the amount available

in the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund on the date specified in the fiscal year ending June 30, 2012 2013. If sufficient moneys are not available in the state economic development initiatives fund for such transfer on July 1, 2012 2013, and on the first day of any calendar quarter thereafter, in any such fiscal year, then the director of accounts and reports shall transfer on such date the amount available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund; except that no moneys shall be transferred from the state general fund to the Kansas biodiesel fuel producer fund during the fiscal year ending June 30, 2011 2012, or the fiscal year ending June 30, 2012 2013.

Sec. 165. On July 1, 2012, K.S.A. 2011 Supp. 79-34,171 is hereby amended to read as follows: 79-34,171. (a) On January 1, 2009, and quarterly thereafter, the director of accounts and reports shall transfer \$400,000 from the state general fund to the Kansas retail dealer incentive fund, except that (1) no moneys shall be transferred pursuant to this section from the state general fund to the Kansas retail dealer incentive fund during the fiscal years ending June 30, 2010, June 30, 2011, June 30, 2012 2013, or June 30, 2013, and (2) any transfers of moneys from the state general fund to the Kansas retail dealer incentive fund during the state fiscal year ending June 30, 2010, under this or any other statute that have been made prior to the effective date of this act shall be reversed by the director of accounts and reports and reversing entries shall be entered upon the accounting records of the state treasurer therefor 2014. On and after July 1, 2009, the unobligated balance in the Kansas retail dealer incentive fund shall not exceed \$1.5 million. If the unobligated balance of the fund exceeds \$1.1 million at the time of a quarterly transfer, the transfer shall be limited to the amount necessary for the fund to reach a total of \$1.5 million.

(b) There is hereby created in the state treasury the Kansas retail dealer incentive fund. All moneys in the Kansas retail dealer incentive fund shall be expended by the secretary of the department of revenue for the payment of incentives to Kansas retail dealers who sell and dispense renewable fuels or biodiesel through a motor fuel pump in accordance with the provisions of K.S.A. 2011 Supp. 79-34,170 through 79-34,175, and amendments thereto.

(c) All moneys remaining in the Kansas retail dealer incentive fund upon the expiration of K.S.A. 2011 Supp. 79-34,170 through 79-34,175, and amendments thereto, shall be credited by the state treasurer to the state general fund.

Sec. 166. On July 1, 2012, K.S.A. 2011 Supp. 82a-953a is hereby amended to read as follows: 82a-953a. During each fiscal year, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, one-half of such amount to be transferred on July 15 and one-half to be transferred on January 15, except that (1) such transfers during each fiscal year commencing after June 30, 2008, are subject to reduction under K.S.A. 75-6704, and amendments thereto, (2) the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2009, shall not exceed \$2,000,000, (3) the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2010, shall not exceed \$3,295,432, (4) the total amount of moneys transferred

from the state general fund to the state water plan fund during the fiscal year ending June 30, 2011, shall not exceed \$1,348,245, and (5) no moneys shall be transferred from the state general fund to the state water plan fund during the fiscal years year ending June 30, 2012, or June 30, 2013. On the effective date of this act, the director of accounts and reports shall transfer the amount in excess of \$2,000,000 which was transferred from the state general fund to the state water plan fund prior to the effective date of this act during the fiscal year ending June 30, 2009, as certified by the director of the budget to the director of accounts and reports to the state general fund. All transfers under this section shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, 2010, and June 30, 2011, shall be considered revenue transfers from the state general fund.

Sec. 167. On the effective date of this act, K.S.A. 2011 Supp. 12-5256 and 74-99b34 are hereby repealed.

Sec. 168. On July 1, 2012, K.S.A. 2011 Supp. 2-223, 55-193, 72-8814, 74-50,107, 75-2319, 75-6702, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i, as amended by Section 10 of 2012 House Bill No. 2557, 79-34,156, 79-34,171 and 82a-953a are hereby repealed.

Sec. 169. (a) Except as provided in subsection (b), except to the extent required by federal law, during the fiscal year ending June 30, 2013, no state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2013, from the state general fund or in any special revenue fund or funds for such state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, for health care services provided by any such state agency, or any employee of such state agency while acting within the scope of such employee's employment, which include abortion: *Provided, however,* That the provisions of this section shall not apply to an abortion which is necessary to preserve the life of the pregnant woman.

(b) Nothing in this section shall be construed to prevent a physician enrolled in a residency program and employed by the university of Kansas medical center from receiving experience with induced abortions, conducted at facilities other than those owned, leased or operated by the university of Kansas hospital authority or any other state entity: *Provided, however,* That for purposes of this section only, such physicians shall be considered acting outside the scope of such physician's official employment in such actions.

(c) As used in this section "abortion" means an abortion as defined by K.S.A. 65-6701, and amendments thereto.

Sec. 170. *Severability.* If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 171. *Appeals to exceed position limitations.* (a) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2012, made in chapter 118 of the 2011 Session Laws of Kansas or in this act or in any other appropriation act of the 2012 regular session of the legislature

may be exceeded upon approval of the state finance council.

(b) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2013, made in chapter 118 of the 2011 Session Laws of Kansas or in this act or in any other appropriation act of the 2012 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 172. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiative fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any such funds.

Sec. 173. *Savings.* (a) Any unencumbered balance as of June 30, 2012, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited by this or other appropriation act of the 2012 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2013, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2012, in any special revenue fund, or account thereof, of any state agency named in section 79 of chapter 118 of the 2011 Session Laws of Kansas which is not otherwise specifically appropriated or limited for fiscal year 2013 by chapter 118 of the 2011 Session Laws of Kansas or by this act or any other appropriation act of the 2012 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2013, for the same use and purpose as the same was heretofore appropriated.

(c) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund, or the correctional institutions building fund, or to any account of any of such funds.

Sec. 174. During the fiscal year ending June 30, 2013, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by this or other appropriation act of the 2012 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2013, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority, for the payment of debt service for bonds issued by the Kansas development finance authority, or for any related purpose in accordance with applicable bond covenants.

Sec. 175. *Federal grants.* (a) During the fiscal year ending June 30, 2013, each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated to that state agency by this or other appropriation act of the 2012 regular session of the legislature, is hereby appropriated

for the fiscal year ending June 30, 2013, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(b) During the fiscal year ending June 30, 2013, each federal grant or other federal receipt which is received by a state agency named in section 79 of chapter 118 of the 2011 Session Laws of Kansas and which is not otherwise appropriated to that state agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, is hereby appropriated for fiscal year 2013 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, for fiscal year 2013, until the governor has authorized the state agency to make expenditures from such federal grant or other federal receipt for fiscal year 2013.

(c) In addition to the other purposes for which expenditures may be made by any state agency which is named in this act and which is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2013 by chapter 118 of the 2011 Session Laws of Kansas or by this act or any other appropriation act of the 2012 regular session of the legislature to apply for and receive federal grants during fiscal year 2013, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 176. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2012 regular session of the legislature, and having an unencumbered balance as of June 30, 2012, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2013, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2011.

Sec. 177. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2012 regular session of the legislature and having an unencumbered balance as of June 30, 2012, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2013, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2011.

Sec. 178. (a) Any state institutions building fund appropriation heretofore

appropriated to any state agency named in this or other appropriation act of the 2012 regular session of the legislature and having an unencumbered balance as of June 30, 2012, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2013, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2011.

Sec. 179. Any transfers of money during the fiscal year ending June 30, 2013, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2013.

Sec. 180. This act shall take effect and be in force from and after its publication in the Kansas register.":

On page 1, in the title, by striking all in line 1, and inserting the following:

"AN ACT making and concerning appropriations for fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, June 30, 2015, and June 30, 2016, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2011 Supp. 2-223, 12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 75-6702, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i, as amended by Section 10 of 2012 House Bill No. 2557, 79-34,156, 79-34,171 and 82a-953a and repealing the existing sections.":

And the bill be passed as amended.

On motion of Senator V. Schmidt, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

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

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Hensley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1884—

A RESOLUTION in memory of John "Jack" Francis Steineger, Jr.

WHEREAS, John "Jack" Francis Steineger, Jr., a third generation resident and lifelong supporter of Wyandotte County, died May 1, 2012, at age 87; and

WHEREAS, Jack served as a state senator from Wyandotte County from 1964 to 1992, serving as Senate Minority Leader from 1976 to 1988. He helped to pass the first state air pollution law and establish the Tallgrass Prairie as a natural preserve. He was

named Conservation Legislator of the Year by the Kansas Wildlife Federation in 1974 and was honored with a 1975 Air Conservation Award by the Kansas Wildlife Federation for "outstanding contributions to the wise use and management of the nation's natural resources." He was selected Outstanding State Senator by the Eagleton Institute of Politics at Rutgers University in 1972, and in 1982, he received a Legislative Improvement Award from the Ford Foundation; and

WHEREAS, In 1974, Jack served as Vern Miller's running mate in his campaign for Governor on the Democratic Party ticket. The duo narrowly lost the election to the Republican Party ticket of Robert Bennett and Shelby Smith by a margin of only 3,600 votes; and

WHEREAS, Jack graduated from Wyandotte High School in 1942 and attended the University of Southern California in 1942-1943, but his education was interrupted by World War II. He enlisted in the U.S. Navy in 1943 and was commissioned ensign by the end of his service in 1946. He continued his service in the United States Naval Reserve for many years. After the war, he enrolled at the University of Kansas and joined the Phi Delta Theta fraternity. He earned a Bachelor's degree and a Doctor of Laws in 1949. He was a lifelong supporter of KU; and

WHEREAS, In 1949, Jack married Margaret Ruth Leisy of Dallas. They moved to Washington D.C. where Jack served in the office of the U.S. Department of Labor. He was a member of the U.S. Department of State Diplomatic Corps from 1950 to 1958, serving as a cultural attaché in Germany and later Iraq. He returned to Wyandotte County in 1957 and joined the Finigian, Poizner and Tucker law firm before opening his own law office, Steineger and Reid, in 1963. He served as a Juvenile Court Judge in 1958 and Wyandotte County Chief Prosecutor in 1960; and

WHEREAS, Jack served on the boards of many civic organizations, including as president of People-to-People and the Kansas City Ballet Association. He served on the Council of State Governments Intergovernmental Relations Committee, the Kansas Arts Commission, the Kiwanis Youth Committee, the Boy Scout Board and the American Royal Association; and

WHEREAS, Jack was an avid skier, tennis player and sailor. He sailed extensively in the Caribbean and he also sailed in the Mediterranean and on the eastern seaboard. He enjoyed gardening and especially loved the springtime, when Wyandotte County flowers were in bloom; and

WHEREAS, Jack leaves his wife, Margaret, of 62 years, sons John and Senator Chris Steineger, daughters Cynthia Steineger Blair and Melissa, grandchild Kisha and cousins Joseph Edward Steineger, Jr., Gary Clark Wear and Roger Ramsel: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we honor the life of John Francis Steineger, Jr., and the public service he gave to his country, his state and his county, and extend our deepest sympathy to his family and friends; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Hensley.

On emergency motion of Senator Hensley **SR 1884** was adopted unanimously.

ORIGINAL MOTION

Senator V. Schmidt moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **HB 2764**.

CONSIDERATION OF MOTIONS AND SENATE RESOLUTIONS

President Morris announced the time had arrived to consider the motion submitted in writing by Senator Rob Olson, citing rule 11 to withdraw **HB 2764** from the Committee on **Financial Institutions and Insurance** and be placed on the calendar under the heading of General Orders.

HB 2764, AN ACT concerning insurance; providing coverage for autism spectrum disorder; amending K.S.A. 2011 Supp. 40-2,103 and 40-19c09 and repealing the existing sections.

On roll call, the vote was: Yeas 20; Nays 14; Present and Passing 2; Absent or Not Voting 4.

Yeas: Abrams, Apple, Faust-Goudeau, Francisco, Holland, Huntington, Kelsey, King, Kultala, Longbine, Love, Lynn, Masterson, Merrick, Olson, Owens, Petersen, Pyle, Taddiken, Umbarger.

Nays: Bruce, Brungardt, Hensley, Kelly, Marshall, McGinn, Morris, Pilcher-Cook, Reitz, V. Schmidt, Schodorf, Teichman, Vratil, Wagle.

Present and Passing: Donovan, Steineger.

Absent or Not Voting: Emler, Haley, Ostmeyer, A. Schmidt.

The motion failed and **HB 2764** remains in committee.

On motion of Senator V. Schmidt, the Senate adjourned until 10:00 a.m., Thursday, May 17, 2012.

Journal of the Senate

SEVENTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, May 17, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-eight senators present.
Senators Emler and Taddiken were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

When the days are getting longer,
And the nights are getting short;
When my patience's wearing thin
And I'm feeling out of sorts.

When I think I've been mistreated,
And I find it hard to pray;
When my body's gaining weight,
And my hair is turning gray.

When I thought I'd done my best,
But made people mad;
When things start out so good
And wind up really bad.

When I stop to smell the roses
And the thorns all prick my nose;
When I go to church for comfort,
And get stepped upon my toes.

That's when I turn to You, O God,
Who's there when ever I call;
Who is my closest friend
Who loves me—warts and all.

That's when You remind me,
Though life seems so unfair;
You promised I would never have
More than I could bear.

We thank You in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

COMMUNICATIONS FROM STATE OFFICERS

Kansas Department of Corrections

May 10, 2012

In accordance with KSA 60-4117, Ray Roberts, Secretary of Corrections submitted the report for the Kansas Department of Corrections State Forfeiture Fund for the period of December 1, 2010 through December 1, 2011.

The President announced the above report is on file in the office of the Secretary of the Senate and is available for review at any time.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 250**.

On motion of Senator V. Schmidt, the Senate recessed until 10:30 a.m.

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

ORIGINAL MOTIONS

Senator V. Schmidt moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **SB 250, SB 273; Sub for SB 283; S Sub for HB 2390**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Teichman moved the Senate concur in House amendments to **SB 273**.

SB 273, AN ACT concerning costs for examination of an insurance company; amending K.S.A. 2011 Supp. 40-223 and repealing the existing section.

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil.

Absent or Not Voting: Emler, Taddiken, Wagle.

The Senate concurred.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 250** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows: on page 1, by striking all in lines 6 through 32;

By striking all in pages 2 through 5;

On page 6, by striking all in line 1 and inserting:

"Section 1. (a) (1) Except as provided in paragraphs (2) and (3), whenever a municipality provides for the payment of premiums for any health benefit plan for its firefighters, it shall pay premiums for the continuation of coverage under COBRA for the surviving spouse and dependent children of a firefighter who dies in the line of duty. Premiums for continuation of coverage under COBRA shall be paid for 18 months.

(2) A municipality may not be required to pay the premiums described in paragraph (1) for a surviving spouse:

(A) On or after the end of the 18th calendar month after the date of death of the deceased firefighter;

(B) upon the remarriage of the deceased firefighter's surviving spouse; or

(C) upon the deceased firefighter's surviving spouse reaching the age of 65.

(3) An individual is not a dependent child of a deceased firefighter for the purposes of paragraph (1) after such individual reaches the age of 18 years unless such individual is a:

(A) Full-time student in an accredited high school; or

(B) full-time student in a postsecondary educational institution, except that this subparagraph shall not apply to such an individual after the close of the calendar year in which the individual reaches the age of 24 as long as such individual continues to maintain such status as a full-time student.

(b) For the purposes of this section:

(1) "Firefighter" means an actual member of an organized fire department, of a municipality, whether regular or volunteer.

(2) "Health benefit plan" shall have the meaning ascribed to it in K.S.A. 40-4602, and amendments thereto.

(3) "Municipality" means city, county or township.

(4) "Postsecondary educational institution" shall have the meaning ascribed to it in K.S.A. 74-3201b, and amendments thereto.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.":

On page 1, in line 1, in the title, by striking all after "ACT"; by striking all in line 2; in line 3, by striking all before the period and inserting "pertaining to the continuation of health insurance for firefighters";

And your committee on conference recommends the adoption of this report.

CLARK SCHULTZ

PHIL HERMANSON

BOB GRANT

Conferees on part of House

RUTH TEICHMAN

TY MASTERSON

ALLEN C. SCHMIDT

Conferees on part of Senate

Senator Teichman moved the Senate adopt the Conference Committee Report on **SB 250**.

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil.

Absent or Not Voting: Emler, Taddiken, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Substitute for SB 283** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 2, in line 5, by striking the comma and inserting:

":

(1) On and after July 1, 2012 through June 30, 2013,";

Also on page 2, following line 7, by inserting "(2) On and after July 1, 2013, the sheriff of each Kansas county shall charge a fee of \$15 for serving, executing and returning any process.";

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

Senator Owens moved the Senate adopt the Conference Committee Report on **Sub for SB 283**.

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil.

Absent or Not Voting: Emler, Taddiken, Wagle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **S Sub for Sub HB 2333** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, in line 16, by striking "2014" and inserting "2015"; in line 18, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 23, by striking the first "and"; in line 24, after "thereto" by inserting ", and security officers as provided in K.S.A. 74-4914a, and amendments thereto"; in line 26, by striking "pre-2014" and inserting "pre-2015";

On page 2, in line 13, before "employed" by inserting "first"; also in line 13, by striking "July 1,"; in line 14, by striking "2014" and inserting "January 1, 2015"; in line 21, by striking "2014" and inserting "2015"; in line 32, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 33, by striking "July 1,"; in line 34, by striking "2014" and inserting "January 1, 2015"; in line 36, by striking "July 1,"; in line 37, by striking "2014" and inserting "January 1, 2015"; in line 38, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 40, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 42, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 43, by striking "July 1, 2014" and inserting "January 1, 2015";

On page 3, in line 2, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 4, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 7, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 12, by striking all after "service"; by striking all in line 13; in line 14, by striking all before the semicolon; in line 17, by striking "pre-2014" and inserting "pre-2015";

On page 4, in line 24, by striking "July 1, 2014" and inserting "January 1, 2015"; also in line 24, by striking "6%" and inserting "5.25%"; also in line 24, by striking ", except that"; by striking all in lines 25 and 26; in line 27, by striking all before the period; by striking all in line 34 and inserting the following:

"(2) if the funding ratio of the system as a whole is equal to or more than 80% as certified by the board, the board shall provide for an additional interest credit which may not exceed the lesser of 4% or a percentage of the rate of return on the system's assets that is above 8% for a fiscal year which such percentage is equal to the funding ratio of the system as a whole for each fiscal year;

(3) the additional interest rate for a fiscal year shall not be granted unless the rate of return on the system's assets is at least 10% for that fiscal year; and";

Also on page 4, in line 35, by striking "(3)" and inserting "(4) if the funding ratio of the system as a whole is less than 80% as certified by the board,"; in line 40, after "credits" by inserting "under subsections (a) and (b)"; in line 41, by striking "fifth" and inserting "second";

On page 5, in line 3, by striking "paid"; in line 4, by striking "out" and inserting "posted to the account"; in line 5, by striking "A participating employer shall credit,"; in line 6, by striking "4%" and inserting "a percentage"; also in line 6, after "compensation" by inserting "shall be credited"; also in line 6, after "account" by inserting: ", as follows:

(1) Three percent of compensation for each member who has less than five years of service;

(2) four percent of compensation for each member who has at least five but less than 12 years of service;

(3) five percent of compensation for each member who has at least 12 but less than 24 years of service; and

(4) six percent of compensation for each member who has 24 or more years of service";

Also on page 5, in line 17, by striking "July"; in line 18, by striking "1, 2014" and inserting "January 1, 2015"; also in line 18, by striking "6%" and inserting "5.25%"; also in line 18, by striking all after "annum"; by striking all in lines 19 and 20; in line 21, by striking all before the period; by striking all in line 28, and inserting the following:

"(2) if the funding ratio of the system as a whole, is equal to or more than 80% as certified by the board, the board shall provide for an additional interest credit which may not exceed the lesser of 4% or a percentage of the rate of return on the system's assets that is above 8% for a fiscal year which such percentage is equal to the overall funded ratio of the system as a whole for each fiscal year;

(3) the additional interest rate for a fiscal year shall not be granted unless the rate of return on the system's assets is at least 10% for that fiscal year; and";

Also on page 5, in line 29, by striking "(3)" and inserting "(4) if the funding ratio of the system as a whole is less than 80% as certified by the board,"; in line 33, by striking "paid"; in line 34, by striking "out" and inserting "posted to the account"; in line 35, after "credits" by inserting "under subsections (a) and (b)"; in line 36, by striking "fifth" and inserting "second"; in line 41, after "the" by inserting "member's service credit,";

On page 6, in line 6, by striking all after "account"; in line 7, by striking all before the period; in line 21, after "(a)" by inserting "or (b)"; in line 22, after the second "distribution" by inserting "shall be made using mortality rates and interest rates as provided in subsection (a) of section 13, and amendments thereto, and"; in line 23, by striking "(b)" and inserting "(c)"; in line 27, by striking "in 10% increments" and inserting "of any fixed dollar amount or percent"; in line 29, by striking "(b)" and inserting "(c)"; in line 32, after "(a)" by inserting "or (b)";

On page 7, in line 5, by striking "normal"; in line 6, by striking "five-year" and inserting "10-year"; in line 16, after "service" by inserting ", employer credits and interest credits"; in line 18, by striking "(d)" and inserting "(e)"; in line 27, by striking "rate" and inserting "rates"; after line 28, by inserting the following:

"(b) Except as provided in subsection (e), a member who has a vested interest in the member's retirement annuity account, who terminates after attainment of age 55 with the completion of at least 10 years of service, shall receive an annuity based upon employer credits and interest credits in such member's retirement annuity account, using mortality rates established by the board by official action as of the member's annuity start date and an interest rate established by the legislature as of the member's annuity start date, and such interest rate shall initially be 6%. The legislature may from time to time prospectively change the interest rate and the board may from time to time prospectively change the mortality rates, and the legislature expressly reserves such rights to do so.";

And by redesignating subsections accordingly;

Also on page 7, in line 29, by striking "normal"; also in line 29, by striking "subsection (a)" and inserting "subsections (a) and (b)"; in line 30, by striking "five-

year" and inserting "10-year"; in line 32, by striking "adjustment"; in line 40, by striking "in 10% increments" and inserting "of any fixed dollar amount or percent";

On page 8, in line 12, by striking "normal"; also in line 12, by striking "five-year" and inserting "10-year"; in line 14, after the comma, by inserting "or the total of the member's vested retirement annuity account and annuity savings account balance is less than \$1,000."; also in line 14, after "balance" by inserting "or balances"; in line 31, by striking "2014" and inserting "2015";

On page 9, in line 10, after "law" by inserting "or the terms of the plan as established by the board";

On page 11, in line 2, by striking "24" and inserting "25"; in line 6, by striking "24" and inserting "25"; in line 10, by striking "in no event"; in line 11, by striking "shall"; in line 12, before "be" by inserting "shall"; also in line 12, by striking all after "rate"; in line 13, by striking all before the period and inserting "which equals 1.4% of the member's final average salary for members that elect the 1.4% multiplier pursuant to subsection (b)(2) of section 25, and amendments thereto, and 1.75% of the member's final average salary for members that elect the 1.85% multiplier pursuant to subsection (b)(1) of section 25, and amendments thereto";

On page 13, in line 7, by striking "24" and inserting "25"; in line 18, by striking "24" and inserting "25"; in line 20, by striking "24" and inserting "25";

On page 18, in line 6, after the period, by inserting "Such actuarial cost shall be determined by the qualified actuary employed or retained by the system pursuant to K.S.A. 74-4908, and amendments thereto, and reported to the system and the joint committee on pensions, investments and benefits.";

On page 19, in line 14, by striking all after the comma; in line 15, by striking all before "the" the second time it appears, and inserting "but prior to January 1, 2014"; in line 17, after "salary" by inserting ", and for any member who retires after such member's normal retirement date, and on and after January 1, 2014, the amount for participating service shall be equal to 1.85% of the member's final average salary,"; in line 18, by striking "earned prior to January 1, 2014,"; in line 19, by striking all after "benefit"; by striking all in lines 20 through 28; in line 29, by striking all before the period; by striking all in lines 30 through 43;

On page 20, by striking all in lines 1 and 2; by striking all in lines 24 through 40; in line 41, by striking "(d)(1)" and inserting "(c)(1)";

On page 21, by striking all in lines 4 through 9; in line 10, by striking "(4)" and inserting "(3)"; in line 11, by striking "or (d)(3)";

On page 33, after line 33, by inserting the following:

"New Sec. 29. In addition to all requirements for fiscal notes pursuant to law, fiscal notes for bills which provide a new benefit, an increase in existing benefits or any other type of benefit enhancement for members of the Kansas public employees retirement system and systems thereunder, including a cost-of-living adjustment or postretirement benefit increase, shall include an actuarial valuation and appraisal of the liability to the system and the required contributions necessary to discharge such liability and maintain the system on an actuarial reserve basis created by such benefit enhancement to be conducted by the qualified actuary employed or retained by the system pursuant to K.S.A. 74-4908, and amendments thereto. Such fiscal note shall be available to members of any standing committee of the legislature to which such bill has been assigned prior to such committee taking any action on such bill.

Sec. 30. K.S.A. 2011 Supp. 74-8768 is hereby amended to read as follows: 74-8768. (a) There is hereby created the expanded lottery act revenues fund in the state treasury. All expenditures and transfers from such fund shall be made in accordance with appropriation acts. All moneys credited to such fund shall be expended or transferred only for the purposes of reduction of state debt, state infrastructure improvements, the university engineering initiative act, ~~and~~ reduction of local *ad valorem* tax in the same manner as provided for allocation of amounts in the local *ad valorem* tax reduction fund and reduction of the unfunded actuarial liability of the system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, by the Kansas public employees retirement system.

(b) On July 1, 2012, July 1, 2013, July 1, 2014, July 1, 2015, July 1, 2016, July 1, 2017, July 1, 2018, July 1, 2019, July 1, 2020, and July 1, 2021, or as soon thereafter such date as moneys are available, the first \$10,500,000 credited to the expanded lottery act revenues fund shall be transferred by the director of accounts and reports from the expanded lottery act revenues fund in one or more substantially equal amounts, to each of the following: the Kan-grow engineering fund – KU, Kan-grow engineering fund – KSU and Kan-grow engineering fund – WSU. Each such special revenue fund shall receive \$3,500,000 annually in each of such years. Commencing in fiscal year 2014, after such transfer has been made, 50% of the remaining moneys credited to the fund shall be transferred on a quarterly basis by the director of accounts and reports from the fund to the Kansas public employees retirement system fund to be applied to reduce the unfunded actuarial liability of the system attributable to the state of Kansas and participating employers under K.S.A. 74-4931 et seq., and amendments thereto, until the system as a whole attains an 80% funding ratio as certified by the board of trustees of the Kansas public employees retirement system.

Sec. 31. K.S.A. 2011 Supp. 75-6609 is hereby amended to read as follows: 75-6609. (a) When used in this section, "surplus real estate" means real estate which is no longer needed by the state agency which owns such real estate as determined in accordance with this section.

(b) (1) The secretary of administration shall develop criteria for the identification of surplus real estate, including, but not limited to, a review of any legal restrictions associated with the real estate and the reasons for the state agency to keep the real estate. In accordance with such criteria, the secretary shall assist state agencies in the identification of surplus real estate. The secretary of administration shall periodically review the status of all real estate of state agencies subject to this section to determine if any of the real estate owned by state agencies is potentially surplus real estate. If any real estate owned by a state agency is determined by the secretary of administration, in consultation with the head of the state agency, to be surplus real estate in accordance with the criteria developed under subsection (a), then the secretary of administration shall recommend to the governor that such real estate be sold under the procedures prescribed by this section.

(2) The secretary of administration shall develop guidelines for the sale of surplus real estate. In accordance with such guidelines and upon the approval of the governor, after consultation with the head of the state agency which owns such surplus real estate, after consultation with the joint committee on state building construction and after approval by the state finance council under subsection (c), the secretary may offer such property for sale by one of the following means: (A) Public auction; (B) by listing the

surplus property with a licensed real estate broker or salesperson; or (C) by sealed bid. Subject to the approval of the state finance council as required by subsection (c), the secretary of administration may sell surplus real estate and any improvements thereon on behalf of the state agency which owns such property.

(c) Prior to the sale of any surplus real estate under subsection (b), the state finance council shall approve the sale, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711, and amendments thereto. The matter may be submitted to the state finance council for approval at any time, including periods of time during which the legislature is in session.

(d) Prior to offering any real estate for sale, such property shall be appraised pursuant to K.S.A. 75-3043a, and amendments thereto, unless the appraisal is waived as provided in this subsection. The secretary of administration may waive the requirement for appraisal for any parcel of surplus real estate that is to be sold at public auction under this section if the secretary of administration determines that it is in the best interests of the state to waive the requirement for appraisal for such parcel of surplus real estate. The costs of any such appraisal may be paid from the proceeds of the sale.

(e) Conveyance of title in surplus real estate offered for sale by the secretary of administration shall be executed on behalf of the state agency by the secretary of administration. The deed for the conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the secretary of administration in consultation with the head of the state agency which owns the surplus real estate.

(f) (1) Any proceeds from the sale of surplus real estate and any improvements thereon, after deduction of the expenses of such sale and any cost of appraisal of the surplus real estate, shall be deposited in the state treasury as prescribed by this subsection, unless otherwise authorized by law. On and after ~~the effective date of this act~~ July 1, 2012, 20% of the proceeds from each such sale deposited in the state treasury shall be credited to the surplus real estate fund or another appropriate special revenue fund of the state agency which owned the surplus real estate, as is prescribed by law or as may be determined by the state agency, unless otherwise required by state or federal law or by the limitations or restrictions of the state's title to the real estate being sold. In the case of proceeds from the sale of surplus real estate at a state mental health institution or a state mental retardation institution, such portion of the proceeds shall be credited to the client benefit fund of such institution or to another special revenue fund of such institution for: (A) Rehabilitation and repair or other capital improvements for such institution; or (B) one-time expenditures for community mental health organizations if the real estate sold was at a state mental health institution or for community developmental disabilities organizations if the real estate sold was at a state mental retardation institution, and, in any such case, shall be expended in accordance with the provisions of appropriation acts. The remaining 80% of the proceeds from each such sale deposited in the state treasury shall be credited to the ~~state general fund~~ Kansas public employees retirement fund to be applied to the payment, in full or in part, of the unfunded actuarial pension liability as directed by the Kansas public employees retirement system. As used in this section, "unfunded actuarial pension liability" means the unfunded actuarially accrued liability of the state for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto.

portion of such liability of the Kansas public employees retirement system, determined as of the later of December 31, 2011, or the end of the most recent calendar year for which an actuarial valuation report is available.

(2) The amount of expenses and the cost of appraisal for each sale of surplus real estate pursuant to this section shall be transferred and credited to the property contingency fund created under K.S.A. 75-3652, and amendments thereto, and may be expended for any operations of the department of administration.

(3) Any state agency owning real estate may apply to the director of accounts and reports to establish a surplus real estate special revenue fund in the state treasury. Subject to the provisions of appropriation acts, moneys in a surplus real estate special revenue fund may be expended for the operating expenditures of the state agency.

(g) Any sale of property by the secretary of transportation pursuant to K.S.A. 68-413, and amendments thereto, shall not be subject to the provisions of this section. The provisions of this section shall not be applicable to real estate given as an endowment, bequest, or gift to a state educational institution as defined in K.S.A. 72-4412, and amendments thereto, or to the university of Kansas medical center.

(h) Sale of the Olathe travel information center shall not be subject to the provisions of this section.

New Sec. 32.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

On and after July 1, 2012, during the fiscal year ending June 30, 2013, in addition to other purposes for which expenditures may be made by the above agency from the agency operations account of the Kansas public employees retirement fund for fiscal year 2013 as authorized by any appropriation act of the 2012 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures shall be made by the above agency to implement the provisions of the Kansas public employees retirement system act of 2015. All such expenditures shall be in addition to any other expenditure limitation imposed on expenditures from the agency operations account of the Kansas public employees retirement fund for fiscal year 2013, except that such expenditures shall not exceed \$2,750,000.";

And by renumbering sections accordingly;

Also on page 33, in line 36, by striking "and" and inserting a comma; also in line 36, after "74-49,213" by inserting ", 74-8768 and 75-6609";

On page 1, in the title, in line 3, by striking "2014" and inserting "2015"; in line 8, before "amending" by inserting "fiscal notes on bills that provide retirement benefit enhancements, actuarial cost; sale of real estate of state agencies, disposition of proceeds to KPERS fund; authorized transfers from expanded lottery act revenues fund; making certain appropriations for fiscal year 2013;"; in line 11, by striking "and 74-49,213" and inserting ", 74-8768 and 75-6609"; also in line 11, after "sections" by inserting "; also repealing K.S.A. 2011 Supp. 74-49,213";

And your committee on conference recommends the adoption of this report.

STEVE MORRIS

JEFF KING

LAURA KELLY

Conferees on part of Senate

MITCH HOLMES
JOHN C. GRANGE
LOUIS E. RUIZ

Conferees on part of House

Senator King moved the Senate adopt the Conference Committee Report on **S Sub for Sub HB 2333**.

On roll call, the vote was: Yeas 35; Nays 2; Present and Passing 0; Absent or Not Voting 3.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil.

Nays: Marshall, Pilcher-Cook.

Absent or Not Voting: Emler, Taddiken, Wagle.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote aye on **S Sub for Sub HB 2333**. I would like to personally and professionally thank those members of the KPERs Conference Committee for taking difficult issues from a vigorous floor debate to come up with a bipartisan compromise which addresses those issues most important to ensure state fiscal responsibility and fairness to Kansas employees under this plan.—ALLEN SCHMIDT

Senator Francisco requests the record to show she concurs with the "Explanation of Vote" offered by Senator A. Schmidt on **S Sub for Sub HB 2333**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **S Sub for HB 2390** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2390, as amended by Senate Committee of the Whole, as follows:

On page 2, in line 2, after "(e)" by inserting "(1)"; by striking all in lines 22 through 24; in line 25, by striking all before "Upon" and inserting:

"(2) Subject to the provisions of appropriations acts, for fiscal year 2013, the KUSF administrator may transfer moneys from the KUSF to the state treasurer.";

Also on page 2, also in line 25, by striking the last "the" and inserting "any";

On page 4, in line 32, by striking all after the period; by striking all in line 33;

On page 5, by striking all in lines 37 through 39;

And by redesignating remaining subparagraphs accordingly;

On page 7, in line 14, by striking the second "or"; in line 20, before "use" by inserting "state ownership or construction of any network facilities other than those owned or being constructed by the state on the effective date of this act; (3) switched voice access, except to the extent switched access is being provided by state-owned, leased or operated facilities as of the effective date of this act; (4) transmission of voice

over internet or voice over internet protocol, except to the extent necessary to facilitate interactive two-way video; (5) content; or (6)";

Also on page 7, by striking all in lines 41 through 43;

On page 8, by striking all in lines 1 through 22 and inserting:

"(2) transition schools, libraries and hospitals that have a direct KAN-ED connection as of January 1, 2012, to a commercially provided broadband internet connection no later than June 30, 2013. At the time a school, library or hospital has been transitioned off a KAN-ED connection, the board shall pay up to \$350 per month to such school, library or hospital for the cost of broadband service until June 30, 2013;

(3) provide the secretary of commerce any information necessary to conduct the needs assessment described in subsection (b);";

Also on page 8, in line 33, after "(b)" by inserting:

"(1) The secretary of commerce shall facilitate the execution of the needs assessment and the creation of the report. The secretary shall contract with a third party that has expertise in telecommunications services for educational institutions to conduct such needs assessment and create such report.

(2) The needs assessment shall include, for each school, library and hospital connected to the network as of January 1, 2012: Current and future broadband service and quality needs and a determination of all KAN-ED expenses for shared services or infrastructure, including any costs deferred by federal moneys, that are providing services and network connections. Based on the results of the needs assessment, the secretary of commerce, in coordination with the third party contractor, shall create a report that: (A) Compares the utilization, efficiency and effectiveness of KAN-ED to other similar programs in other states for schools, libraries and hospitals; (B) determines if the KAN-ED program, as of the effective date of this act, is worth its cost in terms of price, service, quality, needed network upgrades and increased utilization of broadband by schools, libraries and hospitals; (C) determines if there are alternative models or opportunities for broadband procurement by schools, libraries and hospitals; (D) determines if the services and applications offered by KAN-ED lead to full utilization of broadband technology by schools, libraries, hospitals and their surrounding communities; and (E) recommends any cost-effective broadband services that are available.

(3) The board shall reimburse the cost of conducting such needs assessment and report described in paragraph (2), not to exceed \$250,000.

(4) The results of such needs assessment and the report shall be submitted to the board on or before January 1, 2013.

(c)";

Also on page 8, in line 37, by striking "plan and establish such standards and priorities" and inserting "program";

On page 9, in line 27, by striking all after "connection"; by striking all in line 28 and 29; in line 30, by striking all before the period and inserting "no later than June 30, 2013";

On page 10, by striking all in lines 2 through 4;

And by redesignating remaining subsections accordingly;

Also on page 10, in line 15, after "act" by inserting "at no cost to such agencies"; in line 38, by striking all before the semicolon;

And your committee on conference recommends the adoption of this report.

PAT APPLE
 MIKE PETERSEN
 KELLY KULTALA

Conferees on part of Senate

JOE McLELAND
 CARL DEAN HOLMES
 TOM BURROUGHS

Conferees on part of House

Senator Apple moved the Senate adopt the Conference Committee Report on **S Sub for HB 2390**.

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil.

Absent or Not Voting: Emler, Taddiken, Wagle.

The Conference Committee Report was adopted.

REPORT ON ENGROSSED BILLS

SB 306; H Sub for Sub SB 148 reported correctly engrossed May 16, 2012.

SB 250, SB 273; Sub SB 283; H Sub for SB 287; SB 304 reported correctly engrossed May 17, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **HB 2792** be amended on page 47, following line 2, by inserting:

"Sec. 11. K.S.A. 2011 Supp. 65-1626, as amended by section 1 of 2012 Senate Bill No. 134, is hereby amended to read as follows: 65-1626. For the purposes of this act:

(a) "Administer" means the direct application of a drug, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

(1) A practitioner or pursuant to the lawful direction of a practitioner;
 (2) the patient or research subject at the direction and in the presence of the practitioner; or

(3) a pharmacist as authorized in K.S.A. 65-1635a, and amendments thereto.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser but shall not include a common carrier, public warehouseman or employee of the carrier or warehouseman when acting in the usual and lawful course of the carrier's or warehouseman's business.

(c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

(d) "Authorized distributor of record" means a wholesale distributor with whom a manufacturer has established an ongoing relationship to distribute the manufacturer's

prescription drug. An ongoing relationship is deemed to exist between such wholesale distributor and a manufacturer when the wholesale distributor, including any affiliated group of the wholesale distributor, as defined in section 1504 of the internal revenue code, complies with any one of the following: (1) The wholesale distributor has a written agreement currently in effect with the manufacturer evidencing such ongoing relationship; and (2) the wholesale distributor is listed on the manufacturer's current list of authorized distributors of record, which is updated by the manufacturer on no less than a monthly basis.

(e) "Board" means the state board of pharmacy created by K.S.A. 74-1603, and amendments thereto.

(f) "Brand exchange" means the dispensing of a different drug product of the same dosage form and strength and of the same generic name as the brand name drug product prescribed.

(g) "Brand name" means the registered trademark name given to a drug product by its manufacturer, labeler or distributor.

(h) "Chain pharmacy warehouse" means a permanent physical location for drugs or devices, or both, that acts as a central warehouse and performs intracompany sales or transfers of prescription drugs or devices to chain pharmacies that have the same ownership or control. Chain pharmacy warehouses must be registered as wholesale distributors.

(i) "Co-licensee" means a pharmaceutical manufacturer that has entered into an agreement with another pharmaceutical manufacturer to engage in a business activity or occupation related to the manufacture or distribution of a prescription drug and the national drug code on the drug product label shall be used to determine the identity of the drug manufacturer.

(j) "DEA" means the U.S. department of justice, drug enforcement administration.

(k) "Deliver" or "delivery" means the actual, constructive or attempted transfer from one person to another of any drug whether or not an agency relationship exists.

(l) "Direct supervision" means the process by which the responsible pharmacist shall observe and direct the activities of a pharmacy student or pharmacy technician to a sufficient degree to assure that all such activities are performed accurately, safely and without risk or harm to patients, and complete the final check before dispensing.

(m) "Dispense" means to deliver prescription medication to the ultimate user or research subject by or pursuant to the lawful order of a practitioner or pursuant to the prescription of a mid-level practitioner.

(n) "Dispenser" means a practitioner or pharmacist who dispenses prescription medication.

(o) "Distribute" means to deliver, other than by administering or dispensing, any drug.

(p) "Distributor" means a person who distributes a drug.

(q) "Drop shipment" means the sale, by a manufacturer, that manufacturer's co-licensee, that manufacturer's third party logistics provider, or that manufacturer's exclusive distributor, of the manufacturer's prescription drug, to a wholesale distributor whereby the wholesale distributor takes title but not possession of such prescription drug and the wholesale distributor invoices the pharmacy, the chain pharmacy warehouse, or other designated person authorized by law to dispense or administer such prescription drug, and the pharmacy, the chain pharmacy warehouse, or other

designated person authorized by law to dispense or administer such prescription drug receives delivery of the prescription drug directly from the manufacturer, that manufacturer's co-licensee, that manufacturer's third party logistics provider, or that manufacturer's exclusive distributor, of such prescription drug. Drop shipment shall be part of the "normal distribution channel."

(r) "Drug" means: (1) Articles recognized in the official United States pharmacopoeia, or other such official compendiums of the United States, or official national formulary, or any supplement of any of them; (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals; (3) articles, other than food, intended to affect the structure or any function of the body of man or other animals; and (4) articles intended for use as a component of any articles specified in clause (1), (2) or (3) of this subsection; but does not include devices or their components, parts or accessories, except that the term "drug" shall not include amygdalin (laetrile) or any livestock remedy, if such livestock remedy had been registered in accordance with the provisions of article 5 of chapter 47 of the Kansas Statutes Annotated, prior to its repeal.

(s) "Durable medical equipment" means technologically sophisticated medical devices that may be used in a residence, including the following: (1) Oxygen and oxygen delivery system; (2) ventilators; (3) respiratory disease management devices; (4) continuous positive airway pressure (CPAP) devices; (5) electronic and computerized wheelchairs and seating systems; (6) apnea monitors; (7) transcutaneous electrical nerve stimulator (TENS) units; (8) low air loss cutaneous pressure management devices; (9) sequential compression devices; (10) feeding pumps; (11) home phototherapy devices; (12) infusion delivery devices; (13) distribution of medical gases to end users for human consumption; (14) hospital beds; (15) nebulizers; or (16) other similar equipment determined by the board in rules and regulations adopted by the board.

(t) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(u) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

(v) "Electronic signature" means a confidential personalized digital key, code, number or other method for secure electronic data transmissions which identifies a particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the transmission.

(w) "Electronic transmission" means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(x) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(y) "Exclusive distributor" means any entity that: (1) Contracts with a manufacturer to provide or coordinate warehousing, wholesale distribution or other services on behalf of a manufacturer and who takes title to that manufacturer's prescription drug, but who

does not have general responsibility to direct the sale or disposition of the manufacturer's prescription drug; (2) is registered as a wholesale distributor under the pharmacy act of the state of Kansas; and (3) to be considered part of the normal distribution channel, must be an authorized distributor of record.

(z) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes but is not limited to transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

(aa) "Generic name" means the established chemical name or official name of a drug or drug product.

(bb) (1) "Institutional drug room" means any location where prescription-only drugs are stored and from which prescription-only drugs are administered or dispensed and which is maintained or operated for the purpose of providing the drug needs of:

- (A) Inmates of a jail or correctional institution or facility;
- (B) residents of a juvenile detention facility, as defined by the revised Kansas code for care of children and the revised Kansas juvenile justice code;
- (C) students of a public or private university or college, a community college or any other institution of higher learning which is located in Kansas;
- (D) employees of a business or other employer; or
- (E) persons receiving inpatient hospice services.

(2) "Institutional drug room" does not include:

- (A) Any registered pharmacy;
- (B) any office of a practitioner; or
- (C) a location where no prescription-only drugs are dispensed and no prescription-only drugs other than individual prescriptions are stored or administered.

(cc) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

(dd) "Intracompany transaction" means any transaction or transfer between any division, subsidiary, parent or affiliated or related company under common ownership or control of a corporate entity, or any transaction or transfer between co-licensees of a co-licensed product.

(ee) "Medical care facility" shall have the meaning provided in K.S.A. 65-425, and amendments thereto, except that the term shall also include facilities licensed under the provisions of K.S.A. 75-3307b, and amendments thereto, except community mental health centers and facilities for ~~the mentally retarded~~ people with intellectual disability.

(ff) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a drug either directly or indirectly by extraction from substances of natural origin, independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the drug or labeling or relabeling of its container, except that this term shall not include the preparation or compounding of a drug by an individual for the individual's own use or the preparation, compounding, packaging or labeling of a drug by:

(1) A practitioner or a practitioner's authorized agent incident to such practitioner's administering or dispensing of a drug in the course of the practitioner's professional practice;

(2) a practitioner, by a practitioner's authorized agent or under a practitioner's supervision for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale; or

(3) a pharmacist or the pharmacist's authorized agent acting under the direct supervision of the pharmacist for the purpose of, or incident to, the dispensing of a drug by the pharmacist.

(gg) "Manufacturer" means a person licensed or approved by the FDA to engage in the manufacture of drugs and devices.

(hh) "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed pursuant to the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

(ii) "Normal distribution channel" means a chain of custody for a prescription-only drug that goes from a manufacturer of the prescription-only drug, from that manufacturer to that manufacturer's co-licensed partner, from that manufacturer to that manufacturer's third-party logistics provider, or from that manufacturer to that manufacturer's exclusive distributor, directly or by drop shipment, to:

(1) A pharmacy to a patient or to other designated persons authorized by law to dispense or administer such drug to a patient;

(2) a wholesale distributor to a pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient;

(3) a wholesale distributor to a chain pharmacy warehouse to that chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient; or

(4) a chain pharmacy warehouse to the chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient.

(jj) "Person" means individual, corporation, government, governmental subdivision or agency, partnership, association or any other legal entity.

(kk) "Pharmacist" means any natural person licensed under this act to practice pharmacy.

(ll) "Pharmacist-in-charge" means the pharmacist who is responsible to the board for a registered establishment's compliance with the laws and regulations of this state pertaining to the practice of pharmacy, manufacturing of drugs and the distribution of drugs. The pharmacist-in-charge shall supervise such establishment on a full-time or a part-time basis and perform such other duties relating to supervision of a registered establishment as may be prescribed by the board by rules and regulations. Nothing in this definition shall relieve other pharmacists or persons from their responsibility to comply with state and federal laws and regulations.

(mm) "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving an

internship; or (3) a graduate of a pharmacy program located outside of the United States which is not accredited and who has successfully passed equivalency examinations approved by the board.

(nn) "Pharmacy," "drugstore" or "apothecary" means premises, laboratory, area or other place: (1) Where drugs are offered for sale where the profession of pharmacy is practiced and where prescriptions are compounded and dispensed; or (2) which has displayed upon it or within it the words "pharmacist," "pharmaceutical chemist," "pharmacy," "apothecary," "drugstore," "druggist," "drugs," "drug sundries" or any of these words or combinations of these words or words of similar import either in English or any sign containing any of these words; or (3) where the characteristic symbols of pharmacy or the characteristic prescription sign "Rx" may be exhibited. As used in this subsection, premises refers only to the portion of any building or structure leased, used or controlled by the licensee in the conduct of the business registered by the board at the address for which the registration was issued.

(oo) "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers or servers, and is controlled by the pharmacy.

(pp) "Pharmacy technician" means an individual who, under the direct supervision and control of a pharmacist, may perform packaging, manipulative, repetitive or other nondiscretionary tasks related to the processing of a prescription or medication order and who assists the pharmacist in the performance of pharmacy related duties, but who does not perform duties restricted to a pharmacist.

(qq) "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist or scientific investigator or other person authorized by law to use a prescription-only drug in teaching or chemical analysis or to conduct research with respect to a prescription-only drug.

(rr) "Preceptor" means a licensed pharmacist who possesses at least two years' experience as a pharmacist and who supervises students obtaining the pharmaceutical experience required by law as a condition to taking the examination for licensure as a pharmacist.

(ss) "Prescriber" means a practitioner or a mid-level practitioner.

(tt) "Prescription" or "prescription order" means: (1) An order to be filled by a pharmacist for prescription medication issued and signed by a prescriber in the authorized course of such prescriber's professional practice; or (2) an order transmitted to a pharmacist through word of mouth, note, telephone or other means of communication directed by such prescriber, regardless of whether the communication is oral, electronic, facsimile or in printed form.

(uu) "Prescription medication" means any drug, including label and container according to context, which is dispensed pursuant to a prescription order.

(vv) "Prescription-only drug" means any drug whether intended for use by man or animal, required by federal or state law (including 21 U.S.C. § 353), to be dispensed only pursuant to a written or oral prescription or order of a practitioner or is restricted to use by practitioners only.

(ww) "Probation" means the practice or operation under a temporary license, registration or permit or a conditional license, registration or permit of a business or profession for which a license, registration or permit is granted by the board under the provisions of the pharmacy act of the state of Kansas requiring certain actions to be

accomplished or certain actions not to occur before a regular license, registration or permit is issued.

(xx) "Professional incompetency" means:

(1) One or more instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree which constitutes gross negligence, as determined by the board;

(2) repeated instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree which constitutes ordinary negligence, as determined by the board; or

(3) a pattern of pharmacy practice or other behavior which demonstrates a manifest incapacity or incompetence to practice pharmacy.

(yy) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized record-keeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

(zz) "Retail dealer" means a person selling at retail nonprescription drugs which are prepackaged, fully prepared by the manufacturer or distributor for use by the consumer and labeled in accordance with the requirements of the state and federal food, drug and cosmetic acts. Such nonprescription drugs shall not include: (1) A controlled substance; (2) a prescription-only drug; or (3) a drug intended for human use by hypodermic injection.

(aaa) "Secretary" means the executive secretary of the board.

(bbb) "Third party logistics provider" means an entity that: (1) Provides or coordinates warehousing, distribution or other services on behalf of a manufacturer, but does not take title to the prescription drug or have general responsibility to direct the prescription drug's sale or disposition; (2) is registered as a wholesale distributor under the pharmacy act of the state of Kansas; and (3) to be considered part of the normal distribution channel, must also be an authorized distributor of record.

(ccc) "Unprofessional conduct" means:

(1) Fraud in securing a registration or permit;

(2) intentional adulteration or mislabeling of any drug, medicine, chemical or poison;

(3) causing any drug, medicine, chemical or poison to be adulterated or mislabeled, knowing the same to be adulterated or mislabeled;

(4) intentionally falsifying or altering records or prescriptions;

(5) unlawful possession of drugs and unlawful diversion of drugs to others;

(6) willful betrayal of confidential information under K.S.A. 65-1654, and amendments thereto;

(7) conduct likely to deceive, defraud or harm the public;

(8) making a false or misleading statement regarding the licensee's professional practice or the efficacy or value of a drug;

(9) commission of any act of sexual abuse, misconduct or exploitation related to the licensee's professional practice; or

(10) performing unnecessary tests, examinations or services which have no legitimate pharmaceutical purpose.

(ddd) "Vaccination protocol" means a written protocol, agreed to by a pharmacist and a person licensed to practice medicine and surgery by the state board of healing arts, which establishes procedures and recordkeeping and reporting requirements for administering a vaccine by the pharmacist for a period of time specified therein, not to exceed two years.

(eee) "Valid prescription order" means a prescription that is issued for a legitimate medical purpose by an individual prescriber licensed by law to administer and prescribe drugs and acting in the usual course of such prescriber's professional practice. A prescription issued solely on the basis of an internet-based questionnaire or consultation without an appropriate prescriber-patient relationship is not a valid prescription order.

(fff) "Veterinary medical teaching hospital pharmacy" means any location where prescription-only drugs are stored as part of an accredited college of veterinary medicine and from which prescription-only drugs are distributed for use in treatment of or administration to a nonhuman.

(ggg) "Wholesale distributor" means any person engaged in wholesale distribution of prescription drugs or devices in or into the state, including, but not limited to, manufacturers, repackagers, own-label distributors, private-label distributors, jobbers, brokers, warehouses, including manufacturers' and distributors' warehouses, co-licensees, exclusive distributors, third party logistics providers, chain pharmacy warehouses that conduct wholesale distributions, and wholesale drug warehouses, independent wholesale drug traders and retail pharmacies that conduct wholesale distributions. Wholesale distributor shall not include persons engaged in the sale of durable medical equipment to consumers or patients.

(hhh) "Wholesale distribution" means the distribution of prescription drugs or devices by wholesale distributors to persons other than consumers or patients, and includes the transfer of prescription drugs by a pharmacy to another pharmacy if the total number of units of transferred drugs during a twelve-month period does not exceed 5% of the total number of all units dispensed by the pharmacy during the immediately preceding twelve-month period. Wholesale distribution does not include:

(1) The sale, purchase or trade of a prescription drug or device, an offer to sell, purchase or trade a prescription drug or device or the dispensing of a prescription drug or device pursuant to a prescription;

(2) the sale, purchase or trade of a prescription drug or device or an offer to sell, purchase or trade a prescription drug or device for emergency medical reasons;

(3) intracompany transactions, as defined in this section, unless in violation of own use provisions;

(4) the sale, purchase or trade of a prescription drug or device or an offer to sell, purchase or trade a prescription drug or device among hospitals, chain pharmacy warehouses, pharmacies or other health care entities that are under common control;

(5) the sale, purchase or trade of a prescription drug or device or the offer to sell, purchase or trade a prescription drug or device by a charitable organization described in 503(c)(3) of the internal revenue code of 1954 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

(6) the purchase or other acquisition by a hospital or other similar health care entity that is a member of a group purchasing organization of a prescription drug or device for its own use from the group purchasing organization or from other hospitals or similar health care entities that are members of these organizations;

(7) the transfer of prescription drugs or devices between pharmacies pursuant to a centralized prescription processing agreement;

(8) the sale, purchase or trade of blood and blood components intended for transfusion;

(9) the return of recalled, expired, damaged or otherwise non-salable prescription drugs, when conducted by a hospital, health care entity, pharmacy, chain pharmacy warehouse or charitable institution in accordance with the board's rules and regulations;

(10) the sale, transfer, merger or consolidation of all or part of the business of a retail pharmacy or pharmacies from or with another retail pharmacy or pharmacies, whether accomplished as a purchase and sale of stock or business assets, in accordance with the board's rules and regulations;

(11) the distribution of drug samples by manufacturers' and authorized distributors' representatives;

(12) the sale of minimal quantities of drugs by retail pharmacies to licensed practitioners for office use; or

(13) the sale or transfer from a retail pharmacy or chain pharmacy warehouse of expired, damaged, returned or recalled prescription drugs to the original manufacturer, originating wholesale distributor or to a third party returns processor in accordance with the board's rules and regulations.";

And by renumbering sections accordingly;

On page 78, in line 27, by striking "K.K.S.A." and inserting "K.S.A."; in line 31, following "65-1436a," by inserting "65-1626, as amended by section 1 of 2012 Senate Bill No. 134, 65-1626, as amended by section 42 of 2012 Substitute for Senate Bill No. 397,"

On page 1, in the title, in line 4, following "2660," by inserting "65-1626, as amended by section 1 of 2012 Senate Bill No. 134,"; in line 17, following "65-1436a," by inserting "65-1626, as amended by section 42 of 2012 Substitute for Senate Bill No. 397,";

And the bill be passed as amended.

On motion of Senator V. Schmidt, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

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

MESSAGE FROM THE HOUSE

The House accedes to the request of the Senate for a conference on **Sub SB 307** and has appointed Representatives Colloton, Kinzer and Meier as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for SB 425** and has appointed Representatives Rhoades, Kelley, and Feuerborn as conferees on the part of the House.

CONSIDERATION OF MOTIONS AND SENATE RESOLUTIONS

Having voted on the prevailing side Senator Reitz moved to reconsider the Senate's action on **HB 2764**. The motion carried and the Senate considered the motion submitted in writing by Senator Rob Olson, citing rule 11 to withdraw **HB 2764** from the Committee on **Financial Institutions and Insurance**.

HB 2764, AN ACT concerning insurance; providing coverage for autism spectrum disorder; amending K.S.A. 2011 Supp. 40-2,103 and 40-19c09 and repealing the existing sections.

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

Yeas: Abrams, Apple, Donovan, Francisco, Haley, Hensley, Holland, Huntington, Kelsey, King, Kultala, Longbine, Love, Lynn, Merrick, Olson, Ostmeier, Owens, Petersen, Pyle, Reitz, A. Schmidt.

Nays: Bruce, Kelly, Marshall, McGinn, Morris, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil, Wagle.

Present and Passing: Steineger.

Absent or Not Voting: Brungardt, Emler, Faust-Goudeau, Masterson, Pilcher-Cook, Taddiken.

Motion to withdraw from Committee and place on General Orders, failed and **HB 2764** remains in committee.

On motion of Senator V. Schmidt, the Senate adjourned until 10:00 a.m., Friday, May 18, 2012.

Journal of the Senate

SEVENTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, May 18, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-nine senators present.
Senator Emler was excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

As always during wrap-up
People ask me to pray hard.
Almost everyone is homesick,
So help me pray, O God!

Messages are arriving daily
From the restless folks at home;
Asking why it takes so long
To leave the old green dome.

Senators hear things like...
"The air conditioner's broken"
And, "The car just will not start"
"The baby has a fever;"
And "The curtains are falling apart."

"The business is in trouble."
And "The help is calling me."
"You promised to be home
For the children's games to see."

"If you're not home soon
The problem will surely worsen."
"The children will be screaming,
Who is that strange person?"

Of course I don't know
When the session will end.

I just hope that when it does,
I pray the parents will be friends.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **House Substitute for SB 60**.

The House reconsidered its action on not adopting the conference committee report on **Senate Substitute for HB 2157**; adopts the conference committee report and requests return of the bill.

The House adopts the Conference Committee report on **SB 314**.

The House adopts the Conference Committee report to agree to disagree on **House Substitute for SB 177**, and has appointed Representatives Carlson, Kleeb and Dillmore as second conferees on the part of the House.

The House announced the appointment of Representatives Winn to replace Representative Ward as a conferee on **House Substitute for SB 28**.

The House announced the appointment of Representative O'Neal as a conferee to replace Representative Aurand on **House Substitute for SB 28**.

The House adopts the Conference Committee report on **Senate Substitute for Substitute HB 2333**.

On motion of Senator V. Schmidt the senate recessed until 10:45 a.m.

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

ORIGINAL MOTION

Senator V. Schmidt moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **H Sub for SB 60, H Sub for SB 177; SB 314; HB 2175, HB 2435, HB 2453**.

COMMITTEE OF THE WHOLE

On motion of Senator V. Schmidt, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Brungardt in the chair.

On motion of Senator Brungardt the following report was adopted:

Recommended **HB 2792** be amended by the adoption of the committee amendments, and **HB 2792** be passed as amended.

HB 2453 be amended by motion of Senator McGinn, on page 3, following line 3, by inserting the following:

"Sec. 6. On January 1, 2013, K.S.A. 2011 Supp. 75-3739 is hereby amended to read as follows: 75-3739. In the manner as provided in this act and rules and regulations established thereunder:

(a) All contracts for construction and repairs, and all purchases of and contracts for

supplies, materials, equipment and contractual services to be acquired for state agencies shall be based on competitive bids, except that competitive bids need not be required in the following instances:

(1) For contractual services, supplies, materials, or equipment when, in the judgment of the director of purchases, no competition exists;

(2) when, in the judgment of the director of purchases, chemicals and other material or equipment for use in laboratories or experimental studies by state agencies are best purchased without competition, or where rates are fixed by law or ordinance;

(3) when, in the judgment of the director of purchases, an agency emergency requires immediate delivery of supplies, materials or equipment, or immediate performance of services;

(4) when any statute authorizes another procedure or provides an exemption from the provisions of this section;

(5) when compatibility with existing contractual services, supplies, materials or equipment is the overriding consideration;

(6) when a used item becomes available and is subject to immediate sale; or

(7) when, in the judgment of the director of purchases and the head of the acquiring state agency, not seeking competitive bids is in the best interest of the state.

When the director of purchases approves a purchase of or contract for supplies, materials, equipment, or contractual services in any instance specified in this subsection, the director may delegate authority to make the purchase or enter the contract under conditions and procedures prescribed by the director. Except for purchases or contracts entered into without a competitive bid under subsection (a)(3), (a)(4), (a)(6) or subsection (h), no purchase or contract entered into without a competitive bid for an amount in excess of \$100,000 shall be entered into by the head of any state agency or approved by the director of purchases unless the director of purchases first posts an on-line notice of the proposed purchase or contract at least seven days before the purchase or contract is awarded. The director of purchases shall provide notice thereof to members of the legislature at the beginning of each calendar year that such information will be posted and the director of the division of purchases shall provide the uniform resource locator (URL) and the number of times such information shall be available. In the event a written protest of the awarding of such a contract occurs during the seven-day notice period, the director of purchases shall request from the protestor the contact information, including name and mailing address, of the person or entity that has expressed an interest in supplying the goods or services and provide a copy of the specification to the person or entity that has expressed an interest in supplying the goods or services and verify that such person or entity is interested and capable of supplying such goods or services.

Upon satisfaction of the director of purchases regarding the validity of the protest and the existence of competition, the director of purchases shall proceed with a competitive procurement. A competitive procurement shall not be required when, in the judgment of the director of purchases, the validity of the protest cannot be determined or competition for such goods or services cannot be verified by the director of purchases.

The director of purchases shall prepare a detailed report at least once in each calendar quarter of all contracts over \$5,000 entered into without competitive bids under subsection (a)(1), (2), (3), (5), (6) or (7). The director shall submit the report to the legislative coordinating council, the chairperson of the committee on ways and means

of the senate and the chairperson of the committee on appropriations of the house of representatives.

(b) (1) If the amount of the purchase is estimated to exceed \$50,000, sealed bids shall be solicited by notice published once in the Kansas register not less than 10 days before the date stated in the notice for the opening of the bids. The director of purchases may waive this publication of notice requirement when the director determines that a more timely procurement is in the best interest of the state. The director of purchases also may designate a trade journal for the publication. The director of purchases also shall solicit such bids by sending notices by mail to prospective bidders and by posting the notice on a public bulletin board for at least 10 business days before the date stated in the notice for the opening of the bids unless otherwise provided by law. All bids shall be sealed when received and shall be opened in public at the hour stated in the notice.

(2) The director of purchases shall prepare a detailed report at least once in each calendar quarter of all instances in which the director waived publication of the notice of bid solicitations in the Kansas register as provided in this subsection. The director shall submit the report to the legislative coordinating council, the chairperson of the committee on ways and means of the senate and the chairperson of the committee on appropriations of the house of representatives.

(c) All purchases estimated to exceed approximately \$25,000 but not more than \$50,000, shall be made after receipt of sealed bids following at least three days' notice posted on a public bulletin board.

(d) All purchases estimated to be more than \$5,000, but less than \$25,000, may be made after the receipt of three or more bid solicitations by telephone, telephone facsimile or sealed bid, following at least three days' notice posted on a public bulletin board. Such bids shall be recorded as provided in subsection ~~(e)~~(f) of K.S.A. 75-3740, and amendments thereto. Any purchase that is estimated to be less than \$5,000 may be purchased under conditions and procedures prescribed by the director of purchases. Purchases made in compliance with such conditions and procedures shall be exempt from other provisions of this section.

(e) With the approval of the secretary of administration, the director of purchases may delegate authority to any state agency to make purchases of less than \$25,000 under certain prescribed conditions and procedures. The director of purchases shall prepare a report at least once in each calendar quarter of all current and existing delegations of authority to state agencies as provided in this subsection. The director shall submit the report to the legislative coordinating council, the chairperson of the committee on ways and means of the senate and the chairperson of the committee on appropriations of the house of representatives.

(f) Subject to the provisions of subsection (e), contracts and purchases shall be based on specifications approved by the director of purchases. When deemed applicable and feasible by the director of purchases, such specifications shall include either energy efficiency standards or appropriate life cycle cost formulas, or both, for all supplies, materials, equipment and contractual services to be purchased by the state. The director of purchases may reject a contract or purchase on the basis that a product is manufactured or assembled outside the United States. No such specifications shall be fixed in a manner to effectively exclude any responsible bidder offering comparable supplies, materials, equipment or contractual services.

(g) Notwithstanding anything herein to the contrary, all contracts with independent

construction concerns for the construction, improvement, reconstruction and maintenance of the state highway system and the acquisition of rights-of-way for state highway purposes shall be advertised and let as now or hereafter provided by law.

(h) The director of purchases may authorize state agencies to contract for services and materials with other state agencies, or with federal agencies, political subdivisions of Kansas, agencies of other states or subdivisions thereof, or private nonprofit educational institutions, without competitive bids.

(i) The director of purchases may participate in, sponsor, conduct, or administer a cooperative purchasing agreement or consortium for purchases of supplies, materials, equipment, and contractual services with federal agencies or agencies of other states or local units of government. Cooperative purchasing agreements entered into under this subsection shall not be subject to K.S.A. 75-3739 through 75-3740a, and amendments thereto.

(j) The director of purchases may delegate authority to any state agency to make purchases under certain prescribed conditions and procedures when the acquisition is funded, in whole or in part, from a grant. Except as otherwise provided in subsection (k) of this section, purchases made in compliance with such conditions and procedures shall be exempt from other provisions of this section. As used in this subsection the term "grant" means a disbursement made from federal or private funds, or a combination of these sources, to a state agency. Nothing in this subsection shall allow federal grant moneys to be handled differently from any other moneys of the state unless the requirements of the applicable federal grant specifically require such federal moneys to be handled differently.

(k) The director of purchases shall prepare a detailed report at least once each calendar quarter of all contracts over \$5,000 for services, supplies, materials or equipment entered into pursuant to subsection (h), (i) or (j) and submit it to the legislative coordinating council, the chairperson of the committee on ways and means of the senate and the chairperson of the committee on appropriations of the house of representatives.

(l) Except as otherwise specifically provided by law, no state agency shall enter into any lease of real property without the prior approval of the secretary of administration. A state agency shall submit to the secretary of administration such information relating to any proposed lease of real property as the secretary may require. The secretary of administration shall either approve, modify and approve or reject any such proposed lease.

(m) The director of purchases shall require all bidders on state contracts to disclose all substantial interests held by the bidder in the state.

(n) As used in article 37 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, and other statutory provisions concerning state procurement, "sealed bids," "bulletin boards" and "mail" shall include electronic bids, electronic bulletin boards and electronic mail when such items are utilized in accordance with procedures prescribed by the director of purchases.

Sec. 7. On January 1, 2013, K.S.A. 2011 Supp. 75-3740 is hereby amended to read as follows: 75-3740. (a) Except as provided by subsection (b) and K.S.A. 75-3740b, and amendments thereto, all contracts and purchases made by or under the supervision of the director of purchases or any state agency for which competitive bids are required shall be awarded to the lowest responsible bidder, taking into consideration conformity

with the specifications, terms of delivery, and other conditions imposed in the call for bids.

(b) A contract shall be awarded to a certified business which is also a responsible bidder, whose total bid cost is not more than 10% higher than the lowest competitive bid. Such contract shall contain a promise by the certified business that the percentage of employees that are individuals with disabilities will be maintained throughout the contract term and a condition that the certified business shall not subcontract for goods or services in an aggregate amount of more than 25% of the total bid cost.

~~(b)(c)~~ The director of purchases shall have power to decide as to the lowest responsible bidder for all purchases, but if:

(1)(A) A responsible bidder purchases from a qualified vendor goods or services on the list certified by the director of purchases pursuant to K.S.A. 75-3317 et seq., and amendments thereto, the dollar amount of such purchases made during the previous fiscal year shall be deducted from the original bid received from such bidder for the purpose of determining the lowest responsible bid, except that such deduction shall not exceed 10% of the original bid received from such bidder; or

(B) a responsible bidder purchases from a certified business the dollar amount of such purchases made during the previous fiscal year shall be deducted from the original bid received from such bidder for the purpose of determining the lowest responsible bid, except that such deduction shall not exceed 10% of the original bid received from such bidder;

~~(1)(2)~~ The dollar amount of the bid received from the lowest responsible bidder from within the state is identical to the dollar amount of the bid received from the lowest responsible bidder from without the state, the contract shall be awarded to the bidder from within the state; and

~~(2)(3)~~ in the case of bids for paper products specified in K.S.A. 75-3740b, and amendments thereto, the dollar amounts of the bids received from two or more lowest responsible bidders are identical, the contract shall be awarded to the bidder whose bid is for those paper products containing the highest percentage of recycled materials.

~~(e)(d)~~ Any or all bids may be rejected, and a bid shall be rejected if it contains any material alteration or erasure made after the bid is opened. The director of purchases may reject the bid of any bidder who is in arrears on taxes due the state, who is not properly registered to collect and remit taxes due the state or who has failed to perform satisfactorily on a previous contract with the state. The secretary of revenue is hereby authorized to exchange such information with the director of purchases as is necessary to effectuate the preceding sentence notwithstanding any other provision of law prohibiting disclosure of the contents of taxpayer records or information. Prior to determining the lowest responsible bidder on contracts for construction of buildings or for major repairs or improvements to buildings for state agencies, the director of purchases shall consider: (1) The criteria and information developed by the secretary of administration, with the advice of the state building advisory commission to rate contractors on the basis of their performance under similar contracts with the state, local governmental entities and private entities, in addition to other criteria and information available, and (2) the recommendations of the project architect, or, if there is no project architect, the recommendations of the secretary of administration or the agency architect for the project as provided in K.S.A. 75-1254, and amendments thereto. In any case where competitive bids are required and where all bids are rejected, new bids shall

be called for as in the first instance, unless otherwise expressly provided by law or the state agency elects not to proceed with the procurement.

~~(d)~~(e) Before the awarding of any contract for construction of a building or the making of repairs or improvements upon any building for a state agency, the director of purchases shall receive written approval from the state agency for which the building construction project has been approved, that the bids generally conform with the plans and specifications prepared by the project architect, by the secretary of administration or by the agency architect for the project, as the case may be, so as to avoid error and mistake on the part of the contractors. In all cases where material described in a contract can be obtained from any state institution, the director of purchases shall exclude the same from the contract.

~~(e)~~(f) All bids with the names of the bidders and the amounts thereof, together with all documents pertaining to the award of a contract, shall be made a part of a file or record and retained by the director of purchases for five years, unless reproduced as provided in K.S.A. 75-3737, and amendments thereto, and shall be open to public inspection at all reasonable times.

~~(f)~~ As used in this section and in K.S.A. 75-3741, and amendments thereto, "project architect" shall have the meaning ascribed thereto in K.S.A. 75-1251, and amendments thereto.

(g) As used in this section:

(1) "Certified business" means any business certified annually by the department of administration that is a sole proprietorship, partnership, association or corporation domiciled in Kansas, or any corporation, even if a wholly owned subsidiary of a foreign corporation, that:

(A) Does business primarily in Kansas or substantially all of its production in Kansas;

(B) employs at least 20% of its employees who are individuals with disabilities and reside in Kansas;

(C) offers to contribute at least 75% of the premium cost for individual health insurance coverage for each employee. The level of such coverage shall be at least equal to the level of benefits offered by the state employee benefit program established by K.S.A. 75-6501 *et seq.*, and amendments thereto. The department of administration shall require a certification of these facts as a condition to the certified business being awarded a contract pursuant to subsection (b); and

(D) does not employ individuals under a certificate issued by the United States secretary of labor under subsection (c) of 29 U.S.C. § 214;

(2) "individuals with disabilities" or "individual with a disability" means any individual who:

(A) Is certified by the Kansas department for aging and disability services as having a physical or mental impairment which constitutes a substantial barrier to employment;

(B) works a minimum number of hours per week for a certified business necessary to qualify for health insurance coverage offered pursuant to subsection (g)(1); and

(C)(i) is receiving services, has received services or is eligible to receive services under a home and community based services program, as defined by K.S.A. 39-7,100, and amendments thereto;

(ii) is employed by a charitable organization domiciled in the state of Kansas and

exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended; or

(iii) is an individual with a severe and persistent mental illness, as determined by a clinical or functional assessment approved by the Kansas department for aging and disability services;

(3) "physical or mental impairment" means:

(A) Any physiological disorder or condition, cosmetic disfigurement or anatomical loss substantially affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; or endocrine; or

(B) any mental or psychological disorder, such as intellectual disability, organic brain syndrome, mental illness and specific learning disabilities. The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairment, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis and intellectual disability; and

(4) "project architect" shall have the meaning ascribed thereto in K.S.A. 75-1251, and amendments thereto.

(h) Any state agency authorized by the director of purchases to make purchases pursuant to subsection (e) of K.S.A. 75-3739, and amendments thereto, shall consider any unsolicited proposal for goods or services under this section.

(i) The secretary of administration and the secretary for aging and disability services, jointly, shall adopt rules and regulations as necessary to effectuate the purpose of this section.

(j) On and after January 13, 2014, at the beginning of each regular session of the legislature, the secretary of administration and the secretary for aging and disability services shall submit to the social services budget committee of the house of representatives and the appropriate subcommittee of the committee on ways and means of the senate, a written report on:

(1) The number of certified businesses certified by the department of administration during the previous fiscal year;

(2) the number of certified businesses awarded contracts pursuant to subsection (b) during the previous fiscal year;

(3) the number of contracts awarded pursuant to subsection (b) to each certified business during the previous fiscal year;

(4) the number of individuals with disabilities removed from, reinstated to or not reinstated to home and community based services or other medicaid program services during the previous fiscal year as a result of employment with a certified business;

(5) the number of individuals employed by each certified business during the previous fiscal year; and

(6) the number of individuals with disabilities employed by each certified business during the previous fiscal year.

New Sec. 7. (a) As used in this section:

(1) "Certified business" shall have the meaning ascribed thereto in K.S.A. 75-3740, and amendments thereto;

(2) "home and community based services programs" shall have the meaning ascribed thereto in K.S.A. 39-7,100, and amendments thereto;

(3) "individuals with disabilities" or "individual with a disability" shall have the meaning ascribed thereto in K.S.A. 75-3740, and amendments thereto;

(4) "medicaid program" means the Kansas program of medical assistance for which federal or state moneys, or any combination thereof, are expended, or any successor federal or state, or both, health insurance program or waiver granted thereunder;

(5) "physical or mental impairment" shall have the meaning ascribed thereto in K.S.A. 75-3740, and amendments thereto; and

(6) "secretary" means the secretary for aging and disability services or the secretary's designee.

(b) There is a rebuttable presumption that an individual with a disability shall be eligible for reinstatement to the level of home and community based services or other medicaid program services such person was entitled to on the day preceding the day such person stopped receiving home and community based services or other medicaid program services if:

(1) Such individual had received home and community based services or other medicaid program services pursuant to an application filed with the Kansas department for aging and disability services, and entitlement to receive or receipt of home and community based services or other medicaid program services terminated due to employment for a certified business, not medical recovery or any other reason; and

(2) the individual with a disability is currently under a physical or mental impairment that was the basis for the finding of disability that gave rise to the entitlement for the services specified in subsection (b)(1). Upon reinstatement to the medicaid program to receive home and community based services or other medicaid program services, such individual shall receive services and not wait to receive services under such program.

(c) The secretary may promulgate rules and regulations as necessary to effectuate the purpose of this section.

(d) This section shall take effect on and after January 1, 2013.";

Also on page 3, following line 5, by inserting the following:

"Sec. 9. On January 1, 2013, K.S.A. 2011 Supp. 75-3739 and 75-3740 are hereby repealed.";

On page 1, in the title, in line 1, by striking "the commission on disability concerns" and inserting "individuals with disabilities";

Also on page 1, in line 2, by striking "and" and inserting a comma; also in line 2, following "74-6707" by inserting ", 75-3739 and 75-3740";

And by renumbering sections accordingly; and **HB 2453** be passed as amended.

HB 2515 be amended by the adoption of the committee amendments, and be further amended by motion of Senator McGinn, on page 294, in line 3, by striking the comma; by striking lines 4 and 5; in line 6, by striking all before the period.

HB 2515 be further amended by Senator Vratil on page 92, following line 32, by inserting the following:

"Southeast Kansas economic development \$500,000" and **HB 2515** be passed as further amended.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **House Substitute for SB 60** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 9 through 34;

By striking all on pages 2 through 21 and inserting:

"New Section 1. On and after July 1, 2012, the amount of \$250 from each fine imposed for a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-1567 or 8-2,144 or section 2, and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2011 Supp. 75-52,113, and amendments thereto.

New Sec. 2. (a) Refusing to submit to a test to determine the presence of alcohol or drugs is refusing to submit to or complete a test or tests deemed consented to under subsection (a) of K.S.A. 8-1001, and amendments thereto, if such person has:

(1) Any prior test refusal as defined in K.S.A. 8-1013, and amendments thereto, which occurred: (A) On or after July 1, 2001; and (B) when such person was 18 years of age or older; or

(2) any prior conviction for a violation of K.S.A. 8-1567 or 8-2,144, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that such section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, which occurred: (A) On or after July 1, 2001; and (B) when such person was 18 years of age or older.

(b) (1) Refusing to submit to a test to determine the presence of alcohol or drugs is:

(A) On a first conviction a class A, nonperson misdemeanor. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,250 nor more than \$1,750. The person convicted shall serve at least five consecutive days' imprisonment before the person is granted probation, suspension or reduction of sentence or parole or is otherwise released. The five days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the five days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 120 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 120 hours;

(B) on a second conviction a class A, nonperson misdemeanor, except as provided

in subsection (b)(1)(C). The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours;

(C) on a second conviction a nonperson felony if the person has a prior conviction which occurred within the preceding 10 years, not including any period of incarceration. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours; and

(D) on a third or subsequent conviction a nonperson felony. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be

served in a work release program only after such person has served 72 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 72 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the 90 days' imprisonment mandated by this subsection only after such person has served 72 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours.

(2) The court may order that the term of imprisonment imposed pursuant to subsection (b)(1)(C) or (b)(1)(D) be served in a state facility in the custody of the secretary of corrections in a facility designated by the secretary for the provision of substance abuse treatment pursuant to the provisions of K.S.A. 2011 Supp. 21-6804, and amendments thereto. The person shall remain imprisoned at the state facility only while participating in the substance abuse treatment program designated by the secretary and shall be returned to the custody of the sheriff for execution of the balance of the term of imprisonment upon completion of or the person's discharge from the substance abuse treatment program. Custody of the person shall be returned to the sheriff for execution of the sentence imposed in the event the secretary of corrections determines: (A) That substance abuse treatment resources or the capacity of the facility designated by the secretary for the incarceration and treatment of the person is not available; (B) the person fails to meaningfully participate in the treatment program of the designated facility; (C) the person is disruptive to the security or operation of the designated facility; or (D) the medical or mental health condition of the person renders the person unsuitable for confinement at the designated facility. The determination by the secretary that the person either is not to be admitted into the designated facility or is to be transferred from the designated facility is not subject to review. The sheriff shall be responsible for all transportation expenses to and from the state correctional facility.

(3) In addition, for any conviction pursuant to subsection (b)(1)(B), (b)(1)(C) or (b)(1)(D), at the time of the filing of the judgment form or journal entry as required by K.S.A. 22-3426 or K.S.A. 2011 Supp. 21-6711, and amendments thereto, the court shall cause a certified copy to be sent to the officer having the offender in charge. The court shall determine whether the offender, upon release from imprisonment, shall be supervised by community correctional services or court services based upon the risk and needs of the offender. The risk and needs of the offender shall be determined by use of a risk assessment tool specified by the Kansas sentencing commission. The law enforcement agency maintaining custody and control of a defendant for imprisonment shall cause a certified copy of the judgment form or journal entry to be sent to the supervision office designated by the court and upon expiration of the term of imprisonment shall deliver the defendant to a location designated by the supervision office designated by the court. After the term of imprisonment imposed by the court, the

person shall be placed on supervision to community correctional services or court services, as determined by the court, for a mandatory one-year period of supervision, which such period of supervision shall not be reduced. During such supervision, the person shall be required to participate in a multidisciplinary model of services for substance use disorders facilitated by a department of social and rehabilitation services designated care coordination agency to include assessment and, if appropriate, referral to a community based substance use disorder treatment including recovery management and mental health counseling as needed. The multidisciplinary team shall include the designated care coordination agency, the supervision officer, the social and rehabilitation services department designated treatment provider and the offender. Any violation of the conditions of such supervision may subject such person to revocation of supervision and imprisonment in jail for the remainder of the period of imprisonment, the remainder of the supervision period, or any combination or portion thereof.

(4) In addition, prior to sentencing for any conviction pursuant to subsection (b)(1) (A), the court shall order the person to participate in an alcohol and drug evaluation conducted by a provider in accordance with K.S.A. 8-1008, and amendments thereto. The person shall be required to follow any recommendation made by the provider after such evaluation, unless otherwise ordered by the court.

(c) Any person convicted of violating this section or an ordinance which prohibits the acts that this section prohibits who had one or more children under the age of 14 years in the vehicle at the time of the offense shall have such person's punishment enhanced by one month of imprisonment. This imprisonment must be served consecutively to any other minimum mandatory penalty imposed for a violation of this section or an ordinance which prohibits the acts that this section prohibits. Any enhanced penalty imposed shall not exceed the maximum sentence allowable by law. During the service of the enhanced penalty, the judge may order the person on house arrest, work release or other conditional release.

(d) The court may establish the terms and time for payment of any fines, fees, assessments and costs imposed pursuant to this section. Any assessments and costs shall be required to be paid not later than 90 days after imposed, and any remainder of the fine shall be paid prior to the final release of the defendant by the court.

(e) In lieu of payment of a fine imposed pursuant to this section, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed not later than one year after the fine is imposed or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date.

(f) Prior to filing a complaint alleging a violation of this section, a prosecutor shall request and shall receive from the:

(1) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and

(2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(g) The court shall electronically report every conviction of a violation of this

section and every diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of this section to the division. Prior to sentencing under the provisions of this section, the court shall request and shall receive from the division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state.

(h) For the purpose of determining whether a conviction is a first, second, third, fourth or subsequent conviction in sentencing under this section:

(1) Convictions for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that such section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, shall be taken into account, but only convictions or diversions occurring: (A) On or after July 1, 2001; and (B) when such person was 18 years of age or older. Nothing in this provision shall be construed as preventing any court from considering any convictions or diversions occurring during the person's lifetime in determining the sentence to be imposed within the limits provided for a first, second, third, fourth or subsequent offense;

(2) any convictions for a violation of the following sections which occurred during a person's lifetime shall be taken into account, but only convictions occurring when such person was 18 years of age or older: (A) This section; (B) driving a commercial motor vehicle under the influence, K.S.A. 8-2,144, and amendments thereto; (C) operating a vessel under the influence of alcohol or drugs, K.S.A. 32-1131, and amendments thereto; (D) involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or subsection (a)(3) of K.S.A. 2011 Supp. 21-5405, and amendments thereto; and (E) aggravated vehicular homicide, K.S.A. 21-3405a, prior to its repeal, or vehicular battery, K.S.A. 21-3405b, prior to its repeal, if the crime was committed while committing a violation of K.S.A. 8-1567, and amendments thereto;

(3) "conviction" includes: (A) Entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of a crime described in subsection (h)(2); (B) conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state or any law of another state which would constitute a crime described in subsection (h)(1) or (h)(2); and (C) receiving punishment under the uniform code of military justice or Kansas code of military justice for an act which was committed on a military reservation and which would constitute a crime described in subsection (h)(1) or (h)(2) if committed off a military reservation in this state;

(4) it is irrelevant whether an offense occurred before or after conviction for a previous offense;

(5) multiple convictions of any crime described in subsection (h)(1) or (h)(2) arising from the same arrest shall only be counted as one conviction;

(6) the prior conviction that is an element of the crime of refusing to submit to a test to determine the presence of alcohol or drugs shall not be used for the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section and shall not be considered in determining the sentence to be imposed within the limits provided for a first, second, third or subsequent offense; and

(7) a person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of this section, or an ordinance which prohibits the acts of

this section, only once during the person's lifetime.

(i) Upon conviction of a person of a violation of this section or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section, the division, upon receiving a report of conviction, shall suspend, restrict or suspend and restrict the person's driving privileges as provided by K.S.A. 8-1014, and amendments thereto.

(j) (1) Nothing contained in this section shall be construed as preventing any city from enacting ordinances, or any county from adopting resolutions, declaring acts prohibited or made unlawful by this act as unlawful or prohibited in such city or county and prescribing penalties for violation thereof.

(2) The minimum penalty prescribed by any such ordinance or resolution shall not be less than the minimum penalty prescribed by this section for the same violation, and the maximum penalty in any such ordinance or resolution shall not exceed the maximum penalty prescribed for the same violation.

(3) An ordinance may grant to a municipal court jurisdiction over a violation of such ordinance which is concurrent with the jurisdiction of the district court over a violation of this section, notwithstanding that the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony.

(4) Any such ordinance or resolution shall authorize the court to order that the convicted person pay restitution to any victim who suffered loss due to the violation for which the person was convicted.

(k) (1) Upon the filing of a complaint, citation or notice to appear alleging a person has violated a city ordinance prohibiting the acts prohibited by this section, and prior to conviction thereof, a city attorney shall request and shall receive from the:

(A) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and

(B) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(2) If the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony, the city attorney shall refer the violation to the appropriate county or district attorney for prosecution.

(l) No plea bargaining agreement shall be entered into nor shall any judge approve a plea bargaining agreement entered into for the purpose of permitting a person charged with a violation of this section, or a violation of any ordinance of a city or resolution of any county in this state which prohibits the acts prohibited by this section, to avoid the mandatory penalties established by this section or by the ordinance. For the purpose of this subsection, entering into a diversion agreement pursuant to K.S.A. 12-4413 et seq. or 22-2906 et seq., and amendments thereto, shall not constitute plea bargaining.

(m) As used in this section, "imprisonment" shall include any restrained environment in which the court and law enforcement agency intend to retain custody and control of a defendant and such environment has been approved by the board of county commissioners or the governing body of a city.

(n) On and after July 1, 2012, the amount of \$250 from each fine imposed pursuant to this section shall be remitted by the clerk of the district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon

receipt of each such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2011 Supp. 75-52,113, and amendments thereto.

Sec. 3. K.S.A. 2011 Supp. 8-235 is hereby amended to read as follows: 8-235. (a) No person, except those expressly exempted, shall drive any motor vehicle upon a highway in this state unless such person has a valid driver's license. No person shall receive a driver's license unless and until such person surrenders or with the approval of the division, lists to the division all valid licenses in such person's possession issued to such person by any other jurisdiction. All surrendered licenses or the information listed on foreign licenses shall be returned by the division to the issuing department, together with information that the licensee is now licensed in a new jurisdiction. No person shall be permitted to have more than one valid license at any time.

(b) Any person licensed under the motor vehicle drivers' license act may exercise the privilege granted upon all streets and highways in this state and shall not be required to obtain any other license to exercise such privilege by any local authority. Nothing herein shall prevent cities from requiring licenses of persons who drive taxicabs or municipally franchised transit systems for hire upon city streets, to protect the public from drivers whose character or habits make them unfit to transport the public. If a license is denied, the applicant may appeal such decision to the district court of the county in which such city is located by filing within 14 days after such denial, a notice of appeal with the clerk of the district court and by filing a copy of such notice with the city clerk of the involved city. The city clerk shall certify a copy of such decision of the city governing body to the clerk of the district court and the matter shall be docketed as any other cause and the applicant shall be granted a trial of such person's character and habits. The matter shall be heard by the court de novo in accordance with the code of civil procedure. The cost of such appeal shall be assessed in such manner as the court may direct.

(c) Any person operating in this state a motor vehicle, except a motorcycle, which is registered in this state other than under a temporary thirty-day permit shall be the holder of a driver's license which is classified for the operation of such motor vehicle, and any person operating in this state a motorcycle which is registered in this state shall be the holder of a class M driver's license, except that any person operating in this state a motorcycle which is registered under a temporary thirty-day permit shall be the holder of a driver's license for any class of motor vehicles.

(d) No person shall drive any motorized bicycle upon a highway of this state unless such person; (1) ~~Such person~~ Has a valid driver's license which entitles the licensee to drive a motor vehicle in any class or classes; (2) ~~such person~~ is at least 15 years of age and has passed the written and visual examinations required for obtaining a class C driver's license, in which case the division shall issue to such person a class C license which clearly indicates such license is valid only for the operation of motorized bicycles; ~~or~~ (3) ~~such person~~ has had their driving privileges suspended, for a violation other than a violation of K.S.A. 8-2,144, and amendments thereto, or a second or subsequent violation of K.S.A. 8-1567 or 8-1567a or section 2, and amendments thereto, and such person has completed the mandatory period of suspension as provided in K.S.A. 8-1014, and amendments thereto, and has made application to the division for the issuance of a class C license for the operation of motorized bicycles, in accordance with paragraph (2), in which case the division shall issue to such person a class C

license which clearly indicates such license is valid only for the operation of motorized bicycles; or (4) has had their driving privileges revoked under K.S.A. 8-286, and amendments thereto, has not had a test refusal or test failure or alcohol or drug-related conviction, as those terms are defined in K.S.A. 8-1013, and amendments thereto, in the last five years, has not been convicted of a violation of subsection (b) of K.S.A. 8-1568, and amendments thereto, in the last five years and has made application to the division for issuance of a class C license for the operation of motorized bicycles, in accordance with paragraph (2), in which case the division shall issue such person a class C license which clearly indicates such license is valid only for the operation of motorized bicycles.

(e) Violation of this section shall constitute a class B misdemeanor.

Sec. 4. K.S.A. 8-241 is hereby amended to read as follows: 8-241. (a) Except as provided in K.S.A. 8-2,125 through 8-2,142, and amendments thereto, any person licensed to operate a motor vehicle in this state shall submit to an examination whenever: (1) The division of vehicles has good cause to believe that such person is incompetent or otherwise not qualified to be licensed; or (2) the division of vehicles has suspended such person's license pursuant to K.S.A. 8-1014, and amendments thereto, as the result of a test refusal, test failure or conviction for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by K.S.A. 8-1567, and amendments thereto, except that no person shall have to submit to and successfully complete an examination more than once as the result of separate suspensions arising out of the same occurrence.

(b) When a person is required to submit to an examination pursuant to subsection (a)(1), the fee for such examination shall be in the amount provided by K.S.A. 8-240, and amendments thereto. When a person is required to submit to an examination pursuant to subsection (a)(2), the fee for such examination shall be \$25. In addition, any person required to submit to an examination pursuant to subsection (a)(2): (1) As the result of a test failure, a conviction for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by K.S.A. 8-1567, and amendments thereto, shall be required, at the time of examination, to pay a reinstatement fee of \$100 after the first occurrence, \$200 after the second occurrence, \$300 after the third occurrence and \$400 after the fourth or subsequent occurrence; and (2) as a result of a test refusal, a conviction for a violation of section 2, and amendments thereto, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by section 2, and amendments thereto, shall be required, at the time of examination, to pay a reinstatement fee of \$400 after the first occurrence, \$600 after the second occurrence, \$800 after the third occurrence and \$1,000 after the fourth or subsequent occurrence. ~~No reinstatement shall be allowed after the fifth or subsequent occurrence under either subsection (b)(1) or (b)(2).~~ All examination fees collected pursuant to this section shall be remitted to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, who shall deposit the entire amount in the state treasury and credit 80% to the state highway fund and 20% shall be disposed of as provided in K.S.A. 8-267, and amendments thereto. All reinstatement fees collected pursuant to this section shall be remitted to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, who shall deposit the entire amount in the state treasury and credit 50% to the community alcoholism and intoxication programs fund created pursuant to

K.S.A. 41-1126, and amendments thereto, 20% to the juvenile detention facilities fund created by K.S.A. 79-4803, and amendments thereto, 20% to the forensic laboratory and materials fee fund cited in K.S.A. 28-176, and amendments thereto, and 10% to the driving under the influence equipment fund created by K.S.A. 75-5660, and amendments thereto. Moneys credited to the forensic laboratory and materials fee fund as provided herein shall be used to supplement existing appropriations and shall not be used to supplant general fund appropriations to the Kansas bureau of investigation.

(c) When an examination is required pursuant to subsection (a), at least five days' written notice of the examination shall be given to the licensee. The examination administered hereunder shall be at least equivalent to the examination required by subsection (e) of K.S.A. 8-247, and amendments thereto, with such additional tests as the division deems necessary. Upon the conclusion of such examination, the division shall take action as may be appropriate and may suspend or revoke the license of such person or permit the licensee to retain such license, or may issue a license subject to restrictions as permitted under K.S.A. 8-245, and amendments thereto.

(d) Refusal or neglect of the licensee to submit to an examination as required by this section shall be grounds for suspension or revocation of the license.

Sec. 5. K.S.A. 2011 Supp. 8-262 is hereby amended to read as follows: 8-262. (a) (1) Any person who drives a motor vehicle on any highway of this state at a time when such person's privilege so to do is canceled, suspended or revoked or while such person's privilege to obtain a driver's license is suspended or revoked pursuant to K.S.A. 8-252a, and amendments thereto, shall be guilty of a class B nonperson misdemeanor on the first conviction and a class A nonperson misdemeanor on the second or subsequent conviction.

(2) No person shall be convicted under this section if such person was entitled at the time of arrest under K.S.A. 8-257, and amendments thereto, to the return of such person's driver's license.

(3) Except as otherwise provided by subsection (a)(4) or (c), every person convicted under this section shall be sentenced to at least five days' imprisonment and fined at least \$100 and upon a second conviction shall not be eligible for parole until completion of five days' imprisonment.

(4) Except as otherwise provided by subsection (c), if a person: (A) Is convicted of a violation of this section, committed while the person's privilege to drive or privilege to obtain a driver's license was suspended or revoked for a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or any ordinance of any city or resolution of any county or a law of another state, which ordinance or resolution or law prohibits the acts prohibited by those statutes; and (B) is or has been also convicted of a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or any ordinance of any city or resolution of any county or law of another state, which ordinance or resolution or law prohibits the acts prohibited by those statutes, committed while the person's privilege to drive or privilege to obtain a driver's license was so suspended or revoked, the person shall not be eligible for suspension of sentence, probation or parole until the person has served at least 90 days' imprisonment, and any fine imposed on such person shall be in addition to such a term of imprisonment.

(b) The division, upon receiving a record of the conviction of any person under this section, or any ordinance of any city or resolution of any county or a law of another state which is in substantial conformity with this section, upon a charge of driving a

vehicle while the license of such person is revoked or suspended, shall extend the period of such suspension or revocation for an additional period of 90 days.

(c) (1) The person found guilty of a class A nonperson misdemeanor on a third or subsequent conviction of this section shall be sentenced to not less than 90 days imprisonment and fined not less than \$1,500 if such person's privilege to drive a motor vehicle is canceled, suspended or revoked because such person:

(A) Refused to submit and complete any test of blood, breath or urine requested by law enforcement excluding the preliminary screening test as set forth in K.S.A. 8-1012, and amendments thereto;

(B) was convicted of violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage;

(C) was convicted of vehicular homicide, K.S.A. 21-3405, prior to its repeal, or K.S.A. 2011 Supp. 21-5406, and amendments thereto, involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or involuntary manslaughter as defined in subsection (a)(3) of K.S.A. 2011 Supp. 21-5405, and amendments thereto, or any other murder or manslaughter crime resulting from the operation of a motor vehicle; or

(D) was convicted of being a habitual violator, K.S.A. 8-287, and amendments thereto.

(2) The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, or any municipal ordinance to serve the remainder of the minimum sentence only after such person has served 48 consecutive hours' imprisonment.

(d) For the purposes of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section, "conviction" includes a conviction of a violation of any ordinance of any city or resolution of any county or a law of another state which is in substantial conformity with this section.

Sec. 6. K.S.A. 2011 Supp. 8-285 is hereby amended to read as follows: 8-285. Except as otherwise provided in this section, as used in this act, the words and phrases defined in K.S.A. 8-234a, and amendments thereto, shall have the meanings ascribed to them therein. The term "habitual violator" means any resident or nonresident person who, within the immediately preceding five years, has been convicted in this or any other state:

(a) Three or more times of:

(1) Vehicular homicide, as defined by K.S.A. 21-3405, prior to its repeal, or K.S.A. 2011 Supp. 21-5406, and amendments thereto, or as prohibited by any ordinance of any city in this state, any resolution of any county in this state or any law of another state which is in substantial conformity with that statute;

(2) violating K.S.A. 8-1567, and amendments thereto, or violating an ordinance of any city in this state, any resolution of any county in this state or any law of another state, which ordinance, resolution or law declares to be unlawful the acts prohibited by

that statute;

(3) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or while such person's privilege to obtain a driver's license is suspended or revoked pursuant to K.S.A. 8-252a, and amendments thereto, or, as prohibited by any ordinance of any city in this state, any resolution of any county in this state or any law of another state which is in substantial conformity with those statutes;

(4) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(5) violating the provisions of the fifth clause of K.S.A. 8-142, and amendments thereto, relating to fraudulent applications, or violating the provisions of a law of another state which is in substantial conformity with that statute;

(6) any crime punishable as a felony, if a motor vehicle was used in the perpetration of the crime;

(7) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602 through 8-1604, and amendments thereto, or required by any ordinance of any city in this state, any resolution of any county in this state or a law of another state which is in substantial conformity with those statutes; or

(8) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage, or an ordinance of any city in this state or a resolution of any county in this state which is in substantial conformity with such statute; ~~or~~

(9) violating section 2, and amendments thereto, or violating an ordinance of any city in this state, a resolution of any county in this state or any law of another state which ordinance, resolution or law declares to be unlawful the acts prohibited by that statute.

(b) Three or more times, either singly or in combination, of any of the offenses enumerated in subsection (a).

For the purpose of subsection (a)(2) ~~and (a)(9)~~, in addition to the definition of "conviction" otherwise provided by law, conviction includes, but is not limited to, a diversion agreement entered into in lieu of further criminal proceedings, or a plea of *nolo contendere*, on a complaint, indictment, information, citation or notice to appear alleging a violation of K.S.A. 8-1567 or section 2, and amendments thereto, or an ordinance of a city in this state, a resolution of a county in this state or law of another state, which ordinance or law prohibits the acts prohibited by ~~that statute~~ those statutes.

Sec. 7. K.S.A. 8-286 is hereby amended to read as follows: 8-286. Whenever the files and records of the division shall disclose that the record of convictions of any person is such that the person is an habitual violator, as prescribed by K.S.A. 8-285, and amendments thereto, the division promptly shall revoke the person's driving privileges for a period of three years, except as allowed under subsection (d)(4) of K.S.A. 8-235, and amendments thereto.

Sec. 8. K.S.A. 2011 Supp. 8-287 is hereby amended to read as follows: 8-287. Except as allowed under subsection (d)(4) of K.S.A. 8-235, and amendments thereto, operation of a motor vehicle in this state while one's driving privileges are revoked pursuant to K.S.A. 8-286, and amendments thereto, is a class A nonperson misdemeanor. The person found guilty of a third or subsequent conviction of this

section shall be sentenced to not less than 90 days imprisonment and fined not less than \$1,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, or any municipal ordinance to serve the remainder of the minimum sentence only after such person has served 48 consecutive hours' imprisonment.

Sec. 9. K.S.A. 8-288 is hereby amended to read as follows: 8-288. Except as allowed under subsection (d)(4) of K.S.A. 8-235, and amendments thereto, no license to operate a motor vehicle in Kansas shall be issued to a person for a period of three years from the date of the division's order revoking such person's driving privileges pursuant to K.S.A. 8-286, and amendments thereto, and until the person's driving privileges have been restored.

Sec. 10. K.S.A. 8-2, 142 is hereby amended to read as follows: 8-2, 142. (a) A person is disqualified from driving a commercial motor vehicle for a period of not less than one year upon a first occurrence of any one of the following:

- (1) While operating a commercial motor vehicle:
 - (A) The person is convicted of violating K.S.A. 8-2,144, and amendments thereto;
 - (B) the person is convicted of violating subsection (b) of K.S.A. 8-2,132, and amendments thereto;
 - (C) the person is convicted of causing a fatality through the negligent operation of a commercial motor vehicle;
 - (D) the person's test refusal or test failure, as defined in subsection (m); or
 - (E) the person is convicted of a violation identified in subsection (a)(2)(A); or
 - (2) while operating a noncommercial motor vehicle:
 - (A) The person is convicted of a violation of K.S.A. 8-1567 or section 2, and amendments thereto, or of a violation of an ordinance of any city in this state, a resolution of any county in this state or any law of another state, which ordinance or law declares to be unlawful the acts prohibited by that statute; or
 - (B) the person's test refusal or test failure, as defined in K.S.A. 8-1013, and amendments thereto; or
 - (3) while operating any motor vehicle:
 - (A) The person is convicted of leaving the scene of an accident; or
 - (B) the person is convicted of a felony, other than a felony described in subsection (e), while using a motor vehicle to commit such felony.
- (b) If any offenses, test refusal or test failure specified in subsection (a) occurred in a commercial motor vehicle while transporting a hazardous material required to be placarded, the person is disqualified for a period of not less than three years.
- (c) A person shall be disqualified for life upon the second or a subsequent occurrence of any offense, test refusal or test failure specified in subsection (a), or any combination thereof, arising from two or more separate incidents.
- (d) The secretary of revenue may adopt rules and regulations establishing guidelines, including conditions, under which a disqualification for life under

subsection (c) may be reduced to a period of not less than 10 years.

(e) A person is disqualified from driving a commercial motor vehicle for life who uses a commercial motor vehicle or noncommercial motor vehicle in the commission of any felony involving the manufacture, distribution or dispensing of a controlled substance, or possession with intent to manufacture, distribute or dispense a controlled substance.

(f) A person is disqualified from driving a commercial motor vehicle for a period of not less than 60 days if convicted of two serious traffic violations, or 120 days if convicted of three or more serious traffic violations, committed in a commercial motor vehicle arising from separate incidents occurring within a three-year period. Any disqualification period under this paragraph shall be in addition to any other previous period of disqualification. The beginning date for any three-year period within a ten-year period, required by this subsection, shall be the issuance date of the citation which resulted in a conviction.

(g) A person is disqualified from driving a commercial motor vehicle for a period of not less than 60 days if convicted of two serious traffic violations, or 120 days if convicted of three or more serious traffic violations, committed in a noncommercial motor vehicle arising from separate incidents occurring within a three-year period, if such convictions result in the revocation, cancellation or suspension of the person's driving privileges.

(h) (1) A person who is convicted of operating a commercial motor vehicle in violation of an out-of-service order shall be disqualified from driving a commercial motor vehicle for a period of not less than:

(A) Ninety days nor more than one year, if the driver is convicted of a first violation of an out-of-service order;

(B) one year nor more than five years if the person has one prior conviction for violating an out-of-service order in a separate incident and such prior offense was committed within the 10 years immediately preceding the date of the present violation; or

(C) three years nor more than five years if the person has two or more prior convictions for violating out-of-service orders in separate incidents and such prior offenses were committed within the 10 years immediately preceding the date of the present violation.

(2) A person who is convicted of operating a commercial motor vehicle in violation of an out-of-service order while transporting a hazardous material required to be placarded under 49 U.S.C. § 5101 et seq. or while operating a motor vehicle designed to transport more than 15 passengers, including the driver, shall be disqualified from driving a commercial motor vehicle for a period of not less than:

(A) One hundred and eighty days nor more than two years if the driver is convicted of a first violation of an out-of-service order; or

(B) three years nor more than five years if the person has a prior conviction for violating an out-of-service order in a separate incident and such prior offense was committed within the 10 years immediately preceding the date of the present violation.

(i) (1) A person who is convicted of operating a commercial motor vehicle in violation of a federal, state or local law or regulation pertaining to one of the following six offenses at a railroad-highway grade crossing shall be disqualified from driving a commercial motor vehicle for the period of time specified in paragraph (2):

(A) For persons who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train;

(B) for persons who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear;

(C) for persons who are always required to stop, failing to stop before driving onto the crossing;

(D) for all persons failing to have sufficient space to drive completely through the crossing without stopping;

(E) for all persons failing to obey a traffic control device or the directions of an enforcement official at the crossing; or

(F) for all persons failing to negotiate a crossing because of insufficient undercarriage clearance.

(2) A driver shall be disqualified from driving a commercial motor vehicle for not less than:

(A) Sixty days if the driver is convicted of a first violation of a railroad-highway grade crossing violation;

(B) one hundred and twenty days if, during any three-year period, the driver is convicted of a second railroad-highway grade crossing violation in separate incidents; or

(C) one year if, during any three-year period, the driver is convicted of a third or subsequent railroad-highway grade crossing violation in separate incidents.

(j) After suspending, revoking or canceling a commercial driver's license, the division shall update its records to reflect that action within 10 days. After suspending, revoking or canceling a nonresident commercial driver's privileges, the division shall notify the licensing authority of the state which issued the commercial driver's license or nonresident commercial driver's license within 10 days. The notification shall include both the disqualification and the violation that resulted in the disqualification, suspension, revocation or cancellation.

(k) Upon receiving notification from the licensing authority of another state, that it has disqualified a commercial driver's license holder licensed by this state, or has suspended, revoked or canceled such commercial driver's license holder's commercial driver's license, the division shall record such notification and the information such notification provides on the driver's record.

(l) Upon suspension, revocation, cancellation or disqualification of a commercial driver's license under this act, the license shall be immediately surrendered to the division if still in the licensee's possession. If otherwise eligible, and upon payment of the required fees, the licensee may be issued a noncommercial driver's license for the period of suspension, revocation, cancellation or disqualification of the commercial driver's license under the same identifier number.

(m) As used in this section, "test refusal" means a person's refusal to submit to and complete a test requested pursuant to K.S.A. 8-2,145, and amendments thereto; "test failure" means a person's submission to and completion of a test which determines that the person's alcohol concentration is .04 or greater, pursuant to K.S.A. 8-2,145, and amendments thereto.

Sec. 11. K.S.A. 2011 Supp. 8-2,144 is hereby amended to read as follows: 8-2,144.
(a) Driving a commercial motor vehicle under the influence is operating or attempting to operate any commercial motor vehicle, as defined in K.S.A. 8-2,128, and

amendments thereto, within this state while:

(1) The alcohol concentration in the person's blood or breath, as shown by any competent evidence, including other competent evidence, as defined in paragraph (1) of subsection (f) of K.S.A. 8-1013, and amendments thereto, is .04 or more;

(2) the alcohol concentration in the person's blood or breath, as measured within three hours of the time of driving a commercial motor vehicle, is .04 or more; or

(3) committing a violation of subsection (a) of K.S.A. 8-1567, and amendments thereto, or the ordinance of a city or resolution of a county which prohibits any of the acts prohibited thereunder.

(b) (1) Driving a commercial motor vehicle under the influence is:

(A) On a first conviction a class B, nonperson misdemeanor. The person convicted shall be sentenced to not less than 48 consecutive hours nor more than six months' imprisonment, or in the court's discretion, 100 hours of public service, and fined not less than \$750 nor more than \$1,000. The person convicted shall serve at least 48 consecutive hours' imprisonment or 100 hours of public service either before or as a condition of any grant of probation, suspension or reduction of sentence or parole or other release;

(B) on a second conviction a class A, nonperson misdemeanor. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,250 nor more than \$1,750. The person convicted shall serve at least five consecutive days' imprisonment before the person is granted probation, suspension or reduction of sentence or parole or is otherwise released. The five days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the ~~remainder of the minimum sentence~~ five days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 120 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 120 hours; and

(C) on a third or subsequent conviction a nonperson felony. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release

program. The person convicted, if placed into a work release program, shall serve a minimum of ~~240~~ 2,160 hours of confinement. Such ~~240~~ 2,160 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the ~~remainder of the minimum sentence~~ 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of ~~240~~ 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the ~~240~~ 2,160 hours.

(2) In addition, for any conviction pursuant to subsection (b)(1)(C), at the time of the filing of the judgment form or journal entry as required by K.S.A. 22-3426 or K.S.A. 2011 Supp. 21-6711, and amendments thereto, the court shall cause a certified copy to be sent to the officer having the offender in charge. The court shall determine whether the offender, upon release from imprisonment, shall be supervised by community correctional services or court services based upon the risk and needs of the offender. The risk and needs of the offender shall be determined by use of a risk assessment tool specified by the Kansas sentencing commission. The law enforcement agency maintaining custody and control of a defendant for imprisonment shall cause a certified copy of the judgment form or journal entry to be sent to the supervision office designated by the court and upon expiration of the term of imprisonment shall deliver the defendant to a location designated by the supervision office designated by the court. After the term of imprisonment imposed by the court, the person shall be placed on supervision to community correctional services or court services, as determined by the court, for a mandatory one-year period of supervision, which such period of supervision shall not be reduced. During such supervision, the person shall be required to participate in a multidisciplinary model of services for substance use disorders facilitated by a department of social and rehabilitation services designated care coordination agency to include assessment and, if appropriate, referral to a community based substance use disorder treatment including recovery management and mental health counseling as needed. The multidisciplinary team shall include the designated care coordination agency, the supervision officer, the social and rehabilitation services department designated treatment provider and the offender. Any violation of the conditions of such supervision may subject such person to revocation of supervision and imprisonment in jail for the remainder of the period of imprisonment, the remainder of the supervision period, or any combination or portion thereof.

~~(2)(3)~~ (3) In addition, prior to sentencing for any conviction pursuant to subsection (b)(1)(A) or (b)(1)(B), the court shall order the person to participate in an alcohol and drug evaluation conducted by a provider in accordance with K.S.A. 8-1008, and amendments thereto. The person shall be required to follow any recommendation made by the provider after such evaluation, unless otherwise ordered by the court.

(c) Any person convicted of a violation of this section, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section, who had one or more children under the age of 14 years in the vehicle at the time of the offense

shall have such person's punishment enhanced by one month of imprisonment. This imprisonment shall be served consecutively to any other minimum mandatory penalty imposed for a violation of this section, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section. Any enhanced penalty imposed shall not exceed the maximum sentence allowable by law. During the service of the enhanced penalty, the judge may order the person on house arrest, work release or other conditional release.

(d) If a person is charged with a violation of this section involving drugs, the fact that the person is or has been entitled to use the drug under the laws of this state shall not constitute a defense against the charge.

(e) The court may establish the terms and time for payment of any fines, fees, assessments and costs imposed pursuant to this section. Any assessment and costs shall be required to be paid not later than 90 days after imposed, and any remainder of the fine shall be paid prior to the final release of the defendant by the court.

(f) In lieu of payment of a fine imposed pursuant to this section, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed not later than one year after the fine is imposed or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date.

(g) Prior to filing a complaint alleging a violation of this section, a prosecutor shall request and shall receive from the: (1) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and (2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(h) The court shall electronically report every conviction of a violation of this section and every diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of this section to the division. Prior to sentencing under the provisions of this section, the court shall request and shall receive from the: (1) Division a record of all prior convictions obtained against such person for any violation of any of the motor vehicle laws of this state; and (2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(i) Upon conviction of a person of a violation of this section or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section, the division, upon receiving a report of conviction, shall: (1) Disqualify the person from driving a commercial motor vehicle under K.S.A. 8-2,142, and amendments thereto; and (2) suspend, restrict or suspend and restrict the person's driving privileges as provided by K.S.A. 8-1014, and amendments thereto.

(j) (1) Nothing contained in this section shall be construed as preventing any city from enacting ordinances, or any county from adopting resolutions, declaring acts prohibited or made unlawful by this section as unlawful or prohibited in such city or county and prescribing penalties for violation thereof.

(2) The minimum penalty prescribed by any such ordinance or resolution shall not

be less than the minimum penalty prescribed by this section for the same violation, and the maximum penalty in any such ordinance or resolution shall not exceed the maximum penalty prescribed for the same violation.

(3) Any such ordinance or resolution shall authorize the court to order that the convicted person pay restitution to any victim who suffered loss due to the violation for which the person was convicted.

(k) (1) Upon the filing of a complaint, citation or notice to appear alleging a person has violated a city ordinance prohibiting the acts prohibited by this section, and prior to conviction thereof, a city attorney shall request and shall receive from the: (A) Division of vehicles a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and (B) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(2) If the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony, the city attorney shall refer the violation to the appropriate county or district attorney for prosecution. The county or district attorney shall accept such referral and pursue a disposition of such violation, and shall not refer any such violation back to the city attorney.

(l) No plea bargaining agreement shall be entered into nor shall any judge approve a plea bargaining agreement entered into for the purpose of permitting a person charged with a violation of this section, or a violation of any ordinance of a city or resolution of any county in this state which prohibits the acts prohibited by this section, to avoid the mandatory penalties established by this section or by the ordinance or resolution.

(m) The alternatives set out in subsections (a)(1), (a)(2) and (a)(3) may be pleaded in the alternative, and the state, city or county may, but shall not be required to, elect one or two of the three prior to submission of the case to the fact finder.

(n) For the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section:

~~(1) "Conviction" includes being convicted of a violation of a law of another state or an ordinance of any city, or resolution of any county, which prohibits the acts that this section prohibits;~~

~~(2) any convictions occurring during a person's lifetime shall be taken into account when determining the sentence to be imposed for a first, second, third or subsequent offender; and~~

~~(3) it is irrelevant whether an offense occurred before or after conviction for a previous offense.~~

(1) Convictions for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that such section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, shall be taken into account, but only convictions or diversions occurring on or after July 1, 2001. Nothing in this provision shall be construed as preventing any court from considering any convictions or diversions occurring during the person's lifetime in determining the sentence to be imposed within the limits provided for a first, second, third, fourth or subsequent offense.

(2) any convictions for a violation of the following sections occurring during a

person's lifetime shall be taken into account: (A) This section; (B) refusing to submit to a test to determine the presence of alcohol or drugs, section 2, and amendments thereto; (C) operating a vessel under the influence of alcohol or drugs, K.S.A. 32-1131, and amendments thereto; (D) involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or subsection (a)(3) of K.S.A. 2011 Supp. 21-5405, and amendments thereto; and (E) aggravated vehicular homicide, K.S.A. 21-3405a, prior to its repeal, or vehicular battery, K.S.A. 21-3405b, prior to its repeal, if the crime was committed while committing a violation of K.S.A. 8-1567, and amendments thereto;

(3) "conviction" includes: (A) Entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of a crime described in subsection (n)(2); (B) conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state or any law of another state which would constitute a crime described in subsection (n)(1) or (n)(2); and (C) receiving punishment under the uniform code of military justice or Kansas code of military justice for an act which was committed on a military reservation and which would constitute a crime described in subsection (n)(1) or (n)(2) if committed off a military reservation in this state;

(4) it is irrelevant whether an offense occurred before or after conviction for a previous offense; and

(5) multiple convictions of any crime described in subsection (n)(1) or (n)(2) arising from the same arrest shall only be counted as one conviction.

(o) For the purpose of this section:

(1) "Alcohol concentration" means the number of grams of alcohol per 100 milliliters of blood or per 210 liters of breath;

(2) "imprisonment" shall include any restrained environment in which the court and law enforcement agency intend to retain custody and control of a defendant and such environment has been approved by the board of county commissioners or the governing body of a city; and

(3) "drug" includes toxic vapors as such term is defined in K.S.A. 2011 Supp. 21-5712, and amendments thereto.

(p) On and after July 1, 2011, the amount of \$250 from each fine imposed pursuant to this section shall be remitted by the clerk of the district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2011 Supp. 75-52,113, and amendments thereto.

Sec. 12. K.S.A. 2011 Supp. 8-1001 is hereby amended to read as follows: 8-1001.

(a) Any person who operates or attempts to operate a vehicle within this state is deemed to have given consent, subject to the provisions of this act, to submit to one or more tests of the person's blood, breath, urine or other bodily substance to determine the presence of alcohol or drugs. The testing deemed consented to herein shall include all quantitative and qualitative tests for alcohol and drugs. A person who is dead or unconscious shall be deemed not to have withdrawn the person's consent to such test or tests, which shall be administered in the manner provided by this section.

(b) A law enforcement officer shall request a person to submit to a test or tests deemed consented to under subsection (a): (1) If the officer has reasonable grounds to believe the person was operating or attempting to operate a vehicle while under the

influence of alcohol or drugs, or both, or to believe that the person was driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system, or was under the age of 21 years while having alcohol or other drugs in such person's system; and one of the following conditions exists: (A) The person has been arrested or otherwise taken into custody for any offense involving operation or attempted operation of a vehicle while under the influence of alcohol or drugs, or both, or for a violation of K.S.A. 8-1567a, and amendments thereto, or involving driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system, in violation of a state statute or a city ordinance; or (B) the person has been involved in a vehicle accident or collision resulting in property damage or personal injury other than serious injury; or (2) if the person was operating or attempting to operate a vehicle and such vehicle has been involved in an accident or collision resulting in serious injury or death of any person and the operator could be cited for any traffic offense, as defined in K.S.A. 8-2117, and amendments thereto. The traffic offense violation shall constitute probable cause for purposes of paragraph (2). The test or tests under paragraph (2) shall not be required if a law enforcement officer has reasonable grounds to believe the actions of the operator did not contribute to the accident or collision. The law enforcement officer directing administration of the test or tests may act on personal knowledge or on the basis of the collective information available to law enforcement officers involved in the accident investigation or arrest.

(c) If a law enforcement officer requests a person to submit to a test of blood under this section, the withdrawal of blood at the direction of the officer may be performed only by: (1) A person licensed to practice medicine and surgery, licensed as a physician's assistant, or a person acting under the direction of any such licensed person; (2) a registered nurse or a licensed practical nurse; (3) any qualified medical technician, including, but not limited to, an emergency medical technician-intermediate, mobile intensive care technician, an emergency medical technician-intermediate defibrillator, an advanced emergency medical technician or a paramedic, as those terms are defined in K.S.A. 65-6112, and amendments thereto, authorized by medical protocol; or (4) a phlebotomist.

(d) A law enforcement officer may direct a medical professional described in this section to draw a sample of blood from a person:

- (1) If the person has given consent and meets the requirements of subsection (b);
- (2) if medically unable to consent, if the person meets the requirements of paragraph (2) of subsection (b); or
- (3) if the person refuses to submit to and complete a test, if the person meets the requirements of paragraph (2) of subsection (b).

(e) When so directed by a law enforcement officer through a written statement, the medical professional shall withdraw the sample as soon as practical and shall deliver the sample to the law enforcement officer or another law enforcement officer as directed by the requesting law enforcement officer as soon as practical, provided the collection of the sample does not jeopardize the person's life, cause serious injury to the person or seriously impede the person's medical assessment, care or treatment. The medical professional authorized herein to withdraw the blood and the medical care facility where the blood is drawn may act on good faith that the requirements have been met for directing the withdrawing of blood once presented with the written statement provided

for under this subsection. The medical professional shall not require the person to sign any additional consent or waiver form. In such a case, the person authorized to withdraw blood and the medical care facility shall not be liable in any action alleging lack of consent or lack of informed consent.

(f) Such sample or samples shall be an independent sample and not be a portion of a sample collected for medical purposes. The person collecting the blood sample shall complete the collection portion of a document provided by law enforcement.

(g) If a person must be restrained to collect the sample pursuant to this section, law enforcement shall be responsible for applying any such restraint utilizing acceptable law enforcement restraint practices. The restraint shall be effective in controlling the person in a manner not to jeopardize the person's safety or that of the medical professional or attending medical or health care staff during the drawing of the sample and without interfering with medical treatment.

(h) A law enforcement officer may request a urine sample upon meeting the requirements of paragraph (1) of subsection (b) and shall request a urine sample upon meeting the requirements of paragraph (2) of subsection (b).

(i) If a law enforcement officer requests a person to submit to a test of urine under this section, the collection of the urine sample shall be supervised by: (1) A person licensed to practice medicine and surgery, licensed as a physician's assistant, or a person acting under the direction of any such licensed person; (2) a registered nurse or a licensed practical nurse; or (3) a law enforcement officer of the same sex as the person being tested. The collection of the urine sample shall be conducted out of the view of any person other than the persons supervising the collection of the sample and the person being tested, unless the right to privacy is waived by the person being tested. When possible, the supervising person shall be a law enforcement officer. The results of qualitative testing for drug presence shall be admissible in evidence and questions of accuracy or reliability shall go to the weight rather than the admissibility of the evidence. If the person is medically unable to provide a urine sample in such manner due to the injuries or treatment of the injuries, the same authorization and procedure as used for the collection of blood in subsections (d) and (e) shall apply to the collection of a urine sample.

(j) No law enforcement officer who is acting in accordance with this section shall be liable in any civil or criminal proceeding involving the action.

(k) Before a test or tests are administered under this section, the person shall be given oral and written notice that: (1) Kansas law requires the person to submit to and complete one or more tests of breath, blood or urine to determine if the person is under the influence of alcohol or drugs, or both;

(2) the opportunity to consent to or refuse a test is not a constitutional right;

(3) there is no constitutional right to consult with an attorney regarding whether to submit to testing;

(4) if the person refuses to submit to and complete any test of breath, blood or urine hereafter requested by a law enforcement officer, the person may be charged with a separate crime of refusing to submit to a test to determine the presence of alcohol or drugs, which carries criminal penalties that are greater than or equal to the criminal penalties for the crime of driving under the influence, if such person has:

(A) Any prior test refusal as defined in K.S.A. 8-1013, and amendments thereto, which occurred: (i) On or after July 1, 2001; and (ii) when such person was 18 years of

age or older; or

(B) any prior conviction for a violation of K.S.A. 8-1567 or 8-2,144, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that such section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, which occurred: (i) On or after July 1, 2001; and (ii) when such person was 18 years of age or older;

(4)(5) if the person refuses to submit to and complete any test of breath, blood or urine hereafter requested by a law enforcement officer, the person's driving privileges will be suspended for one year for the first or subsequent occurrence;

(5)(6) if the person submits to and completes the test or tests and the test results show:

(A) An alcohol concentration of .08 or greater, the person's driving privileges will be suspended for 30 days for the first occurrence and one year for the second or subsequent occurrence; or

(B) an alcohol concentration of .15 or greater, the person's driving privileges will be suspended for one year for the first or subsequent occurrence;

~~(6) if the person is less than 21 years of age at the time of the test request and submits to and completes the tests and the test results show an alcohol concentration of .08 or greater, the person's driving privileges will be suspended for one year;~~

(7) refusal to submit to testing may be used against the person at any trial on a charge arising out of the operation or attempted operation of a vehicle while under the influence of alcohol or drugs, or both;

(8) the results of the testing may be used against the person at any trial on a charge arising out of the operation or attempted operation of a vehicle while under the influence of alcohol or drugs, or both; and

(9) after the completion of the testing, the person has the right to consult with an attorney and may secure additional testing, which, if desired, should be done as soon as possible and is customarily available from medical care facilities willing to conduct such testing.

(l) If a law enforcement officer has reasonable grounds to believe that the person has been driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system, the person shall also be provided the oral and written notice pursuant to K.S.A. 8-2,145, and amendments thereto. Any failure to give the notices required by K.S.A. 8-2,145, and amendments thereto, shall not invalidate any action taken as a result of the requirements of this section. If a law enforcement officer has reasonable grounds to believe that the person has been driving or attempting to drive a vehicle while having alcohol or other drugs in such person's system and such person was under 21 years of age, the person also shall be given the notices required by K.S.A. 8-1567a, and amendments thereto. Any failure to give the notices required by K.S.A. 8-1567a, and amendments thereto, shall not invalidate any action taken as a result of the requirements of this section.

(m) After giving the foregoing information, a law enforcement officer shall request the person to submit to testing. The selection of the test or tests shall be made by the officer. If the test results show a blood or breath alcohol concentration of .08 or greater, the person's driving privileges shall be subject to suspension, or suspension and

restriction, as provided in K.S.A. 8-1002 and 8-1014, and amendments thereto.

(n) The person's refusal shall be admissible in evidence against the person at any trial on a charge arising out of the alleged operation or attempted operation of a vehicle while under the influence of alcohol or drugs, or both. The person's refusal shall be admissible in evidence against the person at any trial on a charge arising out of the alleged violation of section 2, and amendments thereto.

(o) If a law enforcement officer had reasonable grounds to believe the person had been driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, and the test results show a blood or breath alcohol concentration of .04 or greater, the person shall be disqualified from driving a commercial motor vehicle, pursuant to K.S.A. 8-2,142, and amendments thereto. If a law enforcement officer had reasonable grounds to believe the person had been driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, and the test results show a blood or breath alcohol concentration of .08 or greater, or the person refuses a test, the person's driving privileges shall be subject to suspension, or suspension and restriction, pursuant to this section, in addition to being disqualified from driving a commercial motor vehicle pursuant to K.S.A. 8-2,142, and amendments thereto.

(p) An officer shall have probable cause to believe that the person operated a vehicle while under the influence of alcohol or drugs, or both, if the vehicle was operated by such person in such a manner as to have caused the death of or serious injury to a person. In such event, such test or tests may be made pursuant to a search warrant issued under the authority of K.S.A. 22-2502, and amendments thereto, or without a search warrant under the authority of K.S.A. 22-2501, and amendments thereto.

(q) Failure of a person to provide an adequate breath sample or samples as directed shall constitute a refusal unless the person shows that the failure was due to physical inability caused by a medical condition unrelated to any ingested alcohol or drugs.

(r) It shall not be a defense that the person did not understand the written or oral notice required by this section.

(s) No test results shall be suppressed because of technical irregularities in the consent or notice required pursuant to this act.

(t) Nothing in this section shall be construed to limit the admissibility at any trial of alcohol or drug concentration testing results obtained pursuant to a search warrant.

(u) Upon the request of any person submitting to testing under this section, a report of the results of the testing shall be made available to such person.

(v) This act is remedial law and shall be liberally construed to promote public health, safety and welfare.

(w) As used in this section, "serious injury" means a physical injury to a person, as determined by law enforcement, which has the effect of, prior to the request for testing:

- (1) Disabling a person from the physical capacity to remove themselves from the scene;
- (2) renders a person unconscious;
- (3) the immediate loss of or absence of the normal use of at least one limb;
- (4) an injury determined by a physician to require surgery; or
- (5) otherwise indicates the person may die or be permanently disabled by the injury.

Sec. 13. K.S.A. 2011 Supp. 8-1008 is hereby amended to read as follows: 8-1008.
(a) As used in this section, "provider" means: (1) A professional licensed by the behavioral sciences regulatory board to diagnose and treat mental or substance use disorders at the independent level who is compliant with the requirements set forth by the secretary of social and rehabilitation services as described in subsection (f); or (2) a professional licensed by the behavioral sciences regulatory board who is working in an alcohol and drug treatment facility licensed by the secretary of social and rehabilitation services as meeting the requirements described in subsection (f).

(b) A provider shall provide:

(1) Alcohol and drug evaluations, prior to sentencing, of any person who is convicted of a violation of K.S.A. 8-2,144 or 8-1567 ~~or section 2~~, and amendments thereto, or the ordinance of a city or resolution of a county in this state which prohibits the acts prohibited by those statutes; and

(2) alcohol and drug evaluations of persons whom the prosecutor considers for eligibility or finds eligible to enter a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of K.S.A. 8-1567 ~~or section 2~~, and amendments thereto, or the ordinance of a city or resolution of a county in this state which prohibits the acts prohibited by that statute.

(c) A provider shall be capable of providing, within the judicial district: (1) The evaluations required under subsection (b); (2) the alcohol and drug evaluation report required under subsection (d) or (e); (3) the follow-up duties specified under subsection (d) or (e) for persons who prepare the alcohol and drug evaluation report; and (4) any other functions and duties specified by law. The secretary of social and rehabilitation services shall provide each judicial district with an electronic list of providers, and except as provided further, such list shall be used when selecting a provider to be used as described in subsections (d) and (e). The secretary of social and rehabilitation services shall also make all such lists ~~of providers~~ publicly available on the official website of the department of social and rehabilitation services. Any provider performing services in any judicial district under this section prior to July 1, 2011, may continue to perform those services until July 1, ~~2012~~2013.

(d) (1) Except as provided further, prior to sentencing, an alcohol and drug evaluation shall be conducted on any person who is convicted of a violation of K.S.A. 8-2,144 or 8-1567 ~~or section 2~~, and amendments thereto, or the ordinance of a city or resolution of a county in this state which prohibits the acts prohibited by those statutes. The alcohol and drug evaluation report shall be made available to and shall be considered by the court prior to sentencing. Except as provided further, the court shall order that ~~the~~ cost of any alcohol and drug evaluation for any person shall be paid by such person to the provider at the time of service, and shall not exceed \$150. If the court finds that such person is indigent, the provider shall agree to accept payment as ordered by the court and the court shall order that the cost of any alcohol and drug evaluation be paid to the provider by such person as part of the judgment. The cost of any such evaluation shall be not less than \$150.

(2) The provisions of this subsection shall not apply to any person convicted pursuant to subsection (b)(1)(C) of K.S.A. 8-2,144, subsection (b)(1)(C), (b)(1)(D) or (b)(1)(E) of K.S.A. 8-1567 or subsection (b)(1)(B), (b)(1)(C) or (b)(1)(D) of section 2, and amendments thereto.

(e) An alcohol and drug evaluation shall be conducted on any person whom the

prosecutor considers for eligibility or finds eligible to enter a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of K.S.A. 8-1567 ~~or section 2~~, and amendments thereto, or the ordinance of a city or resolution of a county in this state which prohibits the acts prohibited by that statute. The alcohol and drug evaluation report shall be made available to the prosecuting attorney and shall be considered by the prosecuting attorney. The cost of any alcohol and drug evaluation for any person shall be paid by such person to the provider at the time of service, and shall not exceed ~~be not less than~~ \$150.

(f) On and after July 1, 2013, all alcohol and drug evaluations conducted pursuant to this section shall utilize a standardized substance use evaluation approved by the secretary of social and rehabilitation services and be submitted in a format approved by the secretary of social and rehabilitation services. On or before July 1, ~~2012~~2013, the secretary of social and rehabilitation services shall promulgate rules and regulations to implement this section.

Sec. 14. K.S.A. 2011 Supp. 8-1012 is hereby amended to read as follows: 8-1012. (a) Any person who operates or attempts to operate a vehicle within this state is deemed to have given consent to submit to a preliminary screening test of the person's breath or saliva, or both, subject to the provisions set out in subsection (b).

(b) A law enforcement officer may request a person who is operating or attempting to operate a vehicle within this state to submit to a preliminary screening test of the person's breath or saliva, or both, if the officer has reasonable suspicion to believe the person has been operating or attempting to operate a vehicle while under the influence of alcohol or drugs or both alcohol and drugs.

(c) At the time the test is requested, the person shall be given oral notice that: (1) There is no right to consult with an attorney regarding whether to submit to testing; (2) refusal to submit to testing is a traffic infraction; and (3) further testing may be required after the preliminary screening test. Failure to provide the notice shall not be an issue or defense in any action. The law enforcement officer then shall request the person to submit to the test.

(d) Refusal to take and complete the test as requested is a traffic infraction. If the person submits to the test, the results shall be used for the purpose of assisting law enforcement officers in determining whether an arrest should be made and whether to request the tests authorized by K.S.A. 8-1001, and amendments thereto. A law enforcement officer may arrest a person based in whole or in part upon the results of a preliminary screening test. Such results shall not be admissible in any civil or criminal action concerning the operation of or attempted operation of a vehicle except to aid the court or hearing officer in determining a challenge to the validity of the arrest or the validity of the request to submit to a test pursuant to K.S.A. 8-1001, and amendments thereto. Following the preliminary screening test, additional tests may be requested pursuant to K.S.A. 8-1001, and amendments thereto.

(e) Any preliminary screening of a person's breath shall be conducted with a device approved pursuant to K.S.A. 65-1,107, and amendments thereto. ~~Any preliminary screening of a person's saliva shall be conducted with a device approved pursuant to K.S.A. 2011 Supp. 75-712h, and amendments thereto.~~

Sec. 15. K.S.A. 2011 Supp. 8-1013 is hereby amended to read as follows: 8-1013. As used in K.S.A. 8-1001 through 8-1010, 8-1011, 8-1012, 8-1014, 8-1015, 8-1016, 8-1017 and 8-1018, and amendments thereto, and this section:

(a) "Alcohol concentration" means the number of grams of alcohol per 100 milliliters of blood or per 210 liters of breath.

(b) (1) "Alcohol or drug-related conviction" means any of the following: (A) Conviction of vehicular battery or aggravated vehicular homicide, if the crime is committed while committing a violation of K.S.A. 8-1567, and amendments thereto, or the ordinance of a city or resolution of a county in this state which prohibits any acts prohibited by that statute, or conviction of a violation of K.S.A. 8-2,144 or 8-1567-~~or section 2~~, and amendments thereto; (B) conviction of a violation of a law of another state which would constitute a crime described in subsection (b)(1)(A) if committed in this state; (C) conviction of a violation of an ordinance of a city in this state or a resolution of a county in this state which would constitute a crime described in subsection (b)(1)(A), whether or not such conviction is in a court of record; or (D) conviction of an act which was committed on a military reservation and which would constitute a violation of K.S.A. 8-2,144 or 8-1567-~~or section 2~~, and amendments thereto, or would constitute a crime described in subsection (b)(1)(A) if committed off a military reservation in this state.

(2) For the purpose of determining whether an occurrence is a first, second or subsequent occurrence: (A) "Alcohol or drug-related conviction" also includes entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging commission of a crime described in subsection (b)(1), including a diversion agreement entered into prior to the effective date of this act; and (B) it is irrelevant whether an offense occurred before or after conviction or diversion for a previous offense.

(c) "Division" means the division of vehicles of the department of revenue.

(d) "Ignition interlock device" means a device which uses a breath analysis mechanism to prevent a person from operating a motor vehicle if such person has consumed an alcoholic beverage.

(e) "Occurrence" means a test refusal, test failure or alcohol or drug-related conviction, or any combination thereof arising from one arrest, including an arrest which occurred prior to the effective day of this act.

(f) "Other competent evidence" includes: (1) Alcohol concentration tests obtained from samples taken three hours or more after the operation or attempted operation of a vehicle; and (2) readings obtained from a partial alcohol concentration test on a breath testing machine.

(g) "Samples" includes breath supplied directly for testing, which breath is not preserved.

(h) "Test failure" or "fails a test" refers to a person's having results of a test administered pursuant to this act, other than a preliminary screening test, which show an alcohol concentration of .08 or greater in the person's blood or breath, and includes failure of any such test on a military reservation.

(i) "Test refusal" or "refuses a test" refers to a person's failure to submit to or complete any test of the person's blood, breath, urine or other bodily substance, other than a preliminary screening test, in accordance with this act, and includes refusal of any such test on a military reservation.

(j) "Law enforcement officer" has the meaning provided by K.S.A. 2011 Supp. 21-5111, and amendments thereto, and includes any person authorized by law to make an arrest on a military reservation for an act which would constitute a violation of K.S.A.

8-1567 or section 2, and amendments thereto, if committed off a military reservation in this state.

Sec. 16. K.S.A. 2011 Supp. 8-1014 is hereby amended to read as follows: 8-1014. (a) Except as provided by subsection (e) and K.S.A. 8-2,142, and amendments thereto, if a person refuses a test, the division, pursuant to K.S.A. 8-1002, and amendments thereto, shall:

(1) On the person's first occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for one year two years to driving only a motor vehicle equipped with an ignition interlock device;

(2) on the person's second occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for two three years to driving only a motor vehicle equipped with an ignition interlock device;

(3) on the person's third occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for four four years to driving only a motor vehicle equipped with an ignition interlock device;

(4) on the person's fourth occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for four five years to driving only a motor vehicle equipped with an ignition interlock device; and

(5) on the person's fifth or subsequent occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for 10 years to driving only a motor vehicle equipped with an ignition interlock device.

(b) (1) Except as provided by subsections (b)(2), ~~(e)~~ and (e) and K.S.A. 8-2,142, and amendments thereto, if a person fails a test or has an alcohol or drug-related conviction in this state, the division shall:

(A) On the person's first occurrence, suspend the person's driving privileges for 30 days and at the end of the suspension, restrict the person's driving privileges as provided by subsection (b) of K.S.A. 8-1015, and amendments thereto;

(B) on the person's second occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for one year to driving only a motor vehicle equipped with an ignition interlock device;

(C) on the person's third occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for two years to driving only a motor vehicle equipped with an ignition interlock device;

(D) on the person's fourth occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for three years to driving only a motor vehicle equipped with an ignition interlock device; and

(E) on the person's fifth or subsequent occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for 10 years to driving only a motor vehicle equipped with an ignition interlock device.

(2) Except as provided by subsection (e) and K.S.A. 8-2,142, and amendments thereto, if a person fails a test or has an alcohol or drug-related conviction in this state and the person's blood or breath alcohol concentration is .15 or greater, the division

shall:

(A) On the person's first occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for one year to driving only a motor vehicle equipped with an ignition interlock device;

(B) on the person's second occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for two years to driving only a motor vehicle equipped with an ignition interlock device;

(C) on the person's third occurrence, suspend the person's driving privileges for one year and at the end of the suspension restrict the person's driving privileges for three years to driving only a motor vehicle equipped with an ignition interlock device;

(D) on the person's fourth occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for four years to driving only a motor vehicle equipped with an ignition interlock device; and

(E) on the person's fifth or subsequent occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for 10 years to driving only a motor vehicle equipped with an ignition interlock device.

(3) Whenever a person's driving privileges have been restricted to driving only a motor vehicle equipped with an ignition interlock device for 10 years under this section, such person may petition any district court for relief from such restriction after five years of such restriction have been served. The court shall consider, but not be limited to, whether: (A) Such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court; and (B) such person proves installation, maintenance and use of an ignition interlock device approved by the division throughout the five-year period. If the court finds that the person's driving privileges should be restored, then the court shall electronically report such order to the division. The division, upon receiving such order, shall restore such person's driving privileges, unless such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court.

(c) Except as provided by subsection (e) and K.S.A. 8-2,142, and amendments thereto, if a person who is less than 21 years of age fails a test or has an alcohol or drug-related conviction in this state, ~~the division shall:~~

~~(1) On the person's first occurrence, suspend the person's driving privileges for one year. If the person's blood or breath alcohol concentration is .15 or greater, the division shall at the end of the suspension, restrict the person's driving privileges for one year to driving only a motor vehicle equipped with an ignition interlock device;~~

~~(2) on the person's second and subsequent occurrences, penalties shall be imposed pursuant to subsection (b):~~

~~(d) Whenever the division is notified by an alcohol and drug safety action program that a person has failed to complete any alcohol and drug safety action education or treatment program ordered a provider, as defined in K.S.A. 8-1008, and amendments thereto, or a court that the person has failed to follow any recommendation made by the provider or otherwise ordered by a court for a conviction of a violation of K.S.A. 8-1567 or section 2, and amendments thereto, the division shall suspend the person's driving privileges until the division receives notice of the person's completion of such program recommendation.~~

(e) Except as provided in K.S.A. 8-2,142, and amendments thereto, if a person's

driving privileges are subject to suspension pursuant to this section for a test refusal, test failure or alcohol or drug-related conviction arising from the same arrest, the period of such suspension shall not exceed the longest applicable period authorized by subsection (a), ~~(b) or (e)~~ or (b), and such suspension periods shall not be added together or otherwise imposed consecutively. In addition, in determining the period of such suspension as authorized by subsection (a), ~~(b) or (e)~~ or (b), such person shall receive credit for any period of time for which such person's driving privileges were suspended while awaiting any hearing or final order authorized by this act.

If a person's driving privileges are subject to restriction pursuant to this section for a test failure or alcohol or drug-related conviction arising from the same arrest, the restriction periods shall not be added together or otherwise imposed consecutively. In addition, in determining the period of restriction, the person shall receive credit for any period of suspension imposed for a test refusal arising from the same arrest.

(f) If the division has taken action under subsection (a) for a test refusal or under subsection (b) ~~or (e)~~ for a test failure and such action is stayed pursuant to K.S.A. 8-259, and amendments thereto, or if temporary driving privileges are issued pursuant to K.S.A. 8-1020, and amendments thereto, the stay or temporary driving privileges shall not prevent the division from taking the action required by subsection (b) ~~or (e)~~ for an alcohol or drug-related conviction.

(g) The provisions of subsections (a), (b) and (c), as amended by this act and section 14 of chapter 105 of the 2011 Session Laws of Kansas, may be applied retroactively only if requested by a person who has had such person's driving privileges suspended or restricted pursuant to subsection (a), (b) or (c) prior to such amendment. Such person may apply to the division to have the penalties applied retroactively, as provided under subsection (f) ~~(e)~~ of K.S.A. 8-1015, and amendments thereto.

(h) When modifying penalties pursuant to subsection (g), the division shall credit any suspension or revocation time in excess of one year which was imposed and served prior to retroactive application of the provisions of subsections (a), (b) and (c), as amended by this act and section 14 of chapter 105 of the 2011 Session Laws of Kansas, toward the required ignition interlock restriction period imposed pursuant to the retroactive application of such provisions if: (1) The person's driving record indicates no driving by the person during the applicable suspension or revocation period; and (2) the person completes a form prescribed by the division indicating that the person did not drive during the applicable suspension or revocation period.

~~(h)~~(i) As used in this section, "suspension" includes any period of suspension and any period of restriction as provided in subsection (a) of K.S.A. 8-1015, and amendments thereto.

Sec. 17. K.S.A. 2011 Supp. 8-1015 is hereby amended to read as follows: 8-1015.

(a) (1) Except as provided in subsection (a)(2), whenever a person's driving privileges have been suspended for one year as provided in subsection (a) of K.S.A. 8-1014, and amendments thereto, after 90 days of such suspension, such person may apply to the division for such person's driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only for the purposes of getting to and from: Work, school or an alcohol treatment program; and the ignition interlock provider for maintenance and downloading of data from the device.

(2) Whenever a person's driving privileges have been suspended for one year as

provided in subsection (a)(1) of K.S.A. 8-1014, and amendments thereto, after 90 days of such suspension, such person may apply to the division for such person's driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only under the circumstances provided by subsections (a)(1), (2), (3) and (4) of K.S.A. 8-292, and amendments thereto.

(3) Except as provided in subsection (a)(4), whenever a person's driving privileges have been suspended for one year as provided in subsection (a), (b) ~~or (c)~~ of K.S.A. 8-1014, and amendments thereto, after 45 days of such suspension, such person may apply to the division for such person's driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only for the purposes of getting to and from: Work, school or an alcohol treatment program; and the ignition interlock provider for maintenance and downloading of data from the device.

(4) Whenever a person's driving privileges have been suspended for one year as provided in subsection (b)(2)(A) of K.S.A. 8-1014, and amendments thereto, after 45 days of such suspension, such person may apply to the division for such person's driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only under the circumstances provided by subsections (a)(1), (2), (3) and (4) of K.S.A. 8-292, and amendments thereto.

(5) The division shall assess an application fee of \$100 for a person to apply to modify the suspension to restricted ignition interlock status.

~~(2)(6)~~ (6) The division shall approve the request for such restricted license unless such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court. If the request is approved, upon receipt of proof of the installation of such device, the division shall issue a copy of the order imposing such restrictions on the person's driving privileges and such order shall be carried by the person at any time the person is operating a motor vehicle on the highways of this state. Except as provided in K.S.A. 8-1017, and amendments thereto, if such person is convicted of a violation of the restrictions, such person's driving privileges shall be suspended for an additional year, in addition to any term of suspension or restriction as provided in subsection (a), ~~(b) or (c)~~ or (b) of K.S.A. 8-1014, and amendments thereto.

(b) (1) On and after July 1, 2011, through June 30, 2015:

(A) Except as provided in subsection (b)(1)(B), when a person has completed the suspension pursuant to subsection (b)(1)(A) of K.S.A. 8-1014, and amendments thereto, the division shall restrict the person's driving privileges for 180 days to driving only a motor vehicle equipped with an ignition interlock device.

(B) When a person has completed the suspension pursuant to subsection (b)(1)(A) of K.S.A. 8-1014, and amendments thereto, the division shall restrict the person's driving privileges for one year to driving only a motor vehicle equipped with an ignition interlock device if the records maintained by the division indicate that such person has previously: (A) Been convicted of a violation of K.S.A. 8-1599, and amendments thereto; (B) been convicted of a violation of K.S.A. 41-727, and amendments thereto; (C) been convicted of any violations listed in subsection (a) of K.S.A. 8-285, and amendments thereto; (D) been convicted of three or more moving traffic violations

committed on separate occasions within a 12-month period; or (E) had such person's driving privileges revoked, suspended, canceled or withdrawn.

(2) On and after July 1, 2015:

(A) Except as provided in subsection (b)(2)(B), when a person has completed the suspension pursuant to subsection (b)(1)(A) of K.S.A. 8-1014, and amendments thereto, the division shall restrict the person's driving privileges to driving only under the circumstances provided by subsections (a)(1), (2), (3) and (4) of K.S.A. 8-292, and amendments thereto.

(B) In lieu of the restrictions set out in subsection (b)(2)(A), the division, upon request of the person whose driving privileges are to be restricted, may restrict the person's driving privileges to driving only a motor vehicle equipped with an ignition interlock device.

(c) Except as provided in subsection (b), when a person has completed the suspension pursuant to subsection (a), ~~(b) or (e)~~ or (b) of K.S.A. 8-1014, and amendments thereto, the division shall restrict the person's driving privileges pursuant to subsection (a), ~~(b) or (e)~~ or (b) of K.S.A. 8-1014, and amendments thereto, to driving only a motor vehicle equipped with an ignition interlock device. Upon restricting a person's driving privileges pursuant to this subsection, the division shall issue a copy of the order imposing the restrictions which is required to be carried by the person at any time the person is operating a motor vehicle on the highways of this state.

(d) Whenever an ignition interlock device is required by law, such ignition interlock device shall be approved by the division and maintained at the person's expense. Proof of the installation of such ignition interlock device, for the entire period required by the applicable law, shall be provided to the division before the person's driving privileges are fully reinstated.

(e) Except as provided further, any person whose license is restricted to operating only a motor vehicle with an ignition interlock device installed may operate an employer's vehicle without an ignition interlock device installed during normal business activities, provided that the person does not partly or entirely own or control the employer's vehicle or business. The provisions of this subsection shall not apply to any person whose driving privileges have been restricted for the remainder of the one-year suspension period as provided in subsection ~~(a)-(a)(1) or (a)(3)~~.

(f) Upon expiration of the period of time for which restrictions are imposed pursuant to this section, the licensee may apply to the division for the return of any license previously surrendered by the licensee. If the license has expired, the person may apply to the division for a new license, which shall be issued by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless the person's driving privileges have been suspended or revoked prior to expiration.

(g) Any person who has had the person's driving privileges suspended ~~or~~-restricted ~~or~~-revoked pursuant to subsection (a), (b) or (c) of K.S.A. 8-1014, prior to the amendments by this act and section 14 of chapter 105 of the 2011 Session Laws of Kansas, may apply to the division to have the suspension ~~and~~-restriction or revocation penalties modified in conformity with the provisions of subsection (a), (b) or (c) of K.S.A. 8-1014, and amendments thereto. The division shall assess an application fee of \$100 for a person to apply to modify the suspension and; restriction ~~or revocation~~-penalties previously issued. The division shall modify the suspension, restriction or

revocation penalties, unless such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court.

(h) The division shall remit all application fees collected pursuant to subsections (a) and (g) to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit such moneys to the division of vehicles operating fund until an aggregate amount of \$100,000 is credited to the division of vehicles operating fund each fiscal year. On and after an aggregate amount of \$100,000 is credited to such fund each fiscal year, the entire amount of such remittance shall be credited to the community corrections supervision fund created by K.S.A. 2011 Supp. 75-52,113, and amendments thereto. The application fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for such application. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. ~~The division shall modify the suspension and restriction penalties, unless such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court.~~

Sec. 18. K.S.A. 2011 Supp. 8-1020 is hereby amended to read as follows: 8-1020.

(a) Any licensee served with an officer's certification and notice of suspension pursuant to K.S.A. 8-1002, and amendments thereto, may request an administrative hearing. Such request may be made either by:

(1) Mailing a written request which is postmarked 14 days after service of notice; or

(2) transmitting a written request by electronic facsimile which is received by the division within 14 days after service of notice.

(b) If the licensee makes a timely request for an administrative hearing and makes a timely payment of the required hearing fee, any temporary license issued pursuant to K.S.A. 8-1002, and amendments thereto, shall remain in effect until the 30th day after the effective date of the decision made by the division.

(c) If the licensee fails to make a timely request for an administrative hearing together with the required hearing fee, the licensee's driving privileges shall be suspended or suspended and then restricted in accordance with the notice of suspension served pursuant to K.S.A. 8-1002, and amendments thereto.

(d) (1) Upon receipt of a timely request for a hearing together with the required hearing fee, the division shall forthwith set the matter for hearing before a representative of the director and provide notice of the extension of temporary driving privileges. The hearing shall be held by telephone conference call unless the hearing request includes a request that the hearing be held in person before a representative of the director. The officer's certification and notice of suspension shall inform the licensee of the availability of a hearing before a representative of the director. Except for a hearing conducted by telephone conference call, the hearing shall be conducted in the county where the arrest occurred or a county adjacent thereto.

(2) The division shall charge a fee of \$50 for a hearing, to be paid within the time period for making a timely request for a hearing, whether held by telephone or in person, to be applied by the division for administrative costs to conduct the hearing. The division shall remit all hearing fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such

remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the division of vehicles operating fund. The hearing fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for such hearing. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

(e) Except as provided in subsection (f), prehearing discovery shall be limited to the following documents, which shall be provided to the licensee or the licensee's attorney no later than seven days prior to the date of hearing:

- (1) The officer's certification and notice of suspension;
- (2) in the case of a breath or blood test failure, copies of documents indicating the result of any evidentiary breath or blood test administered at the request of a law enforcement officer;
- (3) in the case of a breath test failure, a copy of the affidavit showing certification of the officer and the instrument; and
- (4) in the case of a breath test failure, a copy of the Kansas department of health and environment testing protocol checklist.

(f) At or prior to the time the notice of hearing is sent, the division shall issue an order allowing the licensee or the licensee's attorney to review any video or audio tape record made of the events upon which the administrative action is based. Such review shall take place at a reasonable time designated by the law enforcement agency and shall be made at the location where the video or audio tape is kept. The licensee may obtain a copy of any such video or audio tape upon request and upon payment of a reasonable fee to the law enforcement agency, not to exceed \$25 per tape.

(g) Witnesses at the hearing shall be limited to the licensee, to any law enforcement officer who signed the certification form and to one other witness who was present at the time of the issuance of the certification and called by the licensee. The presence of the certifying officer or officers shall not be required, unless requested by the licensee at the time of making the request for the hearing. The examination of a law enforcement officer shall be restricted to the factual circumstances relied upon in the officer's certification.

(h) (1) If the officer certifies that the person refused the test, the scope of the hearing shall be limited to whether:

(A) A law enforcement officer had reasonable grounds to believe the person was operating or attempting to operate a vehicle while under the influence of alcohol or drugs, or both, or had been driving a commercial motor vehicle, as defined in K.S.A. 8-2-128, and amendments thereto, while having alcohol or other drugs in such person's system;

(B) the person was in custody or arrested for an alcohol or drug related offense or was involved in a vehicle accident or collision resulting in property damage, personal injury or death;

(C) a law enforcement officer had presented the person with the oral and written notice required by K.S.A. 8-1001, and amendments thereto; and

(D) the person refused to submit to and complete a test as requested by a law enforcement officer.

(2) If the officer certifies that the person failed a breath test, the scope of the hearing shall be limited to whether:

(A) A law enforcement officer had reasonable grounds to believe the person was

operating a vehicle while under the influence of alcohol or drugs, or both, or had been driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system;

(B) the person was in custody or arrested for an alcohol or drug related offense or was involved in a vehicle accident or collision resulting in property damage, personal injury or death;

(C) a law enforcement officer had presented the person with the oral and written notice required by K.S.A. 8-1001, and amendments thereto;

(D) the testing equipment used was certified by the Kansas department of health and environment;

(E) the person who operated the testing equipment was certified by the Kansas department of health and environment;

(F) the testing procedures used substantially complied with the procedures set out by the Kansas department of health and environment;

(G) the test result determined that the person had an alcohol concentration of .08 or greater in such person's breath; and

(H) the person was operating or attempting to operate a vehicle.

(3) If the officer certifies that the person failed a blood test, the scope of the hearing shall be limited to whether:

(A) A law enforcement officer had reasonable grounds to believe the person was operating a vehicle while under the influence of alcohol or drugs, or both, or had been driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system;

(B) the person was in custody or arrested for an alcohol or drug related offense or was involved in a vehicle accident or collision resulting in property damage, personal injury or death;

(C) a law enforcement officer had presented the person with the oral and written notice required by K.S.A. 8-1001, and amendments thereto;

(D) the testing equipment used was reliable;

(E) the person who operated the testing equipment was qualified;

(F) the testing procedures used were reliable;

(G) the test result determined that the person had an alcohol concentration of .08 or greater in such person's blood; and

(H) the person was operating or attempting to operate a vehicle.

(i) At a hearing pursuant to this section, or upon court review of an order entered at such a hearing, an affidavit of the custodian of records at the Kansas department of health and environment stating that the breath testing device was certified and the operator of such device was certified on the date of the test shall be admissible into evidence in the same manner and with the same force and effect as if the certifying officer or employee of the Kansas department of health and environment had testified in person. A certified operator of a breath testing device shall be competent to testify regarding the proper procedures to be used in conducting the test.

(j) At a hearing pursuant to this section, or upon court review of an order entered at such a hearing, in which the report of blood test results have been prepared by the Kansas bureau of investigation or other forensic laboratory of a state or local law enforcement agency are to be introduced as evidence, the report, or a copy of the report, of the findings of the forensic examiner shall be admissible into evidence in the same

manner and with the same force and effect as if the forensic examiner who performed such examination, analysis, comparison or identification and prepared the report thereon had testified in person.

(k) At the hearing, the licensee has the burden of proof by a preponderance of the evidence to show that the facts set out in the officer's certification are false or insufficient and that the order suspending or suspending and restricting the licensee's driving privileges should be dismissed.

(l) Evidence at the hearing shall be limited to the following:

- (1) The documents set out in subsection (e);
- (2) the testimony of the licensee;
- (3) the testimony of any certifying officer;
- (4) the testimony of any witness present at the time of the issuance of the certification and called by the licensee;
- (5) any affidavits submitted from other witnesses;
- (6) any documents submitted by the licensee to show the existence of a medical condition, as described in K.S.A. 8-1001, and amendments thereto; and
- (7) any video or audio tape record of the events upon which the administrative action is based.

(m) After the hearing, the representative of the director shall enter an order affirming the order of suspension or suspension and restriction of driving privileges or for good cause appearing therefor, dismiss the administrative action. If the representative of the director enters an order affirming the order of suspension or suspension and restriction of driving privileges, the suspension or suspension and restriction shall begin on the 30th day after the effective date of the order of suspension or suspension and restriction. If the person whose privileges are suspended is a nonresident licensee, the license of the person shall be forwarded to the appropriate licensing authority in the person's state of residence if the result at the hearing is adverse to such person or if no timely request for a hearing is received.

(n) The representative of the director may issue an order at the close of the hearing or may take the matter under advisement and issue a hearing order at a later date. If the order is made at the close of the hearing, the licensee or the licensee's attorney shall be served with a copy of the order by the representative of the director. If the matter is taken under advisement or if the hearing was by telephone conference call, the licensee and any attorney who appeared at the administrative hearing upon behalf of the licensee each shall be served with a copy of the hearing order by mail. Any law enforcement officer who appeared at the hearing also may be mailed a copy of the hearing order. The effective date of the hearing order shall be the date upon which the hearing order is served, whether served in person or by mail.

(o) The licensee may file a petition for review of the hearing order pursuant to K.S.A. 8-259, and amendments thereto. Upon filing a petition for review, the licensee shall serve the secretary of revenue with a copy of the petition and summons. Upon receipt of a copy of the petition for review by the secretary, the temporary license issued pursuant to subsection (b) shall be extended until the decision on the petition for review is final.

(p) Such review shall be in accordance with this section and the Kansas judicial review act. To the extent that this section and any other provision of law conflicts, this section shall prevail. The petition for review shall be filed within 14 days after the

effective date of the order. Venue of the action for review is the county where the person was arrested or the accident occurred, or, if the hearing was not conducted by telephone conference call, the county where the administrative proceeding was held. The action for review shall be by trial de novo to the court and the evidentiary restrictions of subsection (l) shall not apply to the trial de novo. The court shall take testimony, examine the facts of the case and determine whether the petitioner is entitled to driving privileges or whether the petitioner's driving privileges are subject to suspension or revocation and restriction under the provisions of this act. If the court finds that the grounds for action by the agency have been met, the court shall affirm the agency action.

(q) Upon review, the licensee shall have the burden to show that the decision of the agency should be set aside.

(r) Notwithstanding the requirement to issue a temporary license in K.S.A. 8-1002, and amendments thereto, and the requirements to extend the temporary license in this section, any such temporary driving privileges are subject to restriction, suspension, revocation or cancellation as provided in K.S.A. 8-1014, and amendments thereto, or for other cause.

(s) Upon motion by a party, or on the court's own motion, the court may enter an order restricting the driving privileges allowed by the temporary license provided for in K.S.A. 8-1002, and amendments thereto, and in this section. The temporary license also shall be subject to restriction, suspension, revocation or cancellation, as set out in K.S.A. 8-1014, and amendments thereto, or for other cause.

(t) The facts found by the hearing officer or by the district court upon a petition for review shall be independent of the determination of the same or similar facts in the adjudication of any criminal charges arising out of the same occurrence. The disposition of those criminal charges shall not affect the suspension or suspension and restriction to be imposed under this section.

(u) All notices affirming or canceling a suspension under this section, all notices of a hearing held under this section and all issuances of temporary driving privileges pursuant to this section shall be sent by first-class mail and a United States post office certificate of mailing shall be obtained therefor. All notices so mailed shall be deemed received three days after mailing, except that this provision shall not apply to any licensee where such application would result in a manifest injustice.

(v) The provisions of K.S.A. 60-206, and amendments thereto, regarding the computation of time shall be applicable in determining the time for requesting an administrative hearing as set out in subsection (a) and to the time for filing a petition for review pursuant to subsection (o) and K.S.A. 8-259, and amendments thereto.

Sec. 19. K.S.A. 8-1501 is hereby amended to read as follows: 8-1501. The provisions of this article relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except:

(a) Where a different place is specifically referred to in a given section; and

(b) The provisions of K.S.A. 8-1566 to 8-1568, inclusive, section 2 and the provisions of article 10 of chapter 8 of the Kansas Statutes Annotated, and any acts amendatory thereof amendments thereto, shall apply upon highways and elsewhere throughout the state.

Sec. 20. K.S.A. 2011 Supp. 8-1567 is hereby amended to read as follows: 8-1567.

(a) Driving under the influence is operating or attempting to operate any vehicle within

this state while:

(1) The alcohol concentration in the person's blood or breath as shown by any competent evidence, including other competent evidence, as defined in paragraph (1) of subsection (f) of K.S.A. 8-1013, and amendments thereto, is .08 or more;

(2) the alcohol concentration in the person's blood or breath, as measured within three hours of the time of operating or attempting to operate a vehicle, is .08 or more;

(3) under the influence of alcohol to a degree that renders the person incapable of safely driving a vehicle;

(4) under the influence of any drug or combination of drugs to a degree that renders the person incapable of safely driving a vehicle; or

(5) under the influence of a combination of alcohol and any drug or drugs to a degree that renders the person incapable of safely driving a vehicle; ~~or~~

~~(6) The person is a habitual user of any narcotic, hypnotic, somnifacient or stimulating drug.~~

(b) (1) Driving under the influence is:

(A) On a first conviction a class B, nonperson misdemeanor. The person convicted shall be sentenced to not less than 48 consecutive hours nor more than six months' imprisonment, or in the court's discretion 100 hours of public service, and fined not less than \$750 nor more than \$1,000. The person convicted shall serve at least 48 consecutive hours' imprisonment or 100 hours of public service either before or as a condition of any grant of probation or suspension, reduction of sentence or parole. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the remainder of the ~~minimum~~ sentence only after such person has served 48 consecutive hours' imprisonment;

(B) on a second conviction a class A, nonperson misdemeanor. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,250 nor more than \$1,750. The person convicted shall serve at least five consecutive days' imprisonment before the person is granted probation, suspension or reduction of sentence or parole or is otherwise released. The five days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the ~~remainder of the minimum sentence~~ five days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 120 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 120 hours;

(C) on a third conviction a class A, nonperson misdemeanor, except as provided in

subsection (b)(1)(D). The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of ~~240~~ 2,160 hours of confinement. Such ~~240~~ 2,160 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the remainder of the minimum sentence 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of ~~240~~ 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the ~~240~~ 2,160 hours;

(D) on a third conviction a nonperson felony if the person has a prior conviction which occurred within the preceding 10 years, not including any period of incarceration. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of ~~240~~ 2,160 hours of confinement. Such ~~240~~ 2,160 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the remainder of the minimum sentence 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of ~~240~~ 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the ~~240~~ 2,160 hours; and

(E) on a fourth or subsequent conviction a nonperson ~~felon~~ felony. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined \$2,500. The person convicted shall not be eligible for release

on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this ~~paragraph~~ subsection may be served in a work release program only after such person has served 72 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of ~~240~~ 2,160 hours of confinement. Such ~~240~~ 2,160 hours of confinement shall be a period of at least 72 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the ~~remainder of the minimum sentence~~ 90 days' imprisonment mandated by this subsection only after such person has served 72 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of ~~240~~ 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the ~~240~~ 2,160 hours.

(2) The court may order that the term of imprisonment imposed pursuant to subsection (b)(1)(D) or (b)(1)(E) be served in a state facility in the custody of the secretary of corrections in a facility designated by the secretary for the provision of substance abuse treatment pursuant to the provisions of K.S.A. 2011 Supp. 21-6804, and amendments thereto. The person shall remain imprisoned at the state facility only while participating in the substance abuse treatment program designated by the secretary and shall be returned to the custody of the sheriff for execution of the balance of the term of imprisonment upon completion of or the person's discharge from the substance abuse treatment program. Custody of the person shall be returned to the sheriff for execution of the sentence imposed in the event the secretary of corrections determines: (A) That substance abuse treatment resources or the capacity of the facility designated by the secretary for the incarceration and treatment of the person is not available; (B) the person fails to meaningfully participate in the treatment program of the designated facility; (C) the person is disruptive to the security or operation of the designated facility; or (D) the medical or mental health condition of the person renders the person unsuitable for confinement at the designated facility. The determination by the secretary that the person either is not to be admitted into the designated facility or is to be transferred from the designated facility is not subject to review. The sheriff shall be responsible for all transportation expenses to and from the state correctional facility.

(3) In addition, for any conviction pursuant to subsection (b)(1)(C), (b)(1)(D) or (b)(1)(E), at the time of the filing of the judgment form or journal entry as required by K.S.A. 22-3426 or K.S.A. 2011 Supp. 21-6711, and amendments thereto, the court shall cause a certified copy to be sent to the officer having the offender in charge. The court shall determine whether the offender, upon release from imprisonment, shall be supervised by community correctional services or court services based upon the risk and needs of the offender. The risk and needs of the offender shall be determined by use of a risk assessment tool specified by the Kansas sentencing commission. The law enforcement agency maintaining custody and control of a defendant for imprisonment shall cause a certified copy of the judgment form or journal entry to be sent to the

supervision office designated by the court and upon expiration of the term of imprisonment shall deliver the defendant to a location designated by the supervision office designated by the court. After the term of imprisonment imposed by the court, the person shall be placed on supervision to community correctional services or court services, as determined by the court, for a mandatory one-year period of supervision, which such period of supervision shall not be reduced. During such supervision, the person shall be required to participate in a multidisciplinary model of services for substance use disorders facilitated by a department of social and rehabilitation services designated care coordination agency to include assessment and, if appropriate, referral to a community based substance use disorder treatment including recovery management and mental health counseling as needed. The multidisciplinary team shall include the designated care coordination agency, the supervision officer, the social and rehabilitation services department designated treatment provider and the offender. Any violation of the conditions of such supervision may subject such person to revocation of supervision and imprisonment in jail for the remainder of the period of imprisonment, the remainder of the supervision period, or any combination or portion thereof.

(4) In addition, prior to sentencing for any conviction pursuant to subsection (b)(1)(A) or (b)(1)(B), the court shall order the person to participate in an alcohol and drug evaluation conducted by a provider in accordance with K.S.A. 8-1008, and amendments thereto. The person shall be required to follow any recommendation made by the provider after such evaluation, unless otherwise ordered by the court.

(c) Any person convicted of violating this section or an ordinance which prohibits the acts that this section prohibits who had one or more children under the age of 14 years in the vehicle at the time of the offense shall have such person's punishment enhanced by one month of imprisonment. This imprisonment must be served consecutively to any other minimum mandatory penalty imposed for a violation of this section or an ordinance which prohibits the acts that this section prohibits. Any enhanced penalty imposed shall not exceed the maximum sentence allowable by law. During the service of the enhanced penalty, the judge may order the person on house arrest, work release or other conditional release.

(d) If a person is charged with a violation of this section involving drugs, the fact that the person is or has been entitled to use the drug under the laws of this state shall not constitute a defense against the charge.

(e) The court may establish the terms and time for payment of any fines, fees, assessments and costs imposed pursuant to this section. Any assessment and costs shall be required to be paid not later than 90 days after imposed, and any remainder of the fine shall be paid prior to the final release of the defendant by the court.

(f) In lieu of payment of a fine imposed pursuant to this section, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed not later than one year after the fine is imposed or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date.

~~(g) (1) Except as provided in paragraph (5), in addition to any other penalty which~~

may be imposed upon a first conviction of a violation of this section, the court may order that the convicted person's motor vehicle or vehicles be impounded or immobilized for a period not to exceed one year and that the convicted person pay all towing, impoundment and storage fees or other immobilization costs.

(2) The court shall not order the impoundment or immobilization of a motor vehicle driven by a person convicted of a violation of this section if the motor vehicle had been stolen or converted at the time it was driven in violation of this section.

(3) Prior to ordering the impoundment or immobilization of a motor vehicle or vehicles owned by a person convicted of a violation of this section, the court shall consider, but not be limited to, the following:

(A) Whether the impoundment or immobilization of the motor vehicle would result in the loss of employment by the convicted person or a member of such person's family; and

(B) whether the ability of the convicted person or a member of such person's family to attend school or obtain medical care would be impaired.

(4) Any personal property in a vehicle impounded or immobilized pursuant to this subsection may be retrieved prior to or during the period of such impoundment or immobilization.

(5) As used in this subsection, the convicted person's motor vehicle or vehicles shall include any vehicle leased by such person. If the lease on the convicted person's motor vehicle subject to impoundment or immobilization expires in less than one year from the date of the impoundment or immobilization, the time of impoundment or immobilization of such vehicle shall be the amount of time remaining on the lease.

(h)(g) Prior to filing a complaint alleging a violation of this section, a prosecutor shall request and shall receive from the:

(1) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and

(2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(h)(h) The court shall electronically report every conviction of a violation of this section and every diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of this section to the division. Prior to sentencing under the provisions of this section, the court shall request and shall receive from the division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state.

(h)(i) For the purpose of determining whether a conviction is a first, second, third, fourth or subsequent conviction in sentencing under this section:

(1) "Conviction" includes being convicted of a violation of this section or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of this section;

(2) "conviction" includes being convicted of a violation of a law of another state or an ordinance of any city, or resolution of any county, which prohibits the acts that this section prohibits or entering into a diversion agreement in lieu of further criminal proceedings in a case alleging a violation of such law, ordinance or resolution;

(3) only convictions occurring on or after July 1, 2001, shall be taken into account when determining the sentence to be imposed for a first, second, third, fourth or subsequent offender;

(1) Convictions for a violation of this section, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that this section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, shall be taken into account, but only convictions or diversions occurring on or after July 1, 2001. Nothing in this provision shall be construed as preventing any court from considering any convictions or diversions occurring during the person's lifetime in determining the sentence to be imposed within the limits provided for a first, second, third, fourth or subsequent offense;

(2) any convictions for a violation of the following sections occurring during a person's lifetime shall be taken into account: (A) Refusing to submit to a test to determine the presence of alcohol or drugs, section 2, and amendments thereto; (B) driving a commercial motor vehicle under the influence, K.S.A. 8-2,144, and amendments thereto; (C) operating a vessel under the influence of alcohol or drugs, K.S.A. 32-1131, and amendments thereto; (D) involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or subsection (a)(3) of K.S.A. 2011 Supp. 21-5405, and amendments thereto; and (E) aggravated vehicular homicide, K.S.A. 21-3405a, prior to its repeal, or vehicular battery, K.S.A. 21-3405b, prior to its repeal, if the crime was committed while committing a violation of K.S.A. 8-1567, and amendments thereto;

(3) "conviction" includes: (A) Entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of a crime described in subsection (i)(2); (B) conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state or any law of another state which would constitute a crime described in subsection (i)(1) or (i)(2); and (C) receiving punishment under the uniform code of military justice or Kansas code of military justice for an act which was committed on a military reservation and which would constitute a crime described in subsection (i)(1) or (i)(2) if committed off a military reservation in this state;

(4) multiple convictions of any crime described in subsection (i)(1) or (i)(2) arising from the same arrest shall only be counted as one conviction;

~~(4)(5)~~ it is irrelevant whether an offense occurred before or after conviction for a previous offense; and

~~(5)(6)~~ a person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of this section, and amendments thereto, or an ordinance which prohibits the acts of this section, and amendments thereto, only once during the person's lifetime.

~~(4)(j)~~ Upon conviction of a person of a violation of this section or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section, the division, upon receiving a report of conviction, shall suspend, restrict or suspend and restrict the person's driving privileges as provided by K.S.A. 8-1014, and amendments thereto.

~~(4)(k)~~ (1) Nothing contained in this section shall be construed as preventing any city from enacting ordinances, or any county from adopting resolutions, declaring acts prohibited or made unlawful by this act as unlawful or prohibited in such city or county and prescribing penalties for violation thereof.

(2) The minimum penalty prescribed by any such ordinance or resolution shall not be less than the minimum penalty prescribed by this section for the same violation, and the maximum penalty in any such ordinance or resolution shall not exceed the

maximum penalty prescribed for the same violation.

(3) On and after July 1, 2007, and retroactive for ordinance violations committed on or after July 1, 2006, an ordinance may grant to a municipal court jurisdiction over a violation of such ordinance which is concurrent with the jurisdiction of the district court over a violation of this section, notwithstanding that the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony.

(4) Any such ordinance or resolution shall authorize the court to order that the convicted person pay restitution to any victim who suffered loss due to the violation for which the person was convicted.

~~(5) Any such ordinance or resolution may require or authorize the court to order that the convicted person's motor vehicle or vehicles be impounded or immobilized in accordance with subsection (g).~~

~~(m)(1)~~(1) Upon the filing of a complaint, citation or notice to appear alleging a person has violated a city ordinance prohibiting the acts prohibited by this section, and prior to conviction thereof, a city attorney shall request and shall receive from the:

(A) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and

(B) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(2) If the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony, the city attorney shall refer the violation to the appropriate county or district attorney for prosecution.

~~(m)~~ No plea bargaining agreement shall be entered into nor shall any judge approve a plea bargaining agreement entered into for the purpose of permitting a person charged with a violation of this section, or a violation of any ordinance of a city or resolution of any county in this state which prohibits the acts prohibited by this section, to avoid the mandatory penalties established by this section or by the ordinance. For the purpose of this subsection, entering into a diversion agreement pursuant to K.S.A. 12-4413 *et seq.* or 22-2906 *et seq.*, and amendments thereto, shall not constitute plea bargaining.

~~(n)~~(n) The alternatives set out in subsections (a)(1), (a)(2) and (a)(3) may be pleaded in the alternative, and the state, city or county, but shall not be required to, may elect one or two of the three prior to submission of the case to the fact finder.

~~(p)~~ Upon a fourth or subsequent conviction, the judge of any court in which any person is convicted of violating this section, may revoke the person's license plate or temporary registration certificate of the motor vehicle driven during the violation of this section for a period of one year. Upon revoking any license plate or temporary registration certificate pursuant to this subsection, the court shall require that such license plate or temporary registration certificate be surrendered to the court.

~~(q)~~(o) As used in this section: (1) "Alcohol concentration" means the number of grams of alcohol per 100 milliliters of blood or per 210 liters of breath;

(2) "imprisonment" shall include any restrained environment in which the court and law enforcement agency intend to retain custody and control of a defendant and such environment has been approved by the board of county commissioners or the governing body of a city; and

(3) "drug" includes toxic vapors as such term is defined in K.S.A. 2011 Supp. 21-5712, and amendments thereto.

~~(p)~~(1) The amount of the increase in fines as specified in this section shall be remitted by the clerk of the district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of remittance of the increase provided in this act, the state treasurer shall deposit the entire amount in the state treasury and the state treasurer shall credit 50% to the community alcoholism and intoxication programs fund and 50% to the department of corrections alcohol and drug abuse treatment fund, which is hereby created in the state treasury.

(2) On and after July 1, 2011, the amount of \$250 from each fine imposed pursuant to this section shall be remitted by the clerk of the district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2011 Supp. 75-52,113, and amendments thereto.

Sec. 21. K.S.A. 2011 Supp. 12-4106 is hereby amended to read as follows: 12-4106. (a) The municipal judge shall have the power to administer the oaths and enforce all orders, rules and judgments made by such municipal judge, and may fine or imprison for contempt in the same manner and to the same extent as a judge of the district court.

(b) The municipal judge shall have the power to hear and determine all cases properly brought before such municipal judge to: Grant continuances; sentence those found guilty to a fine or confinement in jail, or both; commit accused persons to jail in default of bond; determine applications for parole; release on probation; grant time in which a fine may be paid; correct a sentence; suspend imposition of a sentence; set aside a judgment; permit time for post trial motions; and discharge accused persons.

(c) The municipal judge shall maintain a docket in which every cause commenced before such municipal judge shall be entered. Such docket shall contain the names of the accused persons and complainant, the nature or character of the offense, the date of trial, the names of all witnesses sworn and examined, the finding of the court, the judgment and sentence, the date of payment, the date of issuing commitment, if any, and every other fact necessary to show the full proceedings in each case.

(d) The municipal judge shall promptly make such reports and furnish the information requested by any departmental justice or the judicial administrator, in the manner and form prescribed by the supreme court.

(e) The municipal judge shall ensure that information concerning dispositions of city ordinance violations that result in convictions comparable to convictions for class A and B misdemeanors under Kansas criminal statutes is forwarded to the Kansas bureau of investigation central repository. This information shall be transmitted, on a form or in a format approved by the attorney general, within 30 days of final disposition.

(f) In all cases alleging a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, the municipal court judge shall ensure that the municipal court reports the filing and disposition of such case to the Kansas bureau of investigation central repository, and, on and after July 1, 2013, reports the filing and disposition of such case electronically to the Kansas bureau of investigation central repository.

(g) In all cases in which a fine is imposed for a violation of a city ordinance.

prohibiting the acts prohibited by K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, the municipal court judge shall ensure that the municipal court remits the appropriate amount of such fine to the state treasurer as provided in section 1, and amendments thereto.

Sec. 22. K.S.A. 12-4413 is hereby amended to read as follows: 12-4413. As used in K.S.A. 8-1009, ~~and~~ 12-4413 to 12-4418, inclusive ~~and 22-3609~~:

- (a) "City attorney" means a city attorney of a city of this state.
- (b) "Complaint" means complaint, citation or notice to appear in a municipal court.
- (c) "Diversion" means referral of a defendant in a criminal case charging an alcohol related offense to a supervised performance program prior to adjudication.
- (d) "Diversion agreement" means the specification of formal terms and conditions which a defendant must fulfill in order to have the charges against such person dismissed.
- (e) "Alcohol related offense" means violation of an ordinance of a city of this state that prohibits the acts prohibited by K.S.A. 8-1567 or section 2, and amendments thereto, or violation of such statute.

Sec. 23. K.S.A. 2011 Supp. 12-4414 is hereby amended to read as follows: 12-4414. (a) Except as provided in K.S.A. 8-1567 and section 2, and amendments thereto, after a complaint has been filed charging a defendant with violation of an alcohol or drug related offense and prior to conviction thereof, and after the city attorney has considered the factors listed in K.S.A. 12-4415, and amendments thereto, if it appears to the city attorney that diversion of the defendant would be in the interests of justice and of benefit to the defendant and the community, the city attorney may propose a diversion agreement to the defendant. The terms of each diversion agreement shall be established by the city attorney in accordance with K.S.A. 12-4416, and amendments thereto.

(b) Each city attorney shall adopt written policies and guidelines for the implementation of a diversion program in accordance with K.S.A. 8-1009 and 12-4412 to 12-4417, inclusive, and amendments thereto. Such policies and guidelines shall provide for a diversion conference and other procedures in those cases where the city attorney elects to offer diversion in lieu of further criminal proceedings on the complaint.

(c) Each defendant shall be informed in writing of the diversion program and the policies and guidelines adopted by the city attorney. The city attorney may require any defendant requesting diversion to provide information regarding prior criminal charges, education, work experience and training, family, residence in the community, medical history, including any psychiatric or psychological treatment or counseling, and other information relating to the diversion program. In all cases, the defendant shall be present and shall have the right to be represented by counsel at the diversion conference with the city attorney.

Sec. 24. K.S.A. 2011 Supp. 12-4415 is hereby amended to read as follows: 12-4415. (a) In determining whether diversion of a defendant is in the interests of justice and of benefit to the defendant and the community, the city attorney shall consider at least the following factors among all factors considered:

- (1) The nature of the crime charged and the circumstances surrounding it;
- (2) any special characteristics or circumstances of the defendant;
- (3) whether the defendant is a first-time offender of an alcohol related offense and

if the defendant has previously participated in diversion, according to the certification of the division of vehicles of the state department of revenue;

(4) whether there is a probability that the defendant will cooperate with and benefit from diversion;

(5) whether the available diversion program is appropriate to the needs of the defendant;

(6) the impact of the diversion of the defendant upon the community;

(7) recommendations, if any, of the involved law enforcement agency;

(8) recommendations, if any, of the victim;

(9) provisions for restitution; and

(10) any mitigating circumstances.

(b) A city attorney shall not enter into a diversion agreement in lieu of further criminal proceedings on a complaint alleging an alcohol related offense if the defendant:

(1) Has previously participated in diversion of an alcohol related offense;

(2) has previously been convicted of or pleaded *nolo contendere* to an alcohol related offense in this state or has previously been convicted of or pleaded *nolo contendere* to a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or of a law of another state, or of a political subdivision thereof, which prohibits the acts prohibited by those statutes; or

(3) during the time of the alleged alcohol related offense was involved in a motor vehicle accident or collision resulting in personal injury or death.

Sec. 25. K.S.A. 2011 Supp. 12-4416 is hereby amended to read as follows: 12-

4416. (a) A diversion agreement shall provide that if the defendant fulfills the obligations of the program described therein, as determined by the city attorney, the city attorney shall act to have the criminal charges against the defendant dismissed with prejudice. The diversion agreement shall include specifically the waiver of all rights under the law or the constitution of Kansas or of the United States to counsel, a speedy arraignment, a speedy trial, and the right to trial by jury. The diversion agreement may include, but is not limited to, provisions concerning payment of restitution, including court costs and diversion costs, residence in a specified facility, maintenance of gainful employment, and participation in programs offering medical, educational, vocational, social and psychological services, corrective and preventive guidance and other rehabilitative services. The diversion agreement shall state:

(1) The defendant's full name;

(2) the defendant's full name at the time the complaint was filed, if different from the defendant's current name;

(3) the defendant's sex, race and date of birth;

(4) the crime with which the defendant is charged;

(5) the date the complaint was filed; and

(6) the municipal court with which the agreement is filed.

(b) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging an alcohol related offense, the diversion agreement shall include a stipulation, agreed to by the defendant and the city attorney, of the facts upon which the charge is based and a provision that if the defendant fails to fulfill the terms of the specific diversion agreement and the criminal proceedings on the complaint are resumed, the proceedings, including any proceedings on appeal, shall be conducted on

the record of the stipulation of facts relating to the complaint. In addition, the agreement shall include a requirement that the defendant:

(1) Pay a fine specified by the agreement in an amount equal to an amount authorized by K.S.A. 8-1567 or section 2, and amendments thereto, for a first offense or, in lieu of payment of the fine, perform community service specified by the agreement, consonant with K.S.A. 8-1567 or section 2, and amendments thereto; and

(2) participate in an alcohol and drug evaluation conducted by a licensed provider pursuant to K.S.A. 8-1008, and amendments thereto, and follow any recommendation made by the provider after such evaluation.

(c) If the person entering into a diversion agreement is a nonresident, the city attorney shall transmit a copy of the diversion agreement to the division. The division shall forward a copy of the diversion agreement to the motor vehicle administrator of the person's state of residence.

(d) If the city attorney elects to offer diversion in lieu of further criminal proceedings on the complaint and the defendant agrees to all of the terms of the proposed agreement, the diversion agreement shall be filed with the municipal court and the municipal court shall stay further proceedings on the complaint. If the defendant declines to accept diversion, the municipal court shall resume the criminal proceedings on the complaint.

(e) The city attorney shall forward to the division of vehicles of the state department of revenue a copy of the diversion agreement at the time such agreement is filed with the municipal court. The copy of the agreement shall be made available upon request to any county, district or city attorney or court.

Sec. 26. K.S.A. 2011 Supp. 12-4517 is hereby amended to read as follows: 12-4517. (a) (1) The municipal court judge shall ensure that all persons convicted of violating municipal ordinance provisions that prohibit conduct comparable to a class A or B misdemeanor or assault as defined in subsection (a) of K.S.A. 2011 Supp. 21-5412, and amendments thereto, under a Kansas criminal statute are fingerprinted and processed.

(2) The municipal court judge shall ensure that all persons arrested or charged with a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, are fingerprinted and processed at the time of booking or first appearance, whichever occurs first.

(b) The municipal court judge shall order the individual to be fingerprinted at an appropriate location as determined by the municipal court judge. Failure of the person to be fingerprinted after court order issued by the municipal judge shall constitute contempt of court. To reimburse the city or other entity for costs associated with fingerprinting, the municipal court judge may assess reasonable court costs, in addition to other court costs imposed by the state or municipality.

Sec. 27. K.S.A. 2011 Supp. 21-5203 is hereby amended to read as follows: 21-5203. A person may be guilty of a crime without having a culpable mental state if the crime is:

(a) A misdemeanor, cigarette or tobacco infraction or traffic infraction and the statute defining the crime clearly indicates a legislative purpose to impose absolute liability for the conduct described;

(b) a felony and the statute defining the crime clearly indicates a legislative purpose to impose absolute liability for the conduct described;

- (c) a violation of K.S.A. 8-1567 or 8-1567a, and amendments thereto;
- (d) a violation of K.S.A. 8-2,144, and amendments thereto; ~~or~~
- (e) a violation of section 2, and amendments thereto; or
- ~~(e)(f)~~ a violation of K.S.A. 22-4901 *et seq.*, and amendments thereto.

Sec. 28. K.S.A. 2011 Supp. 21-6604, as amended by section 1 of 2012 House Bill No. 2465 is hereby amended to read as follows: 21-6604. K.S.A. 2011 Supp. 21-6604 is hereby amended to read as follows: 21-6604. (a) Whenever any person has been found guilty of a crime, the court may adjudge any of the following:

(1) Commit the defendant to the custody of the secretary of corrections if the current crime of conviction is a felony and the sentence presumes imprisonment, or the sentence imposed is a dispositional departure to imprisonment; or, if confinement is for a misdemeanor, to jail for the term provided by law;

(2) impose the fine applicable to the offense and may impose the provisions of subsection (q);

(3) release the defendant on probation if the current crime of conviction and criminal history fall within a presumptive nonprison category or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate. In felony cases except for violations of K.S.A. 8-1567, 8-2,144 and section 2, and amendments thereto, the court may include confinement in a county jail not to exceed 60 days, which need not be served consecutively, as a condition of an original probation sentence and up to 60 days in a county jail upon each revocation of the probation sentence, or community corrections placement;

(4) assign the defendant to a community correctional services program as provided in K.S.A. 75-5291, and amendments thereto, or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate, including orders requiring full or partial restitution;

(5) assign the defendant to a conservation camp for a period not to exceed six months as a condition of probation followed by a six-month period of follow-up through adult intensive supervision by a community correctional services program, if the offender successfully completes the conservation camp program;

(6) assign the defendant to a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto;

(7) order the defendant to attend and satisfactorily complete an alcohol or drug education or training program as provided by subsection (c) of K.S.A. 2011 Supp. 21-6602, and amendments thereto;

(8) order the defendant to repay the amount of any reward paid by any crime stoppers chapter, individual, corporation or public entity which materially aided in the apprehension or conviction of the defendant; repay the amount of any costs and expenses incurred by any law enforcement agency in the apprehension of the defendant, if one of the current crimes of conviction of the defendant includes escape from custody or aggravated escape from custody, as defined in K.S.A. 2011 Supp. 21-5911, and amendments thereto; repay expenses incurred by a fire district, fire department or fire company responding to a fire which has been determined to be arson or aggravated arson as defined in K.S.A. 2011 Supp. 21-5812, and amendments thereto, if the defendant is convicted of such crime; repay the amount of any public funds utilized by a law enforcement agency to purchase controlled substances from the defendant during the investigation which leads to the defendant's conviction; or repay the amount of any

medical costs and expenses incurred by any law enforcement agency or county. Such repayment of the amount of any such costs and expenses incurred by a county, law enforcement agency, fire district, fire department or fire company or any public funds utilized by a law enforcement agency shall be deposited and credited to the same fund from which the public funds were credited to prior to use by the county, law enforcement agency, fire district, fire department or fire company;

(9) order the defendant to pay the administrative fee authorized by K.S.A. 22-4529, and amendments thereto, unless waived by the court;

(10) order the defendant to pay a domestic violence special program fee authorized by K.S.A. 20-369, and amendments thereto;

(11) if the defendant is convicted of a misdemeanor or convicted of a felony specified in subsection (i) of K.S.A. 2011 Supp. 21-6804, and amendments thereto, assign the defendant to work release program, other than a program at a correctional institution under the control of the secretary of corrections as defined in K.S.A. 75-5202, and amendments thereto, provided such work release program requires such defendant to return to confinement at the end of each day in the work release program. On a second or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program ~~must serve a total of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. On a third or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program must serve a total of 240 hours of confinement. Such 240 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day shall serve the total number of hours of confinement mandated by that section;~~

(12) order the defendant to pay the full amount of unpaid costs associated with the conditions of release of the appearance bond under K.S.A. 22-2802, and amendments thereto;

(13) impose any appropriate combination of (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (12); or

(14) suspend imposition of sentence in misdemeanor cases.

(b) (1) In addition to or in lieu of any of the above, the court shall order the defendant to pay restitution, which shall include, but not be limited to, damage or loss caused by the defendant's crime, unless the court finds compelling circumstances which would render a plan of restitution unworkable. In regard to a violation of K.S.A. 2011 Supp. 21-6107, and amendments thereto, such damage or loss shall include, but not be limited to, attorney fees and costs incurred to repair the credit history or rating of the person whose personal identification documents were obtained and used in violation of such section, and to satisfy a debt, lien or other obligation incurred by the person whose personal identification documents were obtained and used in violation of such section. If the court finds a plan of restitution unworkable, the court shall state on the record in detail the reasons therefor.

(2) If the court orders restitution, the restitution shall be a judgment against the defendant which may be collected by the court by garnishment or other execution as on judgments in civil cases. If, after 60 days from the date restitution is ordered by the court, a defendant is found to be in noncompliance with the plan established by the

court for payment of restitution, and the victim to whom restitution is ordered paid has not initiated proceedings in accordance with K.S.A. 60-4301 et seq., and amendments thereto, the court shall assign an agent procured by the attorney general pursuant to K.S.A. 75-719, and amendments thereto, to collect the restitution on behalf of the victim. The chief judge of each judicial district may assign such cases to an appropriate division of the court for the conduct of civil collection proceedings.

(c) In addition to or in lieu of any of the above, the court shall order the defendant to submit to and complete an alcohol and drug evaluation, and pay a fee therefor, when required by subsection (d) of K.S.A. 2011 Supp. 21-6602, and amendments thereto.

(d) In addition to any of the above, the court shall order the defendant to reimburse the county general fund for all or a part of the expenditures by the county to provide counsel and other defense services to the defendant. Any such reimbursement to the county shall be paid only after any order for restitution has been paid in full. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

(e) In releasing a defendant on probation, the court shall direct that the defendant be under the supervision of a court services officer. If the court commits the defendant to the custody of the secretary of corrections or to jail, the court may specify in its order the amount of restitution to be paid and the person to whom it shall be paid if restitution is later ordered as a condition of parole, conditional release or postrelease supervision.

(f) (1) When a new felony is committed while the offender is incarcerated and serving a sentence for a felony, or while the offender is on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony, a new sentence shall be imposed pursuant to the consecutive sentencing requirements of K.S.A. 2011 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(2) When a new felony is committed while the offender is incarcerated in a juvenile correctional facility pursuant to K.S.A. 38-1671, prior to its repeal, or K.S.A. 2011 Supp. 38-2373, and amendments thereto, for an offense, which if committed by an adult would constitute the commission of a felony, upon conviction, the court shall sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure. The conviction shall operate as a full and complete discharge from any obligations, except for an order of restitution, imposed on the offender arising from the offense for which the offender was committed to a juvenile correctional facility.

(3) When a new felony is committed while the offender is on release for a felony pursuant to the provisions of article 28 of chapter 22 of the Kansas Statutes Annotated,

and amendments thereto, or similar provisions of the laws of another jurisdiction, a new sentence may be imposed pursuant to the consecutive sentencing requirements of K.S.A. 2011 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(g) Prior to imposing a dispositional departure for a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 4-E or 4-F of the sentencing guideline grid for drug crimes and whose offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto, prior to revocation of a nonprison sanction of a defendant whose offense is classified in grid blocks 4-E or 4-F of the sentencing guideline grid for drug crimes and whose offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto, or prior to revocation of a nonprison sanction of a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid or grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, the court shall consider placement of the defendant in the Labette correctional conservation camp, conservation camps established by the secretary of corrections pursuant to K.S.A. 75-52,127, and amendment thereto, or a community intermediate sanction center. Pursuant to this paragraph the defendant shall not be sentenced to imprisonment if space is available in a conservation camp or a community intermediate sanction center and the defendant meets all of the conservation camp's or a community intermediate sanction center's placement criteria unless the court states on the record the reasons for not placing the defendant in a conservation camp or a community intermediate sanction center.

(h) The court in committing a defendant to the custody of the secretary of corrections shall fix a term of confinement within the limits provided by law. In those cases where the law does not fix a term of confinement for the crime for which the defendant was convicted, the court shall fix the term of such confinement.

(i) In addition to any of the above, the court shall order the defendant to reimburse the state general fund for all or a part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the defendant. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment. The amount of attorney fees to be included in the court order for reimbursement shall be the amount claimed by appointed counsel on the payment

voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less.

(j) This section shall not deprive the court of any authority conferred by any other Kansas statute to decree a forfeiture of property, suspend or cancel a license, remove a person from office or impose any other civil penalty as a result of conviction of crime.

(k) An application for or acceptance of probation or assignment to a community correctional services program shall not constitute an acquiescence in the judgment for purpose of appeal, and any convicted person may appeal from such conviction, as provided by law, without regard to whether such person has applied for probation, suspended sentence or assignment to a community correctional services program.

(l) The secretary of corrections is authorized to make direct placement to the Labette correctional conservation camp or a conservation camp established by the secretary pursuant to K.S.A. 75-52,127, and amendments thereto, of an inmate sentenced to the secretary's custody if the inmate:

(1) Has been sentenced to the secretary for a probation revocation, as a departure from the presumptive nonimprisonment grid block of either sentencing grid, for an offense which is classified in grid blocks 5-H, 5-I, or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, or for an offense which is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes and such offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto; and

(2) otherwise meets admission criteria of the camp.

If the inmate successfully completes a conservation camp program, the secretary of corrections shall report such completion to the sentencing court and the county or district attorney. The inmate shall then be assigned by the court to six months of follow-up supervision conducted by the appropriate community corrections services program. The court may also order that supervision continue thereafter for the length of time authorized by K.S.A. 2011 Supp. 21-6608, and amendments thereto.

(m) When it is provided by law that a person shall be sentenced pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, the provisions of this section shall not apply.

(n) Except as provided by subsection (f) of K.S.A. 2011 Supp. 21-6805, and amendments thereto, in addition to any of the above, for felony violations of K.S.A. 2011 Supp. 21-5706, and amendments thereto, the court shall require the defendant who meets the requirements established in K.S.A. 2011 Supp. 21-6824, and amendments thereto, to participate in a certified drug abuse treatment program, as provided in K.S.A. 2011 Supp. 75-52,144, and amendments thereto, including, but not limited to, an approved after-care plan. If the defendant fails to participate in or has a pattern of intentional conduct that demonstrates the offender's refusal to comply with or participate in the treatment program, as established by judicial finding, the defendant shall be subject to revocation of probation and the defendant shall serve the underlying prison sentence as established in K.S.A. 2011 Supp. 21-6805, and amendments thereto. For those offenders who are convicted on or after July 1, 2003, upon completion of the underlying prison sentence, the defendant shall not be subject to a period of postrelease supervision. The amount of time spent participating in such program shall not be credited as service on the underlying prison sentence.

(o) (1) Except as provided in paragraph (3), in addition to any other penalty or

disposition imposed by law, upon a conviction for unlawful possession of a controlled substance or controlled substance analog in violation of K.S.A. 2011 Supp. 21-5706, and amendments thereto, in which the trier of fact makes a finding that the unlawful possession occurred while transporting the controlled substance or controlled substance analog in any vehicle upon a highway or street, the offender's driver's license or privilege to operate a motor vehicle on the streets and highways of this state shall be suspended for one year.

(2) Upon suspension of a license pursuant to this subsection, the court shall require the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(3) (A) In lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of any person as provided in paragraph (1), the judge of the court in which such person was convicted may enter an order which places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of more than one year.

(B) Upon entering an order restricting a person's license hereunder, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator, of such person's state of residence. Such judge shall furnish to any person whose driver's license has had conditions imposed on it under this paragraph a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this paragraph.

(C) Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this paragraph, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the

judge of the court in which such person is convicted of violating such conditions.

(4) As used in this subsection, "highway" and "street" means the same as in K.S.A. 8-1424 and 8-1473, and amendments thereto.

(p) In addition to any of the above, for any criminal offense that includes the domestic violence designation pursuant to K.S.A. 2011 Supp. 22-4616, and amendments thereto, the court shall require the defendant to undergo a domestic violence offender assessment and follow all recommendations unless otherwise ordered by the court or the department of corrections. The court may order a domestic violence offender assessment and any other evaluation prior to sentencing if the assessment or evaluation would assist the court in determining an appropriate sentence. The entity completing the assessment or evaluation shall provide the assessment or evaluation and recommendations to the court and the court shall provide the domestic violence assessment and any other evaluation to any entity responsible for supervising such defendant. A defendant ordered to undergo a domestic violence offender assessment shall be required to pay for the assessment and, unless otherwise ordered by the court or the department of corrections, for completion of all recommendations.

(q) In imposing a fine, the court may authorize the payment thereof in installments. In lieu of payment of any fine imposed, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed by the later of one year after the fine is imposed or one year after release from imprisonment or jail, or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance shall become due on that date. If conditional reduction of any fine is rescinded by the court for any reason, then pursuant to the court's order the person may be ordered to perform community service by one year after the date of such rescission or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date. All credits for community service shall be subject to review and approval by the court.

(r) In addition to any other penalty or disposition imposed by law, for any defendant sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2011 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the court shall order that the defendant be electronically monitored upon release from imprisonment for the duration of the defendant's natural life and that the defendant shall reimburse the state for all or part of the cost of such monitoring as determined by the prisoner review board.

Sec. 29. K.S.A. 2011 Supp. 21-6609, as amended by section 5 of 2012 House Bill No. 2535 is hereby amended to read as follows: 21-6609. (a) The court or the secretary of corrections may implement a house arrest program for defendants or inmates being sentenced by the court or in the custody of the secretary of corrections or as a sanction for offenders who have failed to comply with the conditions of probation, parole or postrelease supervision, except:

(1) No defendant shall be placed by the court under house arrest if found guilty of:

(A) Any crime designated as a class A or B felony in article 34 or 35 of the Kansas

Statutes Annotated, prior to their repeal;

- (B) subsection (b) of K.S.A. 2011 Supp. 21-5604, and amendments thereto;
 - (C) K.S.A. 2011 Supp. 21-5602, and amendments thereto;
 - (D) any off-grid felony; or
 - (E) any nondrug crime ranked in severity levels 1 through 5 or any felony ranked in severity levels 1 through 3 of the drug grid, unless the offender has been sentenced to probation;
- (2) no inmate shall be placed under house arrest if such inmate's security status is greater than minimum security; or
 - (3) no inmate shall be placed under house arrest who has been denied parole by the prisoner review board within the last six months. Any inmate who, while participating in the house arrest program, is denied parole by the prisoner review board shall be allowed to remain under house arrest until the completion of the sentence or until the inmate is otherwise removed from the program.
- (b) At the time of placement of an inmate under house arrest, the court, secretary or house arrest staff shall provide written notification to the sheriff and district or county attorney of the county in which any person under house arrest is to be placed and to the chief law enforcement officer of any incorporated city or town in which such person is to be placed of the placement of the person under house arrest within the county or incorporated city or town.
 - (c) House arrest sanctions shall be administered by the court and the secretary of corrections, respectively, through rules and regulations, and may include, but are not limited to, rehabilitative restitution in money or in kind, curfew, revocation or suspension of the driver's license, community service, deprivation of nonessential activities or privileges, or other appropriate restraints on the inmate's liberty.
 - (d) Upon placement in a house arrest program, the court, secretary or house arrest staff shall inform the offender, and any other people residing with such offender, of the nature and extent of such house arrest monitoring, and shall obtain the written agreement of such offender to comply with all requirements of the program.
 - (e) The offender shall remain within the property boundaries of the offender's residence at all times during the term of house arrest, except as provided under the house arrest agreement with such offender.
 - (f) The offender shall allow any law enforcement officer, community corrections officer, court services officer or duly authorized agent of the department of corrections, to enter such offender's residence at any time to verify the offender's compliance with the conditions of the house release.
 - (g) As a condition of house arrest, the court or secretary may require an offender placed under house arrest to pay any supervision costs associated with the house arrest program.
 - (h) The offender shall consent to be monitored by:
 - (1) An electronic monitoring device on such offender's person;
 - (2) an electronic monitoring device in such offender's home;
 - (3) a remote blood alcohol monitoring device;
 - (4) a home telephone verification procedure;
 - (5) radio frequency devices; or
 - (6) any combination of monitoring methods as the court, secretary or house arrest staff finds necessary.

(i) The secretary or the court may contract for independent monitoring services. Such independent monitoring service shall be able to provide monitoring 24 hours a day, every day of the year, and any other services as determined by the secretary or the court.

(j) An offender violating the provisions of K.S.A. 8-1567, and amendments thereto, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. On a second or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed under house arrest shall serve a total of 120 hours of confinement within the boundaries of the offender's residence. ~~Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 120 hours. On a third or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed under house arrest shall serve a total of 240 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 240 hours~~ the total number of hours of confinement mandated by that section.

(k) As used in this section:

(1) "House arrest staff" means an independent contractor or government entity, and agents thereof, utilized by the secretary or court to administer the provisions of a house arrest program;

(2) "electronic monitoring device" means:

(A) An active or passive global positioning system-enabled device capable of recording and transmitting an offender's location at all times or at designated intervals. Such monitoring device may record or transmit sound, visual images or other information regarding such offender's location, via wireless communication; or

(B) a radio frequency device capable of monitoring an offender's location; and

(3) "remote alcohol monitoring device" means a device capable of monitoring an offender's blood alcohol content via micro fuel cell or deep lung tissue sample. Such monitoring devices shall be of comparable accuracy to roadside breath alcohol testing devices utilized by law enforcement, and shall have wireless or landline telephone transmission capabilities. Such device may be used in conjunction with an alcohol and drug-sensing bracelet to monitor such offender's compliance with the terms of house arrest.

Sec. 30. K.S.A. 2011 Supp. 21-6804 is hereby amended to read as follows: 21-6804. (a) The provisions of this section shall be applicable to the sentencing guidelines grid for nondrug crimes. The following sentencing guidelines grid shall be applicable to nondrug felony crimes:

SENTENCING RANGE - NON-DRUG OFFENSES

Category	A	B	C	D	E	F	G	H	I
Severity Level	3+ Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felony	3+ Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2+ Misdemeanors	1 Misdemeanor No Record
I	653 620 592	618 586 554	285 272 258	267 253 240	246 234 221	226 214 203	203 195 184	186 176 166	165 155 147
II	493 467 442	460 438 416	216 205 194	200 190 181	184 174 165	168 160 152	154 146 138	138 131 123	123 117 109
III	247 233 221	228 216 206	107 102 96	100 94 89	92 88 82	83 79 74	77 72 68	71 66 61	61 59 55
IV	172 162 154	162 154 144	75 71 68	69 66 62	64 60 57	59 56 52	52 50 47	48 45 42	43 41 38
V	136 130 122	128 120 114	60 57 53	55 52 50	51 49 46	47 44 41	43 41 38	38 36 34	34 32 30
VI	46 43 40	41 39 37	38 36 34	36 34 32	32 30 28	29 27 25	26 24 22	21 20 19	19 18 17
VII	34 32 30	31 29 27	29 27 25	26 24 22	23 21 19	19 18 17	17 16 15	14 13 12	13 12 11
VIII	23 21 19	20 19 18	19 18 17	17 16 15	15 14 13	13 12 11	11 10 9	11 10 9	9 8 7
IX	17 16 15	15 14 13	13 12 11	13 12 11	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5
X	13 12 11	12 11 10	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5	7 6 5	6 5 5

LEGEND

Presumptive Probation
Presumptive Fine
Presumptive Imprisonment

(b) Sentences expressed in the sentencing guidelines grid for nondrug crimes represent months of imprisonment.

(c) The sentencing guidelines grid is a two-dimensional crime severity and criminal history classification tool. The grid's vertical axis is the crime severity scale which classifies current crimes of conviction. The grid's horizontal axis is the criminal history scale which classifies criminal histories.

(d) The sentencing guidelines grid for nondrug crimes as provided in this section defines presumptive punishments for felony convictions, subject to the sentencing court's discretion to enter a departure sentence. The appropriate punishment for a felony conviction should depend on the severity of the crime of conviction when compared to all other crimes and the offender's criminal history.

(e) (1) The sentencing court has discretion to sentence at any place within the sentencing range. In the usual case it is recommended that the sentencing judge select the center of the range and reserve the upper and lower limits for aggravating and mitigating factors insufficient to warrant a departure.

(2) In presumptive imprisonment cases, the sentencing court shall pronounce the complete sentence which shall include the:

(A) Prison sentence;
(B) maximum potential reduction to such sentence as a result of good time; and
(C) period of postrelease supervision at the sentencing hearing. Failure to pronounce the period of postrelease supervision shall not negate the existence of such period of postrelease supervision.

(3) In presumptive nonprison cases, the sentencing court shall pronounce the:

(A) Prison sentence; and
(B) duration of the nonprison sanction at the sentencing hearing.

(f) Each grid block states the presumptive sentencing range for an offender whose crime of conviction and criminal history place such offender in that grid block. If an offense is classified in a grid block below the dispositional line, the presumptive disposition shall be nonimprisonment. If an offense is classified in a grid block above the dispositional line, the presumptive disposition shall be imprisonment. If an offense is classified in grid blocks 5-H, 5-I or 6-G, the court may impose an optional nonprison sentence as provided in subsection (q).

(g) The sentence for a violation of K.S.A. 21-3415, prior to its repeal, aggravated battery against a law enforcement officer committed prior to July 1, 2006, or a violation of subsection (d) of K.S.A. 2011 Supp. 21-5412, and amendments thereto, aggravated assault against a law enforcement officer, which places the defendant's sentence in grid block 6-H or 6-I shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(h) When a firearm is used to commit any person felony, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(i) (l) The sentence for the violation of the felony provision of K.S.A. 8-1567, subsection (b)(3) of K.S.A. 2011 Supp. 21-5414, subsections (b)(3) and (b)(4) of K.S.A. 2011 Supp. 21-5823, 21-6412 and 21-6416, and amendments thereto, shall be as provided by the specific mandatory sentencing requirements of that section and shall not be subject to the provisions of this section or K.S.A. 2011 Supp. 21-6807, and amendments thereto.

(2) If because of the offender's criminal history classification the offender is subject to presumptive imprisonment or if the judge departs from a presumptive probation sentence and the offender is subject to imprisonment, the provisions of this section and K.S.A. 2011 Supp. 21-6807, and amendments thereto, shall apply and the offender shall not be subject to the mandatory sentence as provided in K.S.A. 2011 Supp. 21-5823, and amendments thereto.

(3) Notwithstanding the provisions of any other section, the term of imprisonment imposed for the violation of the felony provision of section 2, K.S.A. 8-2,144, K.S.A. 8-1567, subsection (b)(3) of K.S.A. 2011 Supp. 21-5414, subsections (b)(3) and (b)(4) of K.S.A. 2011 Supp. 21-5823, 21-6412 and 21-6416, and amendments thereto, shall not be served in a state facility in the custody of the secretary of corrections, except that the term of imprisonment for felony violations of section 2 or K.S.A. 8-2,144 or K.S.A. 8-1567, and amendments thereto, may be served in a state correctional facility designated by the secretary of corrections if the secretary determines that substance abuse treatment resources and facility capacity is available. The secretary's determination regarding the availability of treatment resources and facility capacity shall not be subject to review. Prior to imposing any sentence pursuant to this subsection, the court may consider assigning the defendant to a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto.

(j) (1) The sentence for any persistent sex offender whose current convicted crime carries a presumptive term of imprisonment shall be double the maximum duration of the presumptive imprisonment term. The sentence for any persistent sex offender whose current conviction carries a presumptive nonprison term shall be presumed imprisonment and shall be double the maximum duration of the presumptive imprisonment term.

(2) Except as otherwise provided in this subsection, as used in this subsection, "persistent sex offender" means a person who:

(A) (i) Has been convicted in this state of a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(A)(i) has at least one conviction for a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto, in this state or comparable felony under the laws of another state, the federal government or a foreign government; or

(B) (i) has been convicted of rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2011 Supp. 21-5503, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(B)(i) has at least one conviction for rape in this state or comparable felony under the laws of another state, the federal government or a foreign government.

(3) Except as provided in subsection (j)(2)(B), the provisions of this subsection shall not apply to any person whose current convicted crime is a severity level 1 or 2 felony.

(k) (1) If it is shown at sentencing that the offender committed any felony violation for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further or assist in any criminal conduct by gang members, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(2) As used in this subsection, "criminal street gang" means any organization,

association or group of three or more persons, whether formal or informal, having as one of its primary activities:

- (A) The commission of one or more person felonies; or
 - (B) the commission of felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, ~~and amendments thereto prior to their transfer~~, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009; and
 - (C) its members have a common name or common identifying sign or symbol; and
 - (D) its members, individually or collectively, engage in or have engaged in the commission, attempted commission, conspiracy to commit or solicitation of two or more person felonies or felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, ~~and amendments thereto prior to their transfer~~, any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009, or any substantially similar offense from another jurisdiction.
- (l) Except as provided in subsection (o), the sentence for a violation of subsection (a)(1) of K.S.A. 2011 Supp. 21-5807, and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2011 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of subsection (a) or (b) of K.S.A. 21-3715, prior to its repeal, 21-3716, prior to its repeal, subsection (a)(1) or (a)(2) of K.S.A. 2011 Supp. 21-5807, or subsection (b) of K.S.A. 2011 Supp. 21-5807, and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment.
- (m) The sentence for a violation of K.S.A. 22-4903 or subsection (a)(2) of K.S.A. 2011 Supp. 21-5913, and amendments thereto, shall be presumptive imprisonment. If an offense under such sections is classified in grid blocks 5-E, 5-F, 5-G, 5-H or 5-I, the court may impose an optional nonprison sentence as provided in subsection (q).
- (n) The sentence for a violation of criminal deprivation of property, as defined in K.S.A. 2011 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, and when such person being sentenced has any combination of two or more prior convictions of subsection (b) of K.S.A. 21-3705, prior to its repeal, or of criminal deprivation of property, as defined in K.S.A. 2011 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.
- (o) The sentence for a felony violation of theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary as defined in subsection (a) of K.S.A. 2011 Supp. 21-5807, and amendments thereto, when such person being sentenced has no prior convictions for a violation of K.S.A. 21-3701 or 21-3715, prior to their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary as defined in subsection (a) of K.S.A. 2011 Supp. 21-5807, and amendments thereto; or the sentence for a felony violation of theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, when such person being sentenced has one or two prior felony convictions for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2011 Supp. 21-5807, and amendments thereto; or the sentence for a felony violation of burglary as defined in subsection (a) of K.S.A. 2011

Supp. 21-5807, and amendments thereto, when such person being sentenced has one prior felony conviction for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2011 Supp. 21-5807, and amendments thereto, shall be the sentence as provided by this section, except that the court may order an optional nonprison sentence for a defendant to participate in a drug treatment program, including, but not limited to, an approved after-care plan, if the court makes the following findings on the record:

- (1) Substance abuse was an underlying factor in the commission of the crime;
- (2) substance abuse treatment in the community is likely to be more effective than a prison term in reducing the risk of offender recidivism; and
- (3) participation in an intensive substance abuse treatment program will serve community safety interests.

A defendant sentenced to an optional nonprison sentence under this subsection shall be supervised by community correctional services. The provisions of subsection (f)(1) of K.S.A. 2011 Supp. 21-6824, and amendments thereto, shall apply to a defendant sentenced under this subsection. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(p) The sentence for a felony violation of theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, when such person being sentenced has any combination of three or more prior felony convictions for violations of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2011 Supp. 21-5807, and amendments thereto; or the sentence for a violation of burglary as defined in subsection (a) of K.S.A. 2011 Supp. 21-5807, and amendments thereto, when such person being sentenced has any combination of two or more prior convictions for violations of K.S.A. 21-3701, 21-3715 and 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2011 Supp. 21-5807, and amendments thereto, shall be presumed imprisonment and the defendant shall be sentenced to prison as provided by this section, except that the court may recommend that an offender be placed in the custody of the secretary of corrections, in a facility designated by the secretary to participate in an intensive substance abuse treatment program, upon making the following findings on the record:

- (1) Substance abuse was an underlying factor in the commission of the crime;
- (2) substance abuse treatment with a possibility of an early release from imprisonment is likely to be more effective than a prison term in reducing the risk of offender recidivism; and
- (3) participation in an intensive substance abuse treatment program with the possibility of an early release from imprisonment will serve community safety interests by promoting offender reformation.

The intensive substance abuse treatment program shall be determined by the secretary of corrections, but shall be for a period of at least four months. Upon the successful completion of such intensive treatment program, the offender shall be returned to the court and the court may modify the sentence by directing that a less severe penalty be imposed in lieu of that originally adjudged within statutory limits. If the offender's term of imprisonment expires, the offender shall be placed under the

applicable period of postrelease supervision. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(q) As used in this section, an "optional nonprison sentence" is a sentence which the court may impose, in lieu of the presumptive sentence, upon making the following findings on the record:

(1) An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; and

(2) the recommended treatment program is available and the offender can be admitted to such program within a reasonable period of time; or

(3) the nonprison sanction will serve community safety interests by promoting offender reformation.

Any decision made by the court regarding the imposition of an optional nonprison sentence shall not be considered a departure and shall not be subject to appeal.

(r) The sentence for a violation of subsection (c)(2) of K.S.A. 2011 Supp. 21-5413, and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(s) The sentence for a violation of K.S.A. 2011 Supp. 21-5512, and amendments thereto, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(t) (1) If the trier of fact makes a finding that an offender wore or used ballistic resistant material in the commission of, or attempt to commit, or flight from any felony, in addition to the sentence imposed pursuant to the Kansas sentencing guidelines act, the offender shall be sentenced to an additional 30 months' imprisonment.

(2) The sentence imposed pursuant to subsection (t)(1) shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(3) As used in this subsection, "ballistic resistant material" means: (A) Any commercially produced material designed with the purpose of providing ballistic and trauma protection, including, but not limited to, bulletproof vests and kevlar vests; and (B) any homemade or fabricated substance or item designed with the purpose of providing ballistic and trauma protection.

(u) The sentence for a violation of K.S.A. 2011 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2011 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of K.S.A. 21-4018, prior to its repeal, or K.S.A. 2011 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

Sec. 31. K.S.A. 2011 Supp. 22-2802 is hereby amended to read as follows: 22-2802. (1) Any person charged with a crime shall, at the person's first appearance before a magistrate, be ordered released pending preliminary examination or trial upon the execution of an appearance bond in an amount specified by the magistrate and sufficient to assure the appearance of such person before the magistrate when ordered and to assure the public safety. If the person is being bound over for a felony, the bond shall also be conditioned on the person's appearance in the district court or by way of a two-

way electronic audio-video communication as provided in subsection (14) at the time required by the court to answer the charge against such person and at any time thereafter that the court requires. Unless the magistrate makes a specific finding otherwise, if the person is being bonded out for a person felony or a person misdemeanor, the bond shall be conditioned on the person being prohibited from having any contact with the alleged victim of such offense for a period of at least 72 hours. The magistrate may impose such of the following additional conditions of release as will reasonably assure the appearance of the person for preliminary examination or trial:

(a) Place the person in the custody of a designated person or organization agreeing to supervise such person;

(b) place restrictions on the travel, association or place of abode of the person during the period of release;

(c) impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody during specified hours;

(d) place the person under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto; or

(e) place the person under the supervision of a court services officer responsible for monitoring the person's compliance with any conditions of release ordered by the magistrate. The magistrate may order the person to pay for any costs associated with the supervision provided by the court services department in an amount not to exceed \$15 per week of such supervision. The magistrate may also order the person to pay for all other costs associated with the supervision and conditions for compliance in addition to the \$15 per week.

(2) In addition to any conditions of release provided in subsection (1), for any person charged with a felony, the magistrate may order such person to submit to a drug and alcohol abuse examination and evaluation in a public or private treatment facility or state institution and, if determined by the head of such facility or institution that such person is a drug or alcohol abuser or is incapacitated by drugs or alcohol, to submit to treatment for such drug or alcohol abuse, as a condition of release.

(3) The appearance bond shall be executed with sufficient solvent sureties who are residents of the state of Kansas, unless the magistrate determines, in the exercise of such magistrate's discretion, that requiring sureties is not necessary to assure the appearance of the person at the time ordered.

(4) A deposit of cash in the amount of the bond may be made in lieu of the execution of the bond pursuant to subsection (3). Except as provided in subsection (5), such deposit shall be in the full amount of the bond and in no event shall a deposit of cash in less than the full amount of bond be permitted. Any person charged with a crime who is released on a cash bond shall be entitled to a refund of all moneys paid for the cash bond, after deduction of any outstanding restitution, costs, fines and fees, after the final disposition of the criminal case if the person complies with all requirements to appear in court. The court may not exclude the option of posting bond pursuant to subsection (3).

(5) Except as provided further, the amount of the appearance bond shall be the same whether executed as described in subsection (3) or posted with a deposit of cash as described in subsection (4). When the appearance bond has been set at \$2,500 or less and the most serious charge against the person is a misdemeanor, a severity level 8, 9 or

10 nonperson felony, a drug severity level 4 felony or a violation of K.S.A. 8-1567 or section 2, and amendments thereto, the magistrate may allow the person to deposit cash with the clerk in the amount of 10% of the bond, provided the person meets at least the following qualifications:

- (A) Is a resident of the state of Kansas;
- (B) has a criminal history score category of G, H or I;
- (C) has no prior history of failure to appear for any court appearances;
- (D) has no detainer or hold from any other jurisdiction;
- (E) has not been extradited from, and is not awaiting extradition to, another state; and
- (F) has not been detained for an alleged violation of probation.

(6) In the discretion of the court, a person charged with a crime may be released upon the person's own recognizance by guaranteeing payment of the amount of the bond for the person's failure to comply with all requirements to appear in court. The release of a person charged with a crime upon the person's own recognizance shall not require the deposit of any cash by the person.

(7) The court shall not impose any administrative fee.

(8) In determining which conditions of release will reasonably assure appearance and the public safety, the magistrate shall, on the basis of available information, take into account the nature and circumstances of the crime charged; the weight of the evidence against the defendant; whether the defendant is lawfully present in the United States; the defendant's family ties, employment, financial resources, character, mental condition, length of residence in the community, record of convictions, record of appearance or failure to appear at court proceedings or of flight to avoid prosecution; the likelihood or propensity of the defendant to commit crimes while on release, including whether the defendant will be likely to threaten, harass or cause injury to the victim of the crime or any witnesses thereto; and whether the defendant is on probation or parole from a previous offense at the time of the alleged commission of the subsequent offense.

(9) The appearance bond shall set forth all of the conditions of release.

(10) A person for whom conditions of release are imposed and who continues to be detained as a result of the person's inability to meet the conditions of release shall be entitled, upon application, to have the conditions reviewed without unnecessary delay by the magistrate who imposed them. If the magistrate who imposed conditions of release is not available, any other magistrate in the county may review such conditions.

(11) A magistrate ordering the release of a person on any conditions specified in this section may at any time amend the order to impose additional or different conditions of release. If the imposition of additional or different conditions results in the detention of the person, the provisions of subsection (10) shall apply.

(12) Statements or information offered in determining the conditions of release need not conform to the rules of evidence. No statement or admission of the defendant made at such a proceeding shall be received as evidence in any subsequent proceeding against the defendant.

(13) The appearance bond and any security required as a condition of the defendant's release shall be deposited in the office of the magistrate or the clerk of the court where the release is ordered. If the defendant is bound to appear before a magistrate or court other than the one ordering the release, the order of release, together

with the bond and security shall be transmitted to the magistrate or clerk of the court before whom the defendant is bound to appear.

(14) Proceedings before a magistrate as provided in this section to determine the release conditions of a person charged with a crime including release upon execution of an appearance bond may be conducted by two-way electronic audio-video communication between the defendant and the judge in lieu of personal presence of the defendant or defendant's counsel in the courtroom in the discretion of the court. The defendant may be accompanied by the defendant's counsel. The defendant shall be informed of the defendant's right to be personally present in the courtroom during such proceeding if the defendant so requests. Exercising the right to be present shall in no way prejudice the defendant.

(15) The magistrate may order the person to pay for any costs associated with the supervision of the conditions of release of the appearance bond in an amount not to exceed \$15 per week of such supervision. As a condition of sentencing under K.S.A. 2011 Supp. 21-6604, and amendments thereto, the court may impose the full amount of any such costs in addition to the \$15 per week, including, but not limited to, costs for treatment and evaluation under subsection (2).

Sec. 32. K.S.A. 2011 Supp. 22-2908 is hereby amended to read as follows: 22-2908. (a) In determining whether diversion of a defendant is in the interests of justice and of benefit to the defendant and the community, the county or district attorney shall consider at least the following factors among all factors considered:

- (1) The nature of the crime charged and the circumstances surrounding it;
- (2) any special characteristics or circumstances of the defendant;
- (3) whether the defendant is a first-time offender and if the defendant has previously participated in diversion, according to the certification of the Kansas bureau of investigation or the division of vehicles of the department of revenue;
- (4) whether there is a probability that the defendant will cooperate with and benefit from diversion;
- (5) whether the available diversion program is appropriate to the needs of the defendant;
- (6) the impact of the diversion of the defendant upon the community;
- (7) recommendations, if any, of the involved law enforcement agency;
- (8) recommendations, if any, of the victim;
- (9) provisions for restitution; and
- (10) any mitigating circumstances.

(b) A county or district attorney shall not enter into a diversion agreement in lieu of further criminal proceedings on a complaint if:

(1) The complaint alleges a violation of K.S.A. 8-1567 or section 2, and amendments thereto, and the defendant: (A) Has previously participated in diversion upon a complaint alleging a violation of that statute or an ordinance of a city in this state which prohibits the acts prohibited by that statute; (B) has previously been convicted of or pleaded *nolo contendere* to a violation of that statute or a violation of a law of another state or of a political subdivision of this or any other state, which law prohibits the acts prohibited by that statute; or (C) during the time of the alleged violation was involved in a motor vehicle accident or collision resulting in personal injury or death;

(2) the complaint alleges that the defendant committed a class A or B felony or for

crimes committed on or after July 1, 1993, an off-grid crime, a severity level 1, 2 or 3 felony for nondrug crimes or drug severity level 1 or 2 felony for drug crimes; or

(3) the complaint alleges a domestic violence offense, as defined in K.S.A. 2011 Supp. 21-5111, and amendments thereto, and the defendant has participated in two or more diversions in the previous five year period upon complaints alleging a domestic violence offense.

(c) A county or district attorney may enter into a diversion agreement in lieu of further criminal proceedings on a complaint for violations of article 10 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto, if such diversion carries the same penalties as the conviction for the corresponding violations. If the defendant has previously participated in one or more diversions for violations of article 10 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto, then each subsequent diversion shall carry the same penalties as the conviction for the corresponding violations.

Sec. 33. K.S.A. 2011 Supp. 22-2909 is hereby amended to read as follows: 22-2909. (a) A diversion agreement shall provide that if the defendant fulfills the obligations of the program described therein, as determined by the attorney general or county or district attorney, such attorney shall act to have the criminal charges against the defendant dismissed with prejudice. The diversion agreement shall include specifically the waiver of all rights under the law or the constitution of Kansas or of the United States to a speedy arraignment, preliminary examinations and hearings, and a speedy trial, and in the case of diversion under subsection (c) waiver of the rights to counsel and trial by jury. The diversion agreement may include, but is not limited to, provisions concerning payment of restitution, including court costs and diversion costs, residence in a specified facility, maintenance of gainful employment, and participation in programs offering medical, educational, vocational, social and psychological services, corrective and preventive guidance and other rehabilitative services. If a county creates a local fund under the property crime restitution and compensation act, a county or district attorney may require in all diversion agreements as a condition of diversion the payment of a diversion fee in an amount not to exceed \$100. Such fees shall be deposited into the local fund and disbursed pursuant to recommendations of the local board under the property crime restitution and victims compensation act.

(b) The diversion agreement shall state: (1) The defendant's full name; (2) the defendant's full name at the time the complaint was filed, if different from the defendant's current name; (3) the defendant's sex, race and date of birth; (4) the crime with which the defendant is charged; (5) the date the complaint was filed; and (6) the district court with which the agreement is filed.

(c) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging a violation of K.S.A. 8-1567 or section 2, and amendments thereto, the diversion agreement shall include a stipulation, agreed to by the defendant, the defendant's attorney if the defendant is represented by an attorney and the attorney general or county or district attorney, of the facts upon which the charge is based and a provision that if the defendant fails to fulfill the terms of the specific diversion agreement and the criminal proceedings on the complaint are resumed, the proceedings, including any proceedings on appeal, shall be conducted on the record of the stipulation of facts relating to the complaint. In addition, the agreement shall include a requirement that the defendant:

(1) Pay a fine specified by the agreement in an amount equal to an amount authorized by K.S.A. 8-1567 or section 2, and amendments thereto, for a first offense or, in lieu of payment of the fine, perform community service specified by the agreement, in accordance with K.S.A. 8-1567 or section 2, and amendments thereto; and

(2) participate in an alcohol and drug evaluation conducted by a licensed provider pursuant to K.S.A. 8-1008, and amendments thereto, and follow any recommendation made by the provider after such evaluation.

(d) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging a domestic violence offense, as defined in K.S.A. 2011 Supp. 21-5111, and amendments thereto, the diversion agreement shall include a requirement that the defendant undergo a domestic violence offender assessment and follow all recommendations unless otherwise agreed to with the prosecutor in the diversion agreement. The defendant shall be required to pay for such assessment and, unless otherwise agreed to with the prosecutor in the diversion agreement, for completion of all recommendations.

(e) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging a violation other than K.S.A. 8-1567 or section 2, and amendments thereto, the diversion agreement may include a stipulation, agreed to by the defendant, the defendant's attorney if the defendant is represented by an attorney and the attorney general or county or district attorney, of the facts upon which the charge is based and a provision that if the defendant fails to fulfill the terms of the specific diversion agreement and the criminal proceedings on the complaint are resumed, the proceedings, including any proceedings on appeal, shall be conducted on the record of the stipulation of facts relating to the complaint.

(f) If the person entering into a diversion agreement is a nonresident, the attorney general or county or district attorney shall transmit a copy of the diversion agreement to the division. The division shall forward a copy of the diversion agreement to the motor vehicle administrator of the person's state of residence.

(g) If the attorney general or county or district attorney elects to offer diversion in lieu of further criminal proceedings on the complaint and the defendant agrees to all of the terms of the proposed agreement, the diversion agreement shall be filed with the district court and the district court shall stay further proceedings on the complaint. If the defendant declines to accept diversion, the district court shall resume the criminal proceedings on the complaint.

(h) Except as provided in subsection ~~(h)~~(i), if a diversion agreement is entered into in lieu of further criminal proceedings alleging commission of a misdemeanor by the defendant, while under 21 years of age, under K.S.A. 2011 Supp. 21-5701 through 21-5717, and amendments thereto, or K.S.A. 41-719, 41-727, 41-804, 41-2719 or 41-2720, and amendments thereto, the agreement shall require the defendant to participate in an alcohol and drug evaluation conducted by a licensed provider pursuant to K.S.A. 8-1008, and amendments thereto, and follow any recommendation made by the provider after such evaluation.

(i) If the defendant is 18 or more years of age but less than 21 years of age and allegedly committed a violation of K.S.A. 41-727, and amendments thereto, involving cereal malt beverage, the provisions of subsection ~~(g)~~(h) are permissive and not mandatory.

(j) Except diversion agreements reported under subsection ~~(j)~~(k), the attorney general or county or district attorney shall forward to the Kansas bureau of investigation a copy of the diversion agreement at the time such agreement is filed with the district court. The copy of the agreement shall be made available upon request to the attorney general or any county, district or city attorney or court.

(k) At the time of filing the diversion agreement with the district court, the attorney general or county or district attorney shall forward to the division of vehicles of the state department of revenue a copy of any diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of K.S.A. 8-1567, and amendments thereto. The copy of the agreement shall be made available upon request to the attorney general or any county, district or city attorney or court.

Sec. 34. K.S.A. 22-2910 is hereby amended to read as follows: 22-2910. No defendant shall be required to enter any plea to a criminal charge as a condition for diversion. No statements made by the defendant or counsel in any diversion conference or in any other discussion of a proposed diversion agreement shall be admissible as evidence in criminal proceedings on crimes charged or facts alleged in the complaint. Except for sentencing proceedings and as otherwise provided in subsection (c) of K.S.A. 22-2909, and amendments thereto, and as otherwise provided in K.S.A. 8-285 and 8-1567 and section 2, and amendments ~~to these sections~~ thereto, the following shall not be admissible as evidence in criminal proceedings which are resumed under K.S.A. 22-2911: (1) Participation in a diversion program; (2) the facts of such participation; or (3) the diversion agreement entered into.

Sec. 35. K.S.A. 2011 Supp. 22-4704 is hereby amended to read as follows: 22-4704. (a) In accordance with the provisions of K.S.A. 77-415 *et seq.*, and amendments thereto, the director shall adopt appropriate rules and regulations for agencies in the executive branch of government and for criminal justice agencies other than those that are part of the judicial branch of government to implement the provisions of this act.

(b) The director shall develop procedures to permit and encourage the transfer of criminal history record information among and between courts and affected agencies in the executive branch, and especially between courts and the central repository.

(c) The rules and regulations adopted by the director shall include those: (1) Governing the collection, reporting, and dissemination of criminal history record information by criminal justice agencies;

(2) necessary to insure the security of all criminal history record information reported, collected and disseminated by and through the criminal justice information system;

(3) necessary for the coordination of all criminal justice data and information processing activities as they relate to criminal history record information;

(4) governing the dissemination of criminal history record information;

(5) governing the procedures for inspection and challenging of criminal history record information;

(6) governing the auditing of criminal justice agencies to insure that criminal history record information is accurate and complete and that it is collected, reported, and disseminated in accordance with this act;

(7) governing the development and content of agreements between the central repository and criminal justice and noncriminal justice agencies;

(8) governing the exercise of the rights of inspection and challenge provided in this

act.

(d) The rules and regulations adopted by the director shall not include any provision that allows the charging of a fee for information requests for the purpose of participating in a block parent program, including, but not limited to, the McGruff house program.

(e) Rules and regulations adopted by the director may not be inconsistent with the provisions of this act.

(f) (1) On or before July 1, 2012, the director shall adopt rules and regulations requiring district courts to report the filing of all cases alleging a violation of K.S.A. 8-1567, and amendments thereto, to the central repository.

(2) On or before July 1, 2013, the director shall adopt rules and regulations requiring district courts to electronically report all case filings for violations of K.S.A. 8-1567 or section 2, and amendments thereto, to the central repository.

Sec. 36. K.S.A. 2011 Supp. 60-427 is hereby amended to read as follows: 60-427. (a) As used in this section:

(1) "Patient" means a person who, for the sole purpose of securing preventive, palliative, or curative treatment, or a diagnosis preliminary to such treatment, of such person's physical or mental condition, consults a physician, or submits to an examination by a physician.

(2) "Physician" means a person licensed or reasonably believed by the patient to be licensed to practice medicine or one of the healing arts as defined in K.S.A. 65-2802, and amendments thereto, in the state or jurisdiction in which the consultation or examination takes place.

(3) "Holder of the privilege" means the patient while alive and not under guardianship or conservatorship or the guardian or conservator of the patient, or the personal representative of a deceased patient.

(4) "Confidential communication between physician and patient" means such information transmitted between physician and patient, including information obtained by an examination of the patient, as is transmitted in confidence and by a means which, so far as the patient is aware, discloses the information to no third persons other than those reasonably necessary for the transmission of the information or the accomplishment of the purpose for which it is transmitted.

(b) Except as provided by subsections (c), (d), (e) and (f), a person, whether or not a party, has a privilege in a civil action or in a prosecution for a misdemeanor, other than a prosecution for a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or a city ordinance or county resolution which prohibits the acts prohibited by those statutes, to refuse to disclose, and to prevent a witness from disclosing, a communication, if the person claims the privilege and the judge finds that:

(1) The communication was a confidential communication between patient and physician; (2) the patient or the physician reasonably believed the communication necessary or helpful to enable the physician to make a diagnosis of the condition of the patient or to prescribe or render treatment therefor; (3) the witness (i) is the holder of the privilege, (ii) at the time of the communication was the physician or a person to whom disclosure was made because reasonably necessary for the transmission of the communication or for the accomplishment of the purpose for which it was transmitted or (iii) is any other person who obtained knowledge or possession of the communication as the result of an intentional breach of the physician's duty of nondisclosure by the

physician or the physician's agent or servant; and (4) the claimant is the holder of the privilege or a person authorized to claim the privilege for the holder of the privilege.

(c) There is no privilege under this section as to any relevant communication between the patient and the patient's physician: (1) Upon an issue of the patient's condition in an action to commit the patient or otherwise place the patient under the control of another or others because of alleged incapacity or mental illness, in an action in which the patient seeks to establish the patient's competence or in an action to recover damages on account of conduct of the patient which constitutes a criminal offense other than a misdemeanor; (2) upon an issue as to the validity of a document as a will of the patient; or (3) upon an issue between parties claiming by testate or intestate succession from a deceased patient.

(d) There is no privilege under this section in an action in which the condition of the patient is an element or factor of the claim or defense of the patient or of any party claiming through or under the patient or claiming as a beneficiary of the patient through a contract to which the patient is or was a party.

(e) There is no privilege under this section: (1) As to blood drawn at the request of a law enforcement officer pursuant to K.S.A. 8-1001, and amendments thereto; and (2) as to information which the physician or the patient is required to report to a public official or as to information required to be recorded in a public office, unless the statute requiring the report or record specifically provides that the information shall not be disclosed.

(f) No person has a privilege under this section if the judge finds that sufficient evidence, aside from the communication has been introduced to warrant a finding that the services of the physician were sought or obtained to enable or aid anyone to commit or to plan to commit a crime or a tort, or to escape detection or apprehension after the commission of a crime or a tort.

(g) A privilege under this section as to a communication is terminated if the judge finds that any person while a holder of the privilege has caused the physician or any agent or servant of the physician to testify in any action to any matter of which the physician or the physician's agent or servant gained knowledge through the communication.

(h) Providing false information to a physician for the purpose of obtaining a prescription-only drug shall not be a confidential communication between physician and patient and no person shall have a privilege in any prosecution for unlawfully obtaining or distributing a prescription-only drug under K.S.A. 2011 Supp. 21-5708, and amendments thereto.

Sec. 37. K.S.A. 2011 Supp. 74-2012 is hereby amended to read as follows: 74-2012. (a) (1) All motor vehicle records shall be subject to the provisions of the open records act, except as otherwise provided under the provisions of this section and by K.S.A. 74-2022, and amendments thereto.

(2) For the purpose of this section, "motor vehicle records" means any record that pertains to a motor vehicle drivers license, motor vehicle certificate of title, motor vehicle registration or identification card issued by the division of vehicles.

(b) All motor vehicle records which relate to the physical or mental condition of any person, have been expunged or are photographs or digital images maintained in connection with the issuance of drivers' licenses shall be confidential and shall not be disclosed except in accordance with a proper judicial order or as otherwise more

specifically provided in this section or by other law. Photographs or digital images maintained by the division of vehicles in connection with the issuance of drivers' licenses may be disclosed to any federal, state or local agency, including any court or law enforcement agency, to assist such agency in carrying out the functions required of such governmental agency. In January of each year the division shall report to the house committee on veterans, military and homeland security regarding the utilization of the provisions of this subsection. Motor vehicle records relating to diversion agreements for the purposes of K.S.A. 8-1567, 12-4415 and 22-2908 and section 2, and amendments thereto, shall be confidential and shall not be disclosed except in accordance with a proper judicial order or by direct computer access to:

(1) A city, county or district attorney, for the purpose of determining a person's eligibility for diversion or to determine the proper charge for a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or any ordinance of a city or resolution of a county in this state which prohibits any acts prohibited by those statutes;

(2) a municipal or district court, for the purpose of using the record in connection with any matter before the court;

(3) a law enforcement agency, for the purpose of supplying the record to a person authorized to obtain it under paragraph (1) or (2) of this subsection; or

(4) an employer when a person is required to retain a commercial driver's license due to the nature of such person's employment.

(c) Lists of persons' names and addresses contained in or derived from motor vehicle records shall not be sold, given or received for the purposes prohibited by K.S.A. 2011 Supp. 45-230, and amendments thereto, except that:

(1) The director of vehicles may provide to a requesting party, and a requesting party may receive, such a list and accompanying information from motor vehicle records upon written certification that the requesting party shall use the list solely for the purpose of:

(A) Assisting manufacturers of motor vehicles in compiling statistical reports or in notifying owners of vehicles believed to:

(i) Have safety-related defects,;

(ii) fail to comply with emission standards; or

(iii) have any defect to be remedied at the expense of the manufacturer;

(B) assisting an insurer authorized to do business in this state, or the insurer's authorized agent:

(i) In processing an application for, or renewal or cancellation of, a motor vehicle liability insurance policy; or

(ii) in conducting antifraud activities by identifying potential undisclosed drivers of a motor vehicle currently insured by an insurer licensed to do business in this state by providing only the following information: drivers license number, license type, date of birth, name, address, issue date and expiration date;

(C) assisting the selective service system in the maintenance of a list of persons 18 to 26 years of age in this state as required under the provisions of section 3 of the federal military selective service act;

(D) assisting any federal, state or local agency, including any court or law enforcement agency, or any private person acting on behalf of such agencies in carrying out the functions required of such governmental agency, except that such records shall not be redisclosed;

(E) assisting businesses with the verification or reporting of information derived from the title and registration records of the division to prepare and assemble vehicle history reports, except that such vehicle history reports shall not include the names or addresses of any current or previous owners;

(F) assisting businesses in producing motor vehicle title or motor vehicle registration, or both, statistical reports, so long as personal information is not published, redisclosed or used to contact individuals; or

(G) assisting an employer or an employer's authorized agent in monitoring the driving record of the employees required to drive in the course of employment to ensure driver behavior, performance or safety.

(2) Any law enforcement agency of this state which has access to motor vehicle records may furnish to a requesting party, and a requesting party may receive, such a list and accompanying information from such records upon written certification that the requesting party shall use the list solely for the purpose of assisting an insurer authorized to do business in this state, or the insurer's authorized agent, in processing an application for, or renewal or cancellation of, a motor vehicle liability insurance policy.

(d) If a law enforcement agency of this state furnishes information to a requesting party pursuant to paragraph (2) of subsection (c), the law enforcement agency shall charge the fee prescribed by the secretary of revenue pursuant to K.S.A. 74-2022, and amendments thereto, for any copies furnished and may charge an additional fee to be retained by the law enforcement agency to cover its cost of providing such copies. The fee prescribed pursuant to K.S.A. 74-2022, and amendments thereto, shall be paid monthly to the secretary of revenue and upon receipt thereof shall be deposited in the state treasury to the credit of the electronic databases fee fund, except for the \$1 of the fee for each record required to be credited to the highway patrol training center fund under subsection (f).

(e) The secretary of revenue, the secretary's agents or employees, the director of vehicles or the director's agents or employees shall not be liable for damages caused by any negligent or wrongful act or omission of a law enforcement agency in furnishing any information obtained from motor vehicle records.

(f) A fee in an amount fixed by the secretary of revenue pursuant to K.S.A. 74-2022, and amendments thereto, of not less than \$2 for each full or partial motor vehicle record shall be charged by the division, except that the director may charge a lesser fee pursuant to a contract between the secretary of revenue and any person to whom the director is authorized to furnish information under paragraph (1) of subsection (c), and such fee shall not be less than the cost of production or reproduction of any full or partial motor vehicle record requested. Except for the fees charged pursuant to a contract for motor vehicle records authorized by this subsection pertaining to motor vehicle titles or motor vehicle registrations or pursuant to subsection (c)(1)(B)(ii) or (c)(1)(D), \$1 shall be credited to the highway patrol training center fund for each motor vehicle record provided by the division of vehicles.

(g) The secretary of revenue may adopt such rules and regulations as are necessary to implement the provisions of this section.

Sec. 38. K.S.A. 2011 Supp. 75-712h is hereby amended to read as follows: 75-712h. ~~On or before July 1, 2012, The director of the Kansas bureau of investigation shall be authorized to~~ adopt rules and regulations establishing: (a) Criteria for preliminary screening devices for testing of saliva for law enforcement purposes, based

on health and performance considerations; and (b) a list of preliminary screening devices which are approved for testing of saliva for law enforcement purposes and which law enforcement agencies may purchase and train officers to use as aids in determining probable cause to arrest and grounds for requiring testing pursuant to K.S.A. 8-1001, and amendments thereto.

Sec. 39. K.S.A. 8-241, 8-286, 8-288, 8-1501, 12-4413 and 22-2910 and K.S.A. 2011 Supp. 8-235, 8-262, 8-285, 8-287, 8-2,142, 8-2,144, 8-1001, 8-1008, 8-1012, 8-1013, 8-1014, 8-1015, 8-1020, 8-1020b, 8-1567, 12-4106, 12-4414, 12-4415, 12-4416, 12-4517, 21-5203, 21-6604, as amended by section 1 of 2012 House Bill No. 2465, 21-6609, as amended by section 5 of 2012 House Bill No. 2535, 21-6804, 22-2802, 22-2908, 22-2909, 22-2909c, 22-4704, 60-427, 74-2012 and 75-712h are hereby repealed.

Sec. 40. This act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, by striking all in lines 1 through 6 and inserting:

"AN ACT concerning driving; relating to fines; creating the crime of refusing to submit to a test to determine the presence of alcohol or drugs; relating to driver's licenses; driving under the influence; administrative penalties; crimes, punishment and criminal procedure; amending K.S.A. 8-241, 8-286, 8-288, 8-1501, 12-4413 and 22-2910 and K.S.A. 2011 Supp. 8-235, 8-262, 8-285, 8-287, 8-2,142, 8-2,144, 8-1001, 8-1008, 8-1012, 8-1013, 8-1014, 8-1015, 8-1020, 8-1567, 12-4106, 12-4414, 12-4415, 12-4416, 12-4517, 21-5203, 21-6604, as amended by section 1 of 2012 House Bill No. 2465, 21-6609, as amended by section 5 of 2012 House Bill No. 2535, 21-6804, 22-2802, 22-2908, 22-2909, 22-4704, 60-427, 74-2012 and 75-712h and repealing the existing sections; also repealing K.S.A. 2011 Supp. 8-1020b and 22-2909c.";

And your committee on conference recommends the adoption of this report.

PAT COLLOTON

LANCE KINZER

MELODY McCRAY-MILLER

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

Senator Owens moved the Senate adopt the Conference Committee Report on **H Sub for SB 60**.

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

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Emler, Steineger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **H Sub for SB 177** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

RICHARD CARLSON

MARVIN KLEEB

Conferees on part of House

LES DONOVAN

PAT APPLE

Conferees on part of Senate

Senator Donovan moved to adopt the conference committee report on **H Sub for SB 177** to agree to disagree and a new conference committee be appointed.

On roll call, the vote was: Yeas 18; Nays 21; Present and Passing 0; Absent or Not Voting 1.

Yeas: Abrams, Apple, Bruce, Donovan, Kelsey, King, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Steineger, Taddiken, Wagle.

Nays: Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Absent or Not Voting: Emler.

The motion did not prevail and the bill remains in conference.

EXPLANATION OF VOTE

MR. PRESIDENT: The Conference Committee Report on **H Sub for SB 177** on the Governor's desk is not fiscally responsible. I respect the efforts of Senator Donovan, Senator Apple and Senator Holland, but the current compromise is not acceptable for Kansas needs. I vote no.

A responsible tax plan is still possible. – PETE BRUNGARDT

Senators Owens, Reitz, Schodorf, Teichman, Umbarger and Vratil request the record to show they concur with the "Explanation of Vote" offered by Senator Brungardt on **H Sub for SB 177**.

EXPLANATION OF VOTE

MR. PRESIDENT: Like most of us in this Chamber, I want a tax structure for Kansas that is responsible, pro-growth and competitive. But, at the same time, we need to maintain a balanced budget. We need to take care of our responsibilities. And, we need to look out for the future of our state.

Kansas is emerging from this economic recession in a better position than most states. But, we are not out of the woods yet. This particular plan could turn our balanced budget into a deficit in just five years. I don't think that is the kind of tax relief that will move Kansas forward.

As I've said before, a reasonable plan involves lowering our individual income tax rates and eliminating the income tax on businesses up to \$100,000. We also need to reduce property taxes, reduce sales taxes and adjust HPIP.

Let me reiterate: I want a tax structure for Kansas that is responsible, pro-growth and competitive. I greatly appreciate the hard work that has gone into this plan. But, I hope the conference committee will reconvene today and come back to us with a more reasonable plan that's right for Kansas. – STEPHEN MORRIS

Senators Schodorf, Teichman, Umbarger and Vratil request the record to show they concur with the "Explanation of Vote" offered by Senator Morris on **H Sub for SB 177**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 314** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, in line 7, before "The" by inserting "On and after January 1, 2013,,"; following line 12, by inserting:

"New Sec. 2. Nothing in the provisions of K.S.A. 58-3201 *et seq.*, and amendments thereto, shall be construed as the granting of an easement over such land by the owner thereof, nor as the granting of an easement over such land by adverse possession.

Sec. 3. K.S.A. 2011 Supp. 21-5808 is hereby amended to read as follows: 21-5808. (a) Criminal trespass is entering or remaining upon or in any:

(1) Land, nonnavigable body of water, structure, vehicle, aircraft or watercraft by a person who knows such person is not authorized or privileged to do so, and:

(A) Such person enters or remains therein in defiance of an order not to enter or to leave such premises or property personally communicated to such person by the owner thereof or other authorized person;

(B) such premises or property are posted ~~in a~~ as provided in K.S.A. 32-1013, and amendments thereto, or in any other manner reasonably likely to come to the attention of intruders, or are locked or fenced or otherwise enclosed, or shut or secured against passage or entry; or

(C) such person enters or remains therein in defiance of a restraining order issued pursuant to K.S.A. 60-1607, 60-3105, 60-3106, 60-3107, 60-31a05 or 60-31a06 or K.S.A. 2011 Supp. 38-2243, 38-2244 or 38-2255, and amendments thereto, and the restraining order has been personally served upon the person so restrained; or

(2) public or private land or structure in a manner that interferes with access to or from any health care facility by a person who knows such person is not authorized or privileged to do so and such person enters or remains thereon or therein in defiance of an order not to enter or to leave such land or structure personally communicated to such person by the owner of the health care facility or other authorized person.

(b) Criminal trespass is a class B nonperson misdemeanor. Upon a conviction of a violation of subsection (a)(1)(C), a person shall be sentenced to not less than 48 consecutive hours of imprisonment which shall be served either before or as a condition of any grant of probation or suspension, reduction of sentence or parole.

(c) As used in this section:

(1) "Health care facility" means any licensed medical care facility, certificated

health maintenance organization, licensed mental health center or mental health clinic, licensed psychiatric hospital or other facility or office where services of a health care provider are provided directly to patients; and

- (2) "health care provider" means any person:
 - (A) Licensed to practice a branch of the healing arts;
 - (B) licensed to practice psychology;
 - (C) licensed to practice professional or practical nursing;
 - (D) licensed to practice dentistry;
 - (E) licensed to practice optometry;
 - (F) licensed to practice pharmacy;
 - (G) registered to practice podiatry;
 - (H) licensed as a social worker; or
 - (I) registered to practice physical therapy.

(d) This section shall not apply to:

(1) A land surveyor, licensed pursuant to article 70 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto, and such surveyor's authorized agents and employees who enter upon lands, waters and other premises in the making of a survey; or

(2) railroad property as defined in K.S.A. 2011 Supp. 21-5809, and amendments thereto, or nuclear generating facility as defined in K.S.A. 2011 Supp. 66-2302, and amendments thereto.";

Also on page 1, by striking all in lines 13 through 32;

By striking all in page 2;

On page 3, by striking all in lines 1 through 28 and inserting:

"Sec. 4. On and after January 1, 2013, K.S.A. 2011 Supp. 32-906, as amended by section 45 of 2012 Senate Bill No. 316, is hereby amended to read as follows: 32-906.

(a) Except as otherwise provided by law or rules and regulations of the secretary, a valid Kansas fishing license is required to fish or to take any bullfrog in this state.

(b) The provisions of subsection (a) do not apply to fishing by:

(1) A person, or a member of a person's immediate family domiciled with such person, on land owned by such person or on land leased or rented by such person for agricultural purposes;

(2) ~~a resident of this state~~ person who is less than 16 years of age ~~or who is 65 or more years of age;~~

(3) ~~a nonresident who is less than 16 years of age~~ a resident of this state who is 75 years of age or more;

(4) a person fishing in a private water fishing impoundment unless waived pursuant to K.S.A. 32-975, and amendments thereto;

(5) a resident of an adult care home, as defined by K.S.A. 39-923, and amendments thereto, licensed by the secretary of aging;

(6) ~~an inmate in an honor camp operated by the secretary of corrections, pursuant to an agreement between the secretary of corrections and the secretary of wildlife, parks and tourism;~~

~~(7)~~ a person on dates designated pursuant to subsection (f);

~~(8)~~ (7) a person fishing under a valid institutional group fishing license issued pursuant to subsection (g); or

~~(9)~~ (8) a participant in a fishing clinic sponsored or cosponsored by the department,

during the period of time that the fishing clinic is being conducted.

(c) The fee for a fishing license shall be the amount prescribed pursuant to K.S.A. 32-988, and amendments thereto.

(d) Unless otherwise provided by law or rules and regulations of the secretary, a fishing license is valid throughout the state.

(e) Unless otherwise provided by law or rules and regulations of the secretary, a fishing license is valid from the date of issuance and expires on December 31 following its issuance, except that the secretary may issue a:

- (1) Permanent license pursuant to K.S.A. 32-929, and amendments thereto;
- (2) lifetime license pursuant to K.S.A. 32-930, and amendments thereto;
- (3) nonresident fishing license valid for a period of five days; and
- (4) resident or nonresident fishing license valid for a period of 24 hours.

(f) The secretary may designate by resolution two days each calendar year during which persons may fish by legal means without having a valid fishing license.

(g) The secretary shall issue an annual institutional group fishing license to each facility operating under the jurisdiction of or licensed by the secretary of social and rehabilitation services and to any veterans administration medical center in the state of Kansas upon application by such facility or center to the secretary of wildlife, parks and tourism for such license.

All applications for facilities under the jurisdiction of the secretary of social and rehabilitation services shall be made with the approval of the secretary of social and rehabilitation services and shall provide such information as the secretary of wildlife, parks and tourism requires. All applications for any veterans administration medical center shall be made with the approval of the director of such facility and shall provide such information as the secretary of wildlife, parks and tourism requires. Persons who have been admitted to and are currently residing at the facility or center, not to exceed 20 at any one time, may fish under an institutional group fishing license within the state while on a group trip, group outing or other group activity which is supervised by the facility or center. Persons fishing under an institutional group fishing license shall not be required to obtain a fishing license but shall be subject to all other laws and to all rules and regulations relating to fishing.

The staff personnel of the facility or center supervising the group trip, group outing or other group activity shall have in their possession the institutional license when engaged in supervising any activity requiring the license. Such staff personnel may assist group members in all aspects of their fishing activity.

(h) The secretary may issue a special nonprofit group fishing license to any community, civic or charitable organization which is organized as a not-for-profit corporation, for use by such community, civic or charitable organization for the sole purpose of conducting group fishing activities for handicapped or developmentally disabled individuals. All applications for a special nonprofit group fishing license shall be made to the secretary or the secretary's designee and shall provide such information as required by the secretary.

Handicapped or developmentally disabled individuals, not to exceed 20 at any one time, may fish under a special nonprofit group fishing license while on a group trip, outing or activity which is supervised by the community, civic or charitable organization. Individuals fishing under a special nonprofit group fishing license shall not be required to obtain a fishing license but shall be subject to all other laws and rules

and regulations relating to fishing.

The staff personnel of the community, civic or charitable organization supervising the group trip, outing or activity shall have in their possession the special nonprofit group fishing license when engaged in supervising any activity requiring the special nonprofit group fishing license. Such staff personnel may assist group members in all aspects of their fishing activity.

(i) The provisions of paragraph (b)(3) shall expire on June 30, 2020.;

On page 3, in line 29, before "K.S.A." by inserting "On and after January 1, 2013,";

On page 4, by striking all in lines 29 through 43;

On page 5, by striking all in lines 1 and 2;

On page 7, in line 8, by striking "(1)"; in line 14, by striking "(A)" and inserting "(1)"; in line 16, by striking "(B)" and inserting "(2)"; in line 17, by striking "(C)" and inserting "(3)"; in line 19, by striking "(D)" and inserting "(4)"; by striking all in lines 21 through 23;

On page 8, in line 17, after "(n)" by inserting "(1)"; also in line 17, by striking "1" and inserting "30"; following line 19, by inserting:

"(2) Prior to April 30, 2013, the secretary shall develop and implement a pre-rut antlerless deer rifle season by deer management unit. The provisions of this paragraph shall expire on July 1, 2015.

(3) The secretary shall develop and implement a deer crossbow hunting pilot project. Such pilot project shall be implemented in no more than four deer management units. The secretary of wildlife, parks and tourism shall study the effects of such pilot project on the deer population and the number of crossbow users in such deer management units and report to the house committee on agriculture and natural resources and the senate committee on natural resources prior to January 31, 2014. The provisions of this paragraph shall expire on January 31, 2014.";

Also on page 8, in line 31, before "K.S.A." by inserting "On and after January 1, 2013,";

On page 10, in line 31, by striking "(1)"; by striking all in lines 34 through 38; in line 40, by striking "equal to" and inserting "not to exceed";

On page 11, by striking all in lines 17 through 43;

On page 12, by striking all in lines 1 through 29 and inserting:

"Sec. 8. On and after January 1, 2013, K.S.A. 2011 Supp. 32-1005, as amended by section 58 of 2012 Senate Bill No. 316, is hereby amended to read as follows: 32-1005.

(a) Commercialization of wildlife is knowingly committing any of the following, except as permitted by statute or rules and regulations:

(1) Capturing, killing or possessing, for profit or commercial purposes, all or any part of any wildlife protected by this section;

(2) selling, bartering, purchasing or offering to sell, barter or purchase, for profit or commercial purposes, all or any part of any wildlife protected by this section;

(3) shipping, exporting, importing, transporting or carrying; causing to be shipped, exported, imported, transported or carried; or delivering or receiving for shipping, exporting, importing, transporting or carrying all or any part of any wildlife protected by this section, for profit or commercial purposes; or

(4) purchasing, for personal use or consumption, all or any part of any wildlife protected by this section.

(b) The wildlife protected by this section and the minimum value thereof are as

follows:

- (1) Eagles, \$1,000;
- (2) deer or antelope, \$1,000;
- (3) elk or buffalo, \$1,500;
- (4) furbearing animals, except bobcats, \$25;
- (5) bobcats, \$200;
- (6) wild turkey, \$200;
- (7) owls, hawks, falcons, kites, harriers or ospreys, \$500;
- (8) game birds, migratory game birds, resident and migratory nongame birds, game animals and nongame animals, \$50 unless a higher amount is specified above;
- (9) fish and mussels, the value for which shall be no less than the value listed for the appropriate fish or mussels species in the monetary values of freshwater fish or mussels and fish kill counting guidelines of the American fisheries society, special publication number 30;
- (10) turtles, \$25 each for unprocessed turtles or \$16 per pound or fraction of a pound for processed turtle parts;
- (11) bullfrogs, \$4, whether dressed or not dressed;
- (12) any wildlife classified as threatened or endangered, \$500 unless a higher amount is specified above; and
- (13) any other wildlife not listed above, \$25.

(c) Possession of wildlife, in whole or in part, captured or killed in violation of law and having an aggregate value of \$1,000 or more, as specified in subsection (b), is *prima facie* evidence of possession for profit or commercial purposes.

(d) Commercialization of wildlife having an aggregate value of \$1,000 or more, as specified in subsection (b), is a severity level 10, nonperson felony. Commercialization of wildlife having an aggregate value of less than \$1,000, as specified in subsection (b), is a class A nonperson misdemeanor.

(e) In addition to any other penalty provided by law, a court convicting a person of the crime of commercialization of wildlife may:

- (1) Confiscate all equipment used in the commission of the crime and may revoke for a period of up to ~~10~~ 20 years all licenses and permits issued to the convicted person by the Kansas department of wildlife, parks and tourism; and

- (2) order restitution to be paid to the Kansas department of wildlife, parks and tourism for the wildlife taken, which restitution shall be in an amount not less than the aggregate value of the wildlife, as specified in subsection (b).

(f) The provisions of this section shall apply only to wildlife illegally harvested and possessed by any person having actual knowledge that such wildlife was illegally harvested.

Sec. 9. On and after January 1, 2013, K.S.A. 2011 Supp. 32-1032, as amended by section 60 of 2012 Senate Bill No. 316, is hereby amended to read as follows: 32-1032.

(a) Violation of any provision of the wildlife, parks and tourism laws of this state or rules and regulations of the secretary relating to big game or wild turkey permits and game tags, taking big game or wild turkey during a closed season, taking big game or wild turkey in violation of subsections (a)(1), (2) or (7) of K.S.A. 32-1003, and amendments thereto, or taking big game or wild turkey in violation of subsection (a)(2) or (3) of K.S.A. 32-1004, and amendments thereto, or taking big game or wild turkey in violation of K.S.A. 32-1013, and amendments thereto, is a misdemeanor, subject to the

provisions of subsection (b), punishable by a fine or by imprisonment in the county jail, or by both.

(1) Upon a first or second conviction for a violation of the wildlife, parks and tourism laws of this state or the rules and regulations of the secretary relating to this section, the violator shall not be fined less than \$500 nor more than \$1,000 or be imprisoned in the county jail for not more than six months, or both.

(2) Upon a third conviction for a violation of the wildlife, parks and tourism laws of this state or the rules and regulations of the secretary relating to this section, the violator shall not be fined less than \$1,000 and shall be imprisoned in the county jail for not less than 30 days. A third conviction shall be a class B nonperson misdemeanor.

(3) Upon a fourth conviction for a violation of the wildlife, parks and tourism laws of this state or the rules and regulations of the secretary relating to this section, the violator shall not be fined less than \$1,000 and shall be imprisoned in the county jail for not less than 60 days. A fourth conviction shall be a class A nonperson misdemeanor.

(4) Upon the fifth or subsequent convictions for a violation of the wildlife, parks and tourism laws of the state or the rules and regulations of the secretary relating to this section, the violator shall not be fined less than \$1,000 and shall be imprisoned in the county jail for not less than 90 days. A fifth or subsequent conviction shall be a class A nonperson misdemeanor.

Any conviction for a wildlife violation that occurs before July 1, 2005, shall not be considered for purposes of this subsection.

(b) (1) In addition to any other penalty prescribed by law, the unlawful intentional taking of a trophy big game animal shall be punishable by a fine of not less than \$5,000.

(2) A trophy big game animal shall include any animal meeting the following criteria:

(A) An antlered whitetail deer having an inside spread measurement of at least ~~17~~ 16 inches;

(B) an antlered mule deer having an inside spread measurement of at least ~~22~~ 20 inches;

(C) an antlered elk having at least six points on one antler; or

(D) an antelope having at least one horn greater than 14 inches in length.

(3) In addition to any other penalty prescribed by law, the defendant shall pay the restitution value of any deer, elk or antelope taken in violation of K.S.A. 32-1001, 32-1002, 32-1003, 32-1004, 32-1005 or 32-1013, and amendments thereto, with a gross score of more than 125 inches for deer, 250 inches for elk and 75 inches for antelope. Such restitution value shall be in an amount not less than the value prescribed for such animal in K.S.A. 32-1005, and amendments thereto. The restitution value for deer shall equal: $(\text{gross score} - 100)^2 \times \2 . The restitution value for elk shall equal: $(\text{gross score} - 200)^2 \times \2 . The restitution value for antelope shall equal: $(\text{gross score} - 40)^2 \times \2 . The gross score shall be determined by taking measurements as provided by rules and regulations of the secretary, which shall be made to the nearest $\frac{1}{8}$ of an inch using a $\frac{1}{4}$ inch wide flexible steel tape. All restitution collected pursuant to this subparagraph shall be paid into the state treasury and shall be credited to the wildlife fee fund created by K.S.A. 32-990, and amendments thereto.

(4) Antlers or horns may be measured pursuant to the manner described in subsection (b)(3) at any time; no drying time is required.

(5) The secretary may adopt, in accordance with K.S.A. 32-805, and amendments

thereto, such rules and regulations that the secretary deems necessary to implement and define the terms of this section.

(c) In addition to any other penalty imposed by the convicting court, if a person is convicted of a violation of K.S.A. 32-1001, 32-1002, 32-1003, 32-1004 or 32-1013, and amendments thereto, that involves taking of a big game animal or wild turkey, or if a person is convicted of a violation of K.S.A. 32-1005, and amendments thereto, that involves commercialization of a big game animal or wild turkey:

(1) Upon the first such conviction, the court may order forfeiture of the person's hunting privileges for one year from the date of conviction and: (A) Revocation of the person's hunting license, unless such license is a lifetime hunting license; or (B) if the person possesses a lifetime hunting license, suspension of such license for one year from the date of conviction.

(2) Upon the second such conviction, the court shall order forfeiture of the person's hunting privileges for three years from the date of conviction and: (A) Revocation of the person's hunting license, unless such license is a lifetime hunting license; or (B) if the person possesses a lifetime hunting license, suspension of such license for three years from the date of conviction.

(3) Upon the third or a subsequent such conviction, the court shall order forfeiture of the person's hunting privileges for five years from the date of conviction and: (A) Revocation of the person's hunting license, unless such license is a lifetime hunting license; or (B) if the person possesses a lifetime hunting license, suspension of such license for five years from the date of conviction.

(d) If a person convicted of a violation described in subsection (c) has been issued a combination hunting and fishing license or a combination lifetime license, only the hunting portion of such license shall be revoked or suspended pursuant to subsection (c).

(e) Nothing in this section shall be construed to prevent a convicting court from suspending a person's hunting privileges or ordering the forfeiture or suspension of the person's license, permit, stamp or other issue of the department for a period longer than provided in this section, if such forfeiture or suspension is otherwise provided for by law.

Sec. 10. K.S.A. 2011 Supp. 21-5808 and 32-937 are hereby repealed.

Sec. 11. On and after January 1, 2013, K.S.A. 2011 Supp. 32-906, as amended by section 45 of 2012 Senate Bill No. 316, 32-919, 32-937, 32-988, 32-1005, as amended by section 58 of 2012 Senate Bill No. 316, and 32-1032, as amended by section 60 of 2012 Senate Bill No. 316, are hereby repealed.

And by renumbering sections accordingly;

Also on page 12, in line 31, by striking "January 1, 2013 and";

On page 1, in the title, in line 1, by striking all after "concerning" and inserting "hunting and fishing; relating to use of land; relating to penalties;"; in line 2, by striking all following the first semicolon; by striking all in line 3, and inserting "amending K.S.A. 2011 Supp. 21-5808, 32-906, as amended by section 45 of 2012 Senate Bill No. 316, 32-919, 32-937, 32-988, 32-1005, as amended by section 58 of 2012 Senate Bill No. 316, and 32-1032, as amended by section 60 of 2012 Senate Bill No. 316";

And your committee on conference recommends the adoption of this report.

LARRY R. POWELL
 DANIEL J. KERSCHEN
 JERRY D. WILLIAMS
Conferees on part of House

RALPH OSTMEYER
 CAROLYN MCGINN
 MARCI FRANCISCO
Conferees on part of Senate

Senator Ostmeyer moved the Senate adopt the Conference Committee Report on **SB 314**.

Senator Olson made a substitute motion to not adopt the Conference Committee Report. The motion failed.

On roll call, the vote was: Yeas 30; Nays 8; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Francisco, Haley, Hensley, Holland, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Masterson, McGinn, Merrick, Morris, Ostmeyer, Petersen, Reitz, A. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Nays: Faust-Goudeau, Huntington, Marshall, Olson, Owens, Pilcher-Cook, Pyle, V. Schmidt.

Absent or Not Voting: Emler, Steineger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2175** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 5 through 7, and inserting:

"Section 1. Sections 1 through 9, and amendments thereto, may be known and cited as the Kansas one map act.

Sec. 2. Kansas one map requires the implementation of an overall Kansas land and geographic resources program through the use of a geographic information system which requires cooperative methods for development and maintenance of spatial data between state and local governments in Kansas.

Sec. 3. As used in sections 2 through 9, and amendments thereto, unless the context shows otherwise:

(a) "Board" means the Kansas geographic information systems policy board.

(b) "Geographic information" means data and datasets containing location information including, but not limited to, remotely sensed imagery, global positioning systems files, geospatially referenced computer-aided design files, digital cartographic products, spatially enabled databases, and geospatial datasets locating and describing features and their attributes on, above or under the earth.

(c) "Geographic information systems" or "GIS" is an information system capable of capturing, integrating, storing, editing, analyzing, managing, sharing and displaying

geographic information. A GIS involves computer hardware, software, networks and applications, as well as the people to operate, develop, administer and use them.

(d) "Spatial data" is also known as geospatial data or geographic information and means the data or information that identifies the geographic location of features and boundaries on earth, such as natural or constructed features, oceans and more. Spatial data is usually stored as coordinates and topology and is data that can be mapped. Spatial data is often accessed, manipulated or analyzed through geographic information systems (GIS).

Sec. 4. (a) There is hereby established the Kansas geographic information systems policy board within the office of information technology services.

(b) The board shall consist of 23 members:

(1) The governor shall appoint 11 members as follows: Five representatives of local government, including cities, counties or local government consortia of cities, counties, non-profit and private sector enterprises. Such members may include, but are not limited to, representatives from city and county commissions or planning councils, tribal government, law enforcement, county clerks, county appraisers and emergency planning divisions; two representatives of the board of regents institutions; and two executives representing the private sector. Members from the private sector may include, but are not limited to, representatives from the trucking industry, utilities, telecommunications, publishers, agriculturalists, oil and gas industry, chambers of commerce, aircraft and auto industry and the banking community; and two representatives from relevant statewide businesses or professional organizations, such as statewide associations of groundwater management districts, emergency planning, law enforcement, licensed surveyors and other relevant technical professions or agriculture-related businesses.

(2) The remaining 12 members shall be:

(A) The executive chief information technology officer of the office of information technology services or such officer's designee;

(B) the director of the Kansas water office or such director's designee;

(C) the state biologist of the Kansas biological survey or the state biologist's designee;

(D) the state geologist of the Kansas geological survey or the state geologist's designee;

(E) the executive director of the Kansas historical society or such executive director's designee;

(F) the secretary of agriculture or such secretary's designee;

(G) the secretary of health and environment or such secretary's designee;

(H) the director of legislative research of the legislative research department or such director's designee;

(I) the secretary of revenue or such secretary's designee;

(J) the secretary of transportation or such secretary's designee;

(K) the state librarian or such librarian's designee; and

(L) the executive director of the information network of Kansas or such executive director's designee.

(c) Members appointed by the governor under subsection (b)(1) shall be appointed for a four-year term and until such member's successors are appointed and qualified, except as provided in subsection (d). Members not appointed by the governor under

subsection (b)(1) shall serve consistent with their terms of office, employment or appointment.

(d) The governor may remove a member from the board for lack of attendance or lack of participation.

(e) The governor shall select a chairperson and vice-chairperson from among the members of the board who shall serve as chairperson and vice-chairperson at the discretion of the governor. The board may elect other officers among its members and may establish any committees deemed necessary to discharge its duties.

(f) Board members shall not receive compensation, subsistence allowance, mileage or associated expenses from the state. Officers or employees of state agencies who serve on the board shall be authorized to serve on the board as part of their duties.

Sec. 5. The board shall:

(a) Establish public and private partnerships throughout Kansas to maximize value, minimize cost and avoid redundant activities in the development and implementation of geographic information systems;

(b) foster efficient and secure methods for data sharing at all levels of government;

(c) coordinate, review and provide recommendations on geographic information systems programs and investments and provide assistance with dispute resolution among geographic systems partners;

(d) continue to establish Kansas' leadership role in the national effort to improve capabilities for sharing geographic information and ideas with other states;

(e) promote the use of geographic information systems technologies as tools to break through structural and administrative boundaries to collaborate on shared problems and enhance information analysis and decision-making processes within all levels of government;

(f) shall be a standing advisory committee to the information technology executive council and shall provide a copy of its annual report to the council, as well as to the governor and both houses of the legislature; and

(g) shall work jointly with officials from other state agencies, organizations and county, municipal and tribal governments, as well as with businesses and organizations in the private sector who are concerned with the efficient management of the state's geographic information systems resources.

Sec. 6. (a) There is hereby established the office of state geographic information systems officer who shall be appointed by the governor and who shall serve in the office of information technology services.

(b) The state geographic information systems officer shall:

(1) Implement Kansas one map, an enterprise statewide mapping strategy that: (A) Supports Kansas state entities and local governments as they foster economic vitality, manage resources, educate, save and restore the natural environment, advance health initiatives, ensure public safety and support science; and (B) enables state entities and local governments to better implement and coordinate policies and programs across Kansas;

(2) implement and maintain the Kansas data access and support center, an enterprise geospatial data clearinghouse to include a central store and catalog of Kansas data and mapping services available to all state entities and the public;

(3) recruit a technical committee and appoint the technical committee chair;

(4) provide oversight for the development of the Kansas one map program and

monitor Kansas one map metrics;

(5) establish and manage a Kansas one map communications plan and provide for Kansas one map education;

(6) maintain a liaison relationship with state, federal, regional, county and municipal organizations;

(7) promote, advertise and market applications, capabilities, benefits and results of the Kansas one map program;

(8) assist in the identification and capturing of funding to support the Kansas one map program; and

(9) recommend to the executive chief information technology officer rules and regulations as may be necessary to implement the provisions of the Kansas one map act.

(c) The executive chief information technology officer may adopt rules and regulations to implement the provisions of the Kansas one map act.

Sec. 7. All state departments, agencies, commissions and boards shall cooperate with the Kansas geographic information systems policy board and the state geographic information systems officer in implementing the initiatives of Kansas one map.

Sec. 8. Funding for the Kansas data access and support center shall be continued through the office of information technology services and shall be directed to the Kansas geological survey which currently houses and supports this function.

Sec. 9. In order for the state geographic information systems officer to meet the goals set out in section 5, and amendments thereto, such officer will be supported with other office of information services as needed and available for coordination, standards development and implementation of workshops to research and promote effective uses of the geographic information systems assets and tools to achieve economic and operational benefits from the Kansas one map resource.

Sec. 10. This act shall take effect and be in force from and after its publication in the Kansas register.";

Also on page 1, in the title, in line 1, by striking all after "ACT"; by striking all in line 2, and inserting "concerning geographic information, systems and services; establishing the Kansas geographic information systems policy board and the office of state geographic information systems officer.";

And your committee on conference recommends the adoption of this report.

DWAYNE UMBARGER

BOB MARSHALL

KELLY KULTALA

Conferees on part of Senate

MIKE BURGESS

GARY K. HAYZLETT

ED TRIMMER

Conferees on part of House

Senator Umbarger moved the Senate adopt the Conference Committee Report on **HB 2175**.

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

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn,

Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Emler, Steineger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORTS

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2435** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

JEAN SCHODORF

JOHN VRATIL

ANTHONY HENSLEY

Conferees on part of Senate

LANA GORDON

VALDENIA WINN

Conferees on part of House

On motion of Senator Schodorf the Senate adopted the conference committee report on **HB 2435**, and requested a new conference be appointed.

The President appointed Senators Schodorf, Vratil and Hensley as a second Conference Committee on the part of the Senate on **HB 2435**.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator V. Schmidt an emergency was declared by a 2/3 constitutional majority, and **HB 2453**, **HB 2515** and **HB 2792** were advanced to Final Action and roll call.

HB 2453, AN ACT concerning the commission on disability concerns; amending K.S.A. 2011 Supp. 74-6701, 74-6702, 74-6703, 74-6706 and 74-6707 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 74-6709.

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

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Emler, Steineger.

The bill passed, as amended.

HB 2515, AN ACT making and concerning appropriations for fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, June 30, 2015, and June 30, 2016, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2011 Supp. 2-223,

12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 75-6702, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i, as amended by Section 10 of 2012 House Bill No. 2557, 79-34,156, 79-34,171 and 82a-953a and repealing the existing sections.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 0; Absent or Not Voting 2.

Yeas: Abrams, Apple, Bruce, Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Marshall, Masterson, McGinn, Morris, Olson, Ostmeyer, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil.

Nays: Donovan, Lynn, Merrick, Pilcher-Cook, Pyle, Wagle.

Absent or Not Voting: Emler, Steineger.

The bill passed, as amended.

HB 2792, AN ACT reconciling amendments to certain statutes and making certain technical changes related thereto; amending K.S.A. 2011 Supp. 16-1602, 21-5428, 21-6811, 22-3437, 22-4705, 44-703, 44-706, 59-2132, 65-516, as amended by section 5 of 2012 House Bill No. 2660, 65-1626, as amended by section 1 of 2012 Senate Bill No. 134, 65-4915, as amended by section 51 of 2012 Substitute for Senate Bill No. 397, 65-6805, as amended by section 54 of 2012 Substitute for Senate Bill No. 397, 68-1051, as amended by section 2 of 2012 House Bill No. 2441, 72-1397, 72-5445, 74-5602, as amended by section 2 of 2012 House Bill No. 2496, 75-2935, as amended by section 115 of 2012 Senate Bill No. 316, 75-37,121, as amended by section 117 of 2012 Senate Bill No. 316, 76-11a13, 77-421, as amended by section 38 of 2012 House Bill No. 2535, 79-201a, as amended by section 1 of 2012 House Bill No. 2769 and 79-3234, as amended by section 127 of 2012 Senate Bill No. 316 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-5428a, 21-6811a, 22-3437b, 22-4705a, 32-1049a, as amended by section 64 of 2012 Senate Bill No. 316, 44-703a, 44-706b, 65-1436a, 65-1626, as amended by section 42 of 2012 Substitute for Senate Bill No. 397, 65-4915, as amended by section 1 of 2012 House Bill No. 2428, 65-6805, as amended by section 28 of 2012 House Bill No. 2416, 68-1051, as amended by section 2 of 2012 House Bill No. 2509, 72-5445a, 74-4911f, as amended by section 95 of 2012 Senate Bill No. 316, 74-5089, as amended by section 6 of 2012 Senate Bill No. 417, 74-5602, as amended by section 105 of 2012 Senate Bill No. 316, 74-5602, as amended by section 2 of 2012 Senate Bill No. 424, 75-2935, as amended by section 28 of 2012 Senate Bill No. 417, 75-3372, 75-37,121, as amended by section 33 of 2012 House Bill No. 2416, 77-415, as amended by section 1 of 2012 Senate Bill No. 252, 77-421, as amended by section 123 of 2012 Senate Bill No. 316, 77-421, as amended by section 55 of 2012 House Bill No. 2416, 77-421, as amended by section 2 of 2012 Senate Bill No. 252, 79-201a, as amended by section 124 of 2012 Senate Bill No. 316 and 79-3234b, as amended by section 128 of 2012 Senate Bill No. No. and 316.

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

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Emler, Steineger.
The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **HB 2619** be amended by substituting a new bill to be designated as "Senate Substitute for HOUSE BILL No. 2619," as follows:

"SENATE Substitute for HOUSE BILL No. 2619
By Committee on Ways and Means

"AN ACT creating the joint committee on KanCare oversight; amending K.S.A. 2011 Supp. 39-7,161 and 39-7,162 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 39-7,160 and 46-3501, as amended by section 22 of 2012 House Bill No. 2416";
and the substitute bill be passed.

Also, **SB 444** be amended on page 5, in line 24, by striking "calendar" and inserting "fiscal"; in line 29, by striking "calendar" and inserting "fiscal";

On page 7, by striking all in lines 4 and 5 and inserting "(B) employs at least 20% of its employees who are individuals with disabilities and reside in Kansas;"; in line 6, by striking "70%" and inserting "75%"; by striking all in lines 15 through 30 and inserting:

"(2) "individuals with disabilities" or "individual with a disability" means any individual who:

(A) Is certified by the Kansas department for aging and disability services as having a physical or mental impairment which constitutes a substantial barrier to employment;

(B) works a minimum number of hours per week for a certified business necessary to qualify for health insurance coverage offered pursuant to subsection (g)(1); and

(C)(i) is receiving services, has received services or is eligible to receive services under a home and community based services program, as defined by K.S.A. 39-7,100, and amendments thereto;

(ii) is employed by a charitable organization domiciled in the state of Kansas and exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended; or

(iii) is an individual with a severe and persistent mental illness, as determined by a clinical or functional assessment approved by the Kansas department for aging and disability services;";

And by renumbering paragraphs accordingly;

On page 8, in line 7, by striking "of social and"; in line 8, by striking "rehabilitation" and inserting "for aging and disability"; in line 10, by striking "January 1, 2014" and inserting "January 13, 2014"; in line 12, by striking "of social and rehabilitation" and inserting "for aging and disability"; in line 17, by striking "calendar" and inserting "fiscal"; in line 19, by striking "calendar" and inserting "fiscal";

Also on page 8, following line 19, by inserting the following:

"(3) the number of contracts awarded pursuant to subsection (b) to each certified business during the previous fiscal year;"; in line 20, by striking "or" and inserting a

comma; in line 21, after "to" by inserting "or not reinstated to"; in line 22, by striking "calendar" and inserting "fiscal"; also in line 22, by striking "full-time"; in line 23, by striking "and" and inserting the following:

"(5) the number of individuals employed by each certified business during the previous fiscal year; and

(6) the number of individuals with disabilities employed by each certified business during the previous fiscal year.";

Also on page 8, by striking all in lines 24 through 39; by striking all in line 43;

And by renumbering paragraphs accordingly;

On page 9, by striking all in line 1; in line 9, by striking all after "expended"; in line 10, by striking "rehabilitation services, or its fiscal agent"; in line 14, by striking "of social and rehabilitation" and inserting "for aging and disability"; in line 24, by striking "department of social and rehabilitation" and inserting "Kansas department for aging and disability"; in line 26, by striking "full-time";

And by renumbering paragraphs accordingly; and the bill be passed as amended.

On motion of Senator V. Schmidt, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

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

ORIGINAL MOTION

Senator V. Schmidt moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **S Sub for HB 2087**.

COMMITTEE OF THE WHOLE

On motion of Senator V. Schmidt, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Brungardt in the chair.

On motion of Senator Brungardt the following report was adopted:

Recommended **S Sub for HB 2087** be amended by adoption of the committee amendments, and **S Sub for HB 2087** be passed as amended.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator V. Schmidt an emergency was declared by a 2/3 constitutional majority, and **HB 2087** was advanced to Final Action and roll call.

HB 2087, AN ACT concerning reapportionment; relating to state senate districts and state board of education member districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-4,451, 4-4,452, 4-4,453, 4-4,454, 4-4,455, 4-4,456, 4-4,457, 4-4,458, 4-4,459, 4-4,460, 4-4,461, 4-4,462, 4-4,463, 4-4,464, 4-4,465, 4-4,466, 4-4,467, 4-4,468, 4-4,469, 4-4,470, 4-4,471, 4-4,472, 4-4,473, 4-4,474, 4-4,475, 4-4,476, 4-4,477, 4-4,478, 4-4,479, 4-4,480, 4-4,481, 4-4,482, 4-4,483, 4-4,484, 4-4,485, 4-4,486, 4-4,487, 4-4,488, 4-4,489, 4-4,490, 4-4,491, 4-4,492, 4-4,493, 4-514, 4-515,

4-516, 4-517, 4-518, 4-519, 4-520, 4-521, 4-522, 4-523, 4-524, 4-525.

On roll call, the vote was: Yeas 21; Nays 17; Present and Passing 0; Absent or Not Voting 2.

Yeas: Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Nays: Abrams, Apple, Bruce, Donovan, Kelsey, King, Love, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Steineger, Taddiken, Wagle.

Absent or Not Voting: Emler, Lynn.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. PRESIDENT: The reapportionment map being considered today is being presented merely to create evidence and dicta for courts & Judges to consider. It should be considered as manufactured evidence. This map was drawn in secret by a very limited number of Senators likely fewer than five.

The Abrams map: "For the People #12" was reviewed and given input by a majority of Republican Senators, and perhaps several Democrat Senators, and was altered to include said input. The Steineger map: "Mona Lisa" was reviewed and given input by all 32 Senate Republicans, and at least 4 Senate Democrats, and said map was altered to agree with said input. Neither map involves consolidation of Senate Districts. Openness and inclusiveness are clear signs of a desire to be fair and non partisan.

The Bison map, drawn by few, without input from any majority of Senators, and which results in a consolidation of districts, clearly is gerrymandering and should be rejected. – CHRIS STEINEGER

Senators Masterson and Pilcher-Cook request the record to show they concur with the "Explanation of Vote" offered by Senator Steineger on **S Sub for HB 2087**.

REPORT ON ENROLLED BILLS

SR 1884 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on May 18, 2012.

H Sub for Sub SB 148; SB 306, SB 334 reported correctly enrolled, properly signed and presented to the Governor on May 18, 2012.

MESSAGE FROM THE HOUSE

The House concurs in Senate amendments to **HB 2729**, and requests return of the bill.

The House announced the appointment of Representative Schwartz to replace Representative Rhoades as a conferee on **House Substitute for SB 294**.

The House announced the appointment of Representative Aurand to replace Representative O'Neal as a conferee on **House Substitute for SB 28**.

The House announced the appointment of Representatives Kinzer, Patton and Pauls to replace Representatives Shultz, Hermanson and Grant as conferees on **HB 2494**.

On motion of Senator V. Schmidt, the Senate adjourned until 10:00 a.m., Saturday, May 19, 2012.

Journal of the Senate

SEVENTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Saturday, May 19, 2012, 10:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-eight senators present.
Senators Emler and Kelsey were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

When Senators explain their vote,
They may ask that their remarks
Be spread upon the journal
Which could ignite a spark.

For sometimes other Senators,
Impressed by what was said,
Ask to join in those remarks
Which were on the journal spread.

It occurs to me, O God,
That Your remarks eternal
Have for centuries been spread
Upon Your sacred Journal.

It also then occurs to me
It should ignite in us a spark,
And we should all stand up and say,
“Lord, we join in Your remarks!”

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

MESSAGE FROM THE GOVERNOR

House Substitute for SB 129, SB 207, SB 211, SB 356 approved on May 17, 2012.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 11**.
The House concurs in Senate amendments to **HB 2453**.

ORIGINAL MOTION

Senator V. Schmidt moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **SB 11**; **S Sub for HB 2619**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 11** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, in line 6, by striking all after "Section 1."; by striking all in lines 7 through 13 and inserting:

"K.S.A. 2011 Supp. 72-978 is hereby amended to read as follows: 72-978. (a) Each year, the state board of education shall determine the amount of state aid for the provision of special education and related services each school district shall receive for the ensuing school year. The amount of such state aid shall be computed by the state board as provided in this section. The state board shall:

(1) Determine the total amount of general fund and local option budgets of all school districts;

(2) subtract from the amount determined in paragraph (1) the total amount attributable to assignment of transportation weighting, program weighting, special education weighting and at-risk pupil weighting to enrollment of all school districts;

(3) divide the remainder obtained in paragraph (2) by the total number of full-time equivalent pupils enrolled in all school districts on September 20;

(4) determine the total full-time equivalent enrollment of exceptional children receiving special education and related services provided by all school districts;

(5) multiply the amount of the quotient obtained in paragraph (3) by the full-time equivalent enrollment determined in paragraph (4);

(6) determine the amount of federal funds received by all school districts for the provision of special education and related services;

(7) determine the amount of revenue received by all school districts rendered under contracts with the state institutions for the provisions of special education and related services by the state institution;

(8) add the amounts determined under paragraphs (6) and (7) to the amount of the product obtained under paragraph (5);

(9) determine the total amount of expenditures of all school districts for the provision of special education and related services;

(10) subtract the amount of the sum obtained under paragraph (8) from the amount determined under paragraph (9); and

(11) multiply the remainder obtained under paragraph (10) by 92%.

The computed amount is the amount of state aid for the provision of special

education and related services aid a school district is entitled to receive for the ensuing school year.

(b) Each school district shall be entitled to receive:

(1) Reimbursement for actual travel allowances paid to special teachers at not to exceed the rate specified under K.S.A. 75-3203, and amendments thereto, for each mile actually traveled during the school year in connection with duties in providing special education or related services for exceptional children; such reimbursement shall be computed by the state board by ascertaining the actual travel allowances paid to special teachers by the school district for the school year and shall be in an amount equal to 80% of such actual travel allowances;

(2) reimbursement in an amount equal to 80% of the actual travel expenses incurred for providing transportation for exceptional children to special education or related services; such reimbursement shall not be paid if such child has been counted in determining the transportation weighting of the district under the provisions of the school district finance and quality performance act;

(3) reimbursement in an amount equal to 80% of the actual expenses incurred for the maintenance of an exceptional child at some place other than the residence of such child for the purpose of providing special education or related services; such reimbursement shall not exceed \$600 per exceptional child per school year; and

(4) ~~subject to the provisions of subsection (f) and~~ except for those school districts entitled to receive reimbursement under subsection (c) or (d), after subtracting the amounts of reimbursement under paragraphs (1), (2) and (3) of this subsection (a) from the total amount appropriated for special education and related services under this act, an amount which bears the same proportion to the remaining amount appropriated as the number of full-time equivalent special teachers who are qualified to provide special education or related services to exceptional children and are employed by the school district for approved special education or related services bears to the total number of such qualified full-time equivalent special teachers employed by all school districts for approved special education or related services.

Each special teacher who is qualified to assist in the provision of special education or related services to exceptional children shall be counted as $\frac{2}{5}$ full-time equivalent special teacher who is qualified to provide special education or related services to exceptional children.

(c) Each school district which has paid amounts for the provision of special education and related services under an interlocal agreement shall be entitled to receive reimbursement under subsection (b)(4). The amount of such reimbursement for the district shall be the amount which bears the same relation to the aggregate amount available for reimbursement for the provision of special education and related services under the interlocal agreement, as the amount paid by such district in the current school year for provision of such special education and related services bears to the aggregate of all amounts paid by all school districts in the current school year who have entered into such interlocal agreement for provision of such special education and related services.

(d) Each contracting school district which has paid amounts for the provision of special education and related services as a member of a cooperative shall be entitled to receive reimbursement under subsection (b)(4). The amount of such reimbursement for the district shall be the amount which bears the same relation to the aggregate amount

available for reimbursement for the provision of special education and related services by the cooperative, as the amount paid by such district in the current school year for provision of such special education and related services bears to the aggregate of all amounts paid by all contracting school districts in the current school year by such cooperative for provision of such special education and related services.

(e) No time spent by a special teacher in connection with duties performed under a contract entered into by the Kansas juvenile correctional complex, the Atchison juvenile correctional facility, the Larned juvenile correctional facility, or the Topeka juvenile correctional facility and a school district for the provision of special education services by such state institution shall be counted in making computations under this section.

~~(f) (1) In school year 2012-2013 and in each school year thereafter, the state board of education shall determine the minimum and maximum amount of state aid that a school district may receive under paragraph (4) of subsection (b) for the current school year as follows:~~

~~(A) Determine the total amount of moneys appropriated as state aid for the provision of special education and related services to all school districts for the current school year;~~

~~(B) subtract the amount of moneys paid to all school districts under paragraphs (1), (2) and (3) of subsection (b) of this section, K.S.A. 72-983 and K.S.A. 2011 Supp. 72-998, and amendments thereto, for the current school year;~~

~~(C) divide the remainder obtained under (B) by the total full-time equivalent enrollment of all school districts in the current school year;~~

~~(2) (A) multiply the quotient obtained under (1) (C) by the full-time equivalent enrollment of the school district in the current school year;~~

~~(B) multiply the product obtained under (2) (A) by .75. The product is the minimum amount of state aid the district may receive under paragraph (4) of subsection (b) for the current school year;~~

~~(C) multiply the quotient obtained under (2) (A) by 1.50. The product is the maximum amount of state aid the district may receive under paragraph (4) of subsection (b) for the current school year.~~

~~(3) If the amount determined under paragraph (4) of subsection (b) is less than the product obtained under (2)(B), the district shall receive state aid in an amount equal to the product obtained under (2)(B), plus any amount determined under paragraph (5) of this subsection.~~

~~(4) If the amount determined under paragraph (4) of subsection (b), plus any amount determined under paragraph (5) of this subsection, is greater than the product obtained under (2)(C), the district shall receive state aid in an amount equal to the product obtained under (2)(C). The balance of state aid remaining after determining the amount of state aid payable to districts under this paragraph shall be reallocated to districts as provided by paragraph (5) of this subsection.~~

~~(5) The balance of state aid remaining after determining the amount of state aid payable to districts under paragraph (4) of this subsection shall be reallocated to districts which have not received state aid in an amount equal to the product obtained under (2)(B). Such state aid shall be reallocated to such districts in the same manner as the original allocation. If the balance is insufficient to pay each such district the minimum amount specified in this subsection, the state board shall prorate the balance among such districts.~~

~~(6) The provisions of this subsection (f) shall expire on June 30, 2014";~~

Also on page 1, in line 14, by striking "2010" and inserting "2011";

On page 2, following line 13, by inserting:

"Sec. 3. K.S.A. 2011 Supp. 72-6433d is hereby amended to read as follows: 72-6433d. (a) (1) The provisions of this subsection shall apply in any school year in which the amount of base state aid per pupil is \$4,433 or less.

(2) The board of any school district may adopt a local option budget which does not exceed the local option budget calculated as if the base state aid per pupil was \$4,433, or which does not exceed ~~an amount as authorized by the local option budget as calculated pursuant to~~ K.S.A. 72-6433, and amendments thereto, whichever is greater.

~~(b)(1) The provisions of this subsection shall apply in any school year in which the amount appropriated for state aid for special education and related services is less than the amount appropriated for state aid for special education and related services in school year 2008-2009.~~

~~(2) The board of education of any school district may adopt a local option budget which does not exceed the local option budget calculated as if the district received state aid for special education and related services equal to the amount of state aid for special education and related services received in school year 2008-2009, or which does not exceed an amount as authorized by the local option budget as calculated pursuant to~~ K.S.A. 72-6433, and amendments thereto, whichever is greater.

(c) The board of education of any school district may exercise the authority granted under subsection (a) or (b) or both subsections (a) and (b).

(d) To the extent that the provisions of K.S.A. 72-6433, and amendments thereto, conflict with this section, this section shall control.

(e) The provisions of this section shall expire on June 30, 2014.

Sec. 4. K.S.A. 2011 Supp. 72-965 is hereby amended to read as follows: 72-965. (a) The state board shall be responsible for the distribution and allocation of state and federal funds for special education. Such moneys shall be expended only in accordance with and for the purposes specified in federal or state law. Payments under this act may be made in installments and in advance or by way of reimbursement, with necessary adjustments for overpayments or underpayments. Federal funds for special education shall be deposited in the state treasury.

(b) The state board is hereby authorized to accept from an individual or individuals, the United States government or any of its agencies or any other public or private body, grants or contributions of money, funds or property which the state board may authorize to be used in accordance with appropriation acts, for or in aid of special education or related services or any of the purposes authorized by the federal law or this act.

(c) (1) Each board may use up to 15% of the amount it receives each year under the federal law to develop and implement coordinated, early intervening services for students in kindergarten through grade 12, with a particular emphasis on students in kindergarten through grade three, who have not been identified as needing special education or related services but who appear to need additional academic and behavioral support to succeed in a general education environment.

(2) In implementing coordinated, early intervening services under this subsection, a board may carry out activities that include:

(A) Providing professional development for teachers and other school staff to enable such personnel to deliver scientifically based academic instruction and

behavioral interventions, including scientifically based literacy instruction and, where appropriate, instruction on the use of adaptive and instructional software; and

(B) providing educational and behavioral evaluations, services and supports, including scientifically based literacy instruction.

(3) Each board that develops and maintains coordinated, early intervening services under this subsection shall annually report to the department:

(A) The number of students served under this subsection; and

(B) the number of students served under this subsection who subsequently receive special education and related services under this title during the two-year period preceding each report.

(d) Except for moneys received under K.S.A. 72-978, and amendments thereto, from cooperative agreements entered into under K.S.A. 72-968, and amendments thereto, any unencumbered balance of moneys attributable to appropriations by the legislature for special education or related services remaining in the special education fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011-2012~~ that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education in an amount not to exceed $\frac{1}{3}$ of the unencumbered balance of the school district's special education fund.

Sec. 5. K.S.A. 2011 Supp. 72-3607 is hereby amended to read as follows: 72-3607.

(a) There is hereby established in every school district which has developed and is operating a parent education program for which grants are awarded under this act a fund which shall be called the parent education program fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. Notwithstanding any other provision of law, all moneys received by the school district from whatever source for a parent education program operated under this act shall be credited to the fund established by this section. Amounts deposited in the parent education program fund shall be used exclusively for the payment of expenses directly attributable to the program.

(b) Any unencumbered balance of moneys remaining in the parent education program fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011-2012~~ that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

Sec. 6. K.S.A. 2011 Supp. 72-3715 is hereby amended to read as follows: 72-3715.

(a) In order to be included in the full-time equivalent enrollment of a virtual school, a pupil shall be in attendance at the virtual school on: (1) A single school day on or before September 19 of each school year; and (2) on a single school day on or after September 20, but before October 4 of each school year.

(b) A school district which offers a virtual school shall determine the full-time equivalent enrollment of each pupil enrolled in the virtual school on September 20 of each school year as follows:

(1) Determine the number of hours the pupil was in attendance on a single school day on or before September 19 of each school year;

(2) determine the number of hours the pupil was in attendance on a single school day on or after September 20, but before October 4 of each school year;

(3) add the numbers obtained under paragraphs (1) and (2);

(4) divide the sum obtained under paragraph (3) by 12. The quotient is the full-time

equivalent enrollment of the pupil.

(c) The school days on which a district determines the full-time equivalent enrollment of a pupil under paragraphs (1) and (2) of subsection (b) shall be the school days on which the pupil has the highest number of hours of attendance at the virtual school. No more than six hours of attendance may be counted in a single school day. Attendance may be shown by a pupil's on-line activity or entries in the pupil's virtual school journal or log of activities.

(d) (1) Subject to the availability of appropriations for virtual school state aid and within the limits of any such appropriations, each school year a school district which offers a virtual school shall be entitled to virtual school state aid.

(2) The state board of education shall determine the amount of virtual school state aid a school district is entitled to receive as follows:

(A) Multiply the full-time equivalent enrollment of the virtual school by an amount equal to 105% of the amount of base state aid per pupil;

(B) multiply the full-time equivalent enrollment of nonproficient at-risk pupils enrolled in an approved at-risk program offered by the virtual school, if any, by an amount equal to 25% of the amount of base state aid per pupil;

(C) add any amount determined under K.S.A. 2011 Supp. 72-3716, and amendments thereto; and

(D) add the amounts obtained under ~~paragraphs~~ subparagraphs (A) through (C). The sum is the amount of the virtual school state aid to which the school district is entitled.

(3) There is hereby established in every school district a fund which shall be called the virtual school fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. Moneys received as virtual school state aid shall be deposited in the general fund of the school district and transferred to the virtual school fund of the district. The expenses of a district directly attributable to virtual schools offered by a school district shall be paid from the virtual school fund. The cost of an advance placement course provided to a pupil described in subsection (d)(2)(D) shall be paid by the virtual school.

Any balance remaining in the virtual school fund at the end of the budget year shall be carried forward into the virtual school fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.

Any unencumbered balance of moneys remaining in the virtual school fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011-2012~~ that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

In preparing the budget of such school district, the amounts credited to and the amount on hand in the virtual school fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(e) For the purposes of this section, a pupil enrolled in a virtual school who is not a resident of the state of Kansas shall not be counted in the full-time equivalent enrollment of the virtual school.

Sec. 7. K.S.A. 2011 Supp. 72-6414a is hereby amended to read as follows: 72-

6414a. (a) There is hereby established in every district a fund which shall be called the at-risk education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a district directly attributable to providing at-risk assistance or programs, including assistance or programs provided to nonproficient pupils, shall be paid from the at-risk education fund.

(b) Any balance remaining in the at-risk education fund at the end of the budget year shall be carried forward into the at-risk education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the at-risk education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

Any unencumbered balance of moneys remaining in the at-risk education fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011-2012~~ that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

(c) Each year the board of education of each school district shall prepare and submit to the state board a report on the at-risk program or assistance provided by the district. Such report shall include information specifying the number of at-risk pupils and nonproficient pupils who were served or provided assistance, the type of service provided, the research upon which the district relied in determining that a need for service or assistance existed, the results of providing such service or assistance and any other information required by the state board.

(d) In order to achieve uniform reporting of the number of at-risk pupils and nonproficient pupils provided service or assistance by school districts in at-risk programs, districts shall report the number of at-risk pupils and nonproficient pupils served or assisted in the manner required by the state board.

Sec. 8. K.S.A. 2011 Supp. 72-6414b is hereby amended to read as follows: 72-6414b. (a) There is hereby established in every district a fund which shall be called the preschool-aged at-risk education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a district directly attributable to providing preschool-aged at-risk assistance or programs shall be paid from the preschool-aged at-risk education fund.

(b) A school district may expend amounts received from the preschool-aged at-risk weighting to pay the cost of providing at-risk, bilingual and vocational education programs and services.

(c) Any balance remaining in the preschool-aged at-risk education fund at the end of the budget year shall be carried forward into the preschool-aged at-risk education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the preschool-aged at-risk education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

Any unencumbered balance of moneys remaining in the preschool-aged at-risk education fund of a school district on June 30, ~~2011~~2012, may be expended in the

school year ~~2011-2012~~ that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

(d) Each year the board of education of each school district shall prepare and submit to the state board a report on the preschool-aged at-risk program or assistance provided by the district. Such report shall include information specifying the number of pupils who were served or provided assistance, the type of service provided, the research upon which the district relied in determining that a need for service or assistance existed, the results of providing such service or assistance and any other information required by the state board.

Sec. 9. K.S.A. 2011 Supp. 72-6420 is hereby amended to read as follows: 72-6420.

(a) There is hereby established in every district a fund which shall be called the special education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. Notwithstanding any other provision of law, all moneys received by the district from whatever source for special education shall be credited to the special education fund established by this section, except that: (1) Amounts of payments received by a district under K.S.A. 72-979, and amendments thereto, and amounts of grants, if any, received by a district under K.S.A. 72-983, and amendments thereto, shall be deposited in the general fund of the district and transferred to the special education fund; and (2) moneys received by a district pursuant to lawful agreements made under K.S.A. 72-968, and amendments thereto, shall be credited to the special fund established under the agreements.

(b) The expenses of a district directly attributable to special education shall be paid from the special education fund and from special funds established under K.S.A. 72-968, and amendments thereto.

(c) Obligations of a district pursuant to lawful agreements made under K.S.A. 72-968, and amendments thereto, shall be paid from the special education fund established by this section.

(d) Except for moneys received under K.S.A. 72-978, and amendments thereto, from cooperative agreements entered into under K.S.A. 72-968, and amendments thereto, any unencumbered balance of moneys attributable to appropriations by the legislature for special education or related services remaining in the special education fund of a school district on June 30, ~~2011-2012~~, may be expended in the school year ~~2011-2012~~ that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education in an amount not to exceed $\frac{1}{3}$ of the unencumbered balance of the school district's special education fund.

Sec. 10. K.S.A. 2011 Supp. 72-6421 is hereby amended to read as follows: 72-

6421. (a) There is hereby established in every district a fund which shall be called the vocational education fund. All moneys received by a district for any course or program authorized and approved under the provisions of article 44 of chapter 72 of Kansas Statutes Annotated, and amendments thereto, except for courses and programs conducted in an area vocational school, shall be credited to the vocational education fund. All moneys received by the district from tuition, fees or charges or from any other source for vocational education courses or programs, except for courses and programs conducted in an area vocational school, shall be credited to the vocational education fund. The expenses of a district directly attributable to vocational education shall be paid from the vocational education fund.

(b) Obligations of a district pursuant to lawful agreements made under K.S.A. 72-4421, and amendments thereto, shall be paid from the vocational education fund established by this section. If any such agreement expresses an obligation of a district in terms of a mill levy, such obligation shall be construed to mean an amount equal to that which would be produced by the levy.

(c) Any balance remaining in the vocational education fund at the end of the budget year shall be carried forward into the vocational education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the vocational education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

Any unencumbered balance of moneys attributable to appropriations by the legislature in the vocational education fund of a school district on June 30, ~~2011~~2012, may be expended in the school year 2011-2012 that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

Sec. 11. K.S.A. 2011 Supp. 72-6423 is hereby amended to read as follows: 72-6423. (a) There is hereby established in every district a fund which shall be called the driver training fund which fund shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by the district from distributions made from the state safety fund and the motorcycle safety fund and from tuition, fees or charges for driver training courses shall be credited to the driver training fund. The expenses of a district directly attributable to driver training shall be paid from the driver training fund.

(b) Any unencumbered balance of moneys remaining in the driver training fund of a school district on June 30, ~~2011~~2012, may be expended in the school year 2011-2012 that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

Sec. 12. K.S.A. 2011 Supp. 72-6426 is hereby amended to read as follows: 72-6426. (a) There is hereby established in every district a fund which shall be called the contingency reserve fund. Such fund shall consist of all moneys deposited therein or transferred thereto according to law. The fund shall be maintained for payment of expenses of a district attributable to financial contingencies as determined by the board.

~~(b)-(1) Except as otherwise provided in subsection (c), at no time in school year 2008-2009 through school year 2011-2012 or each school year thereafter shall the amount maintained in the contingency reserve fund exceed an amount equal to 10% of the general fund budget of the district for the school year.~~

~~(2) Except as otherwise provided in subsection (c), at no time in school year 2012-2013 2015-2016 or any school year thereafter shall the amount maintained in the contingency reserve fund exceed an amount equal to 6% of the general fund budget of the district for the school year.~~

(c) (1) If the amount in the contingency reserve fund of a district is in excess of the amount authorized under subsection (b), and if such excess amount is the result of a reduction in the general fund budget of the district for the school year because of a decrease in enrollment, the district may maintain the excess amount in the fund until

depletion of such excess amount by expenditure from the fund for the purposes thereof.

(2) The limitation on the amount which may be maintained in the contingency reserve fund imposed under subsection (b) shall not apply to any district whose state financial aid is computed under the provisions of K.S.A. 72-6445a, and amendments thereto. Any such district may maintain the excess amount in the fund until depletion of such excess amount by expenditure from the fund for the purposes thereof.

(d) Notwithstanding the provisions of subsection (c), any unencumbered balance of moneys remaining in the contingency reserve fund of a school district on June 30, ~~2011~~2012, may be expended ~~in school year 2011-2012~~ the school year that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

Sec. 13. K.S.A. 2011 Supp. 72-6460 is hereby amended to read as follows: 72-6460. (a) For school year ~~2011-2012~~ 2012-2013, subject to any limitations as provided in this act, any school district may expend the unencumbered balance of the moneys held in the at-risk education fund, as provided in K.S.A. 76-6414a, and amendments thereto, bilingual education fund, as provided in K.S.A. 72-9509, and amendments thereto, contingency reserve fund, as provided in K.S.A. 72-6426, and amendments thereto, driver training fund, as provided in K.S.A. 72-6423, and amendments thereto, parent education program fund, as provided in K.S.A. 72-3607, and amendments thereto, preschool-aged at-risk education fund, as provided in K.S.A. 72-6414b, and amendments thereto, professional development fund, as provided in K.S.A. 72-9609, and amendments thereto, summer program fund, as provided in K.S.A. 72-8237, and amendments thereto, textbook and student materials revolving fund, as provided in K.S.A. 72-8250, and amendments thereto, special education fund, as provided in K.S.A. 72-965 and 72-6420, and amendments thereto, virtual school fund, as provided in K.S.A. 72-3715, and amendments thereto, and vocational education fund, as provided in K.S.A. 72-6421, and amendments thereto, to pay for general operating expenses of the district out of the general fund as approved by the board of education of such district.

The board of education of a school district shall consider the use of such funds in the following order of priority:

- (1) At-risk education fund, bilingual education fund, contingency reserve fund, driver training fund, parent education program fund, preschool-aged at-risk education fund, professional development fund, summer program fund, virtual school fund and vocational education fund;
- (2) textbook and student materials revolving fund; and
- (3) special education fund.

The board of education of a school district shall not be limited to the order of priority as listed in this subsection if the board so chooses. The board of education of a school district shall not be required to use the total amount of the unencumbered balance of moneys in a fund before using the unencumbered balance of moneys in another fund.

(b) The amount of money expended by a school district in school year ~~2011-2012~~2012-2013 from the unencumbered balance of moneys in the funds under subsection (a) of this section shall not exceed, in the aggregate, an amount determined by the state board of education. Such amount shall be determined by the state board as follows:

- (1) Determine the adjusted enrollment of the district, excluding special education and related services weighting, for the current school year;

(2) ~~subtract the amount of base state aid per pupil appropriated to the department of education for fiscal year 2012 from \$4,012; and~~

~~(3)(2) multiply the difference obtained~~ adjusted enrollment determined under paragraph (2) (1) ~~by the number determined under paragraph (1) \$250.~~ The product is the aggregate amount of moneys that may be expended by a school district in the current school year ~~2011-2012~~ from the unencumbered balance of moneys in the funds under subsection (a) of this section.

(c) It is the public policy goal of the state of Kansas that at least 65% of the aggregate of all unencumbered balances authorized to be expended for general operating expenses pursuant to subsection (a) shall be expended in the classroom or for instruction, as provided in K.S.A. 2011 Supp. 72-64c01, and amendments thereto.

Sec. 14. K.S.A. 2011 Supp. 72-8237 is hereby amended to read as follows: 72-8237. (a) The board of education of any school district may: (1) Establish, operate and maintain a summer program for pupils; (2) enter into cooperative or interlocal agreements with one or more other boards of education for the establishment, operation and maintenance of a summer program for pupils; and (3) prescribe and collect fees for providing a summer program for pupils or provide such program without charge.

(b) Fees for providing a summer program for pupils shall be prescribed and collected only to recover the costs incurred as a result of and directly attributable to the establishment, operation and maintenance of the program.

(c) No school district may collect fees for providing a summer program for pupils required to attend such a program in accordance with the provisions of law, rules and regulations of the state board of education, policy of the board of education, or an individualized education plan developed for an exceptional child.

(d) There is hereby established in every district which establishes, operates and maintains a summer program a fund which shall be called the summer program fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by a district from fees collected under this section or from any other source for summer programs shall be credited to the summer program fund. The expenses of a district directly attributable to summer programs shall be paid from the summer program fund.

Any unencumbered balance of moneys remaining in the summer program fund of a school district on June 30, ~~2011-2012~~, may be expended in the school year ~~2011-2012~~ that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

(e) As used in this section, the term "summer program" means a program which is established by the board of education of a school district and operated during the summer months for the purpose of giving remedial instruction to pupils or for the purpose of conducting special projects and activities designed to enrich and enhance the educational experience of pupils, or for both such purposes.

Sec. 15. K.S.A. 2011 Supp. 72-8250 is hereby amended to read as follows: 72-8250. (a) There is hereby established in every school district a textbook and student materials revolving fund. Moneys in such fund shall be used to:

- (1) Purchase any items designated in K.S.A. 72-5389, and amendments thereto;
- (2) pay the cost of materials or other items used in curricular, extracurricular or other school-related activities; and
- (3) purchase textbooks as authorized by K.S.A. 72-4141, and amendments thereto.

(b) Any balance remaining in the textbook and student materials revolving fund at the end of the budget year shall be carried forward into that fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the textbook and student materials revolving fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

Any unencumbered balance of moneys remaining in the textbook and student materials revolving fund of a school district on June 30, ~~2011~~2012, may be expended in the school year 2011-2012- that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education in an amount not to exceed $\frac{1}{3}$ of the unencumbered balance of the school district's textbook and student materials revolving fund.

Sec. 16. K.S.A. 2011 Supp. 72-9509 is hereby amended to read as follows: 72-9509. (a) There is hereby established in every school district a fund which shall be called the bilingual education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a district directly attributable to such bilingual education programs shall be paid from the bilingual education fund.

(b) Any balance remaining in the bilingual education fund at the end of the budget year shall be carried forward into the bilingual education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the bilingual education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

Any unencumbered balance of moneys remaining in the bilingual education fund of a school district on June 30, ~~2011~~2012, may be expended in the school year 2011-2012- that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

(c) Each year the board of education of each school district shall prepare and submit to the state board a report on the bilingual education program and assistance provided by the district. Such report shall include information specifying the number of pupils who were served or provided assistance, the type of service provided, the research upon which the district relied in determining that a need for service or assistance existed, the results of providing such service or assistance and any other information required by the state board.

Sec. 17. K.S.A. 2011 Supp. 72-9609 is hereby amended to read as follows: 72-9609. There is hereby established in every school district a fund which shall be called the professional development fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by the school district from whatever source for professional development programs established under this act shall be credited to the fund established by this section. The expenses of a school district directly attributable to professional development programs shall be paid from the professional development fund.

Any unencumbered balance of moneys remaining in the professional development fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011-2012- that immediately succeeds such date~~ by the school district for general operating expenses of the school district as approved by the board of education.";

And by renumbering sections accordingly;

Also on page 2, in line 14, by striking all after "K.S.A." and inserting "2011 Supp. 72-965, 72-978, 72-1046b, 72-3607, 72-3715, 72-6414a, 72-6414b, 72-6420, 72-6421, 72-6423, 72-6426, 72-6460, 72-6433d, 72-8237, 72-8250, 72-9509 and 72-9609 are hereby repealed.";

On page 1, in the title, in line 1, by striking all following "concerning"; in line 2, by striking all before the semicolon and inserting "education"; in line 3, by striking "2010 Supp. 72-1046b" and inserting "2011 Supp. 72-965, 72-978, 72-1046b, 72-3607, 72-3715, 72-6414a, 72-6414b, 72-6420, 72-6421, 72-6423, 72-6426, 72-6460, 72-6433d, 72-8237, 72-8250, 72-9509 and 72-9609"; also in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

CLAY AURAND
STEVE HUEBERT
JIM WARD

Conferees on part of House

JEAN SCHODORF
JOHN VRATIL
ANTHONY HENSLEY

Conferees on part of Senate

Senator Schodorf moved the Senate adopt the Conference Committee Report on **SB 11**.

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Emler, Haley, Kelsey, Taddiken.

The Conference Committee Report was adopted.

COMMITTEE OF THE WHOLE

On motion of Senator V. Schmidt, the Senate resolved itself into Committee of the Whole, for consideration of the bill on the calendar under the heading of General Orders with Senator Teichman in the chair.

On motion of Senator Teichman the following report was adopted:

The committee report on **HB 2619** recommending a **S Sub Bill for HB 2619** be adopted, and the substitute bill be passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator V. Schmidt an emergency was declared by a 2/3 constitutional majority, and **S Sub for HB 2619** was advanced to Final Action and roll call.

S Sub for HB 2619, AN ACT creating the joint committee on KanCare oversight; amending K.S.A. 2011 Supp. 39-7,161 and 39-7,162 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 39-7,160 and 46-3501, as amended by section 22 of 2012 House Bill No. 2416.

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

Yeas: Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Emler, Haley, Kelsey, Taddiken.

The substitute bill passed.

On motion of Senator V. Schmidt, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

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

POINT OF PERSONAL PRIVILEGE

Senator Morris rose on a Point of Personal Privilege to congratulate Helen Moreland, who is celebrating her 30th year as a Senate Journal Clerk. Helen has served under six Senate Presidents-Senators Doyen, Talkington, Burke, Bond, Kerr, and Morris. Helen began her first session in 1983. She has helped put together over 2,500 journals. Helen, stood and the Senate warmly recognized her outstanding service to the Kansas Senate with a standing ovation.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **Substitute SB 307**.

The House adopts the Conference Committee report on **HB 2175**.

The House concurs in Senate amendments to **HB 2604**, and requests return of the bill.

The House nonconcurrs in Senate amendments to **Senate Substitute HB 2619**, requests a conference and has appointed Representatives Bethell, Worley and Slattery as conferees on the part of the House.

The House announced the appointment of Representative Frownfelter to replace Representative Slattery as a conferee on **House Substitute for SB 416**.

The motion to adopt the conference committee report to agree to disagree on **HB 2435** failed, the bill remains in conference.

ORIGINAL MOTION

Senator V. Schmidt moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **H Sub for SB 416**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Wagle moved the Senate concur in House amendments to **H Sub for SB 416**.

H Sub for SB 416, AN ACT concerning powers and duties of the secretary of labor; pertaining to the state workplace health and safety program; pertaining to implementation and administration of the program; pertaining to transfer of the program from the department of health and environment to the department of labor; pertaining to the employment security law; pertaining to workplace inspections; amending K.S.A. 2011 Supp. 44-324, 44-575, 44-5,104, 44-634, 44-636, 44-704, 44-710a, 44-710b and 44-714 and replacing the existing sections; also repealing K.S.A. 44-603, 44-617, 44-625 and 44-628, and K.S.A. 2011 Supp. 44-601b, 44-607, 44-608, 44-609, 44-610, 44-611, 44-612, 44-614, 44-615, 44-616, 44-618, 44-619, 44-620, 44-621, 44-623, 44-624, 44-626 and 44-631.

On roll call, the vote was: Yeas 14; Nays 22; Present and Passing 0; Absent or Not Voting 4.

Yeas: Abrams, Apple, Bruce, King, Longbine, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Pilcher-Cook, Pyle, Wagle.

Nays: Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Marshall, McGinn, Morris, Owens, Petersen, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Teichman, Umbarger, Vratil.

Absent or Not Voting: Donovan, Emler, Kelsey, Taddiken.

The motion to concur failed and **H Sub for SB 416** remains in conference.

The President ruled **SB 291** dead, citing Joint Rule 4(f) May 19, 2012.

On motion of Senator V. Schmidt, the Senate recessed until 8:00 p.m.

EVENING SESSION

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

MESSAGE FROM THE HOUSE

Announcing passage of **SB 145**, as amended by **House Substitute for House Substitute for SB 145**; **SB 291**, as amended by **House Substitute for SB 291**; **SB 434** as amended by **House Substitute for SB 434**.

The House announces the appointment of Representative Rhoades to replace Representative Schwartz as a conferee on **House Substitute for SB 294**.

The House adopts the Conference Committee report on **HB 2390**.

The House concurs in Senate amendments to **HB 2792**.

The House announced the appointment of Representatives Kinzer, Patton and Pauls as conferees to replace Representatives Brown, Suellentrop and Frownfelter on **House Substitute for SB 416**.

ORIGINAL MOTIONS

Senator V. Schmidt moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **HB 2494**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **Substitute for SB 307** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, following line 6, by inserting:

"Section 1. K.S.A. 2011 Supp. 21-5107 is hereby amended to read as follows: 21-5107. (a) A prosecution for murder, terrorism or illegal use of weapons of mass destruction may be commenced at any time.

(b) Except as provided in subsection (e), a prosecution for any crime shall be commenced within 10 years after its commission if the victim is the Kansas public employees retirement system.

(c) Except as provided in subsection (e), a prosecution for a sexually violent offense as defined in K.S.A. 22-3717, and amendments thereto, shall be commenced within the limitation of time provided by the law pertaining to such offense or one year from the date on which the identity of the suspect is conclusively established by DNA testing, whichever is later.

(d) Except as provided by subsection (e), a prosecution for any crime, as defined in K.S.A. 2011 Supp. 21-5102, and amendments thereto, not governed by subsections (a), (b) or (c) shall be commenced within five years after it is committed.

(e) The period within which a prosecution shall be commenced shall not include any period in which:

- (1) The accused is absent from the state;
- (2) the accused is concealed within the state so that process cannot be served upon the accused;
- (3) the fact of the crime is concealed;
- (4) a prosecution is pending against the defendant for the same conduct, even if the indictment or information which commences the prosecution is quashed or the proceedings thereon are set aside, or are reversed on appeal;
- (5) an administrative agency is restrained by court order from investigating or otherwise proceeding on a matter before it as to any criminal conduct defined as a violation of any of the provisions of article 41 of chapter 25 and article 2 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto, which may be discovered as a result thereof regardless of who obtains the order of restraint; or

(6) whether the fact of the crime is concealed by the active act or conduct of the accused, there is substantially competent evidence to believe two or more of the following factors are present:

- (A) The victim was a child under 15 years of age at the time of the crime;
- (B) the victim was of such age or intelligence that the victim was unable to determine that the acts constituted a crime;

(C) the victim was prevented by a parent or other legal authority from making known to law enforcement authorities the fact of the crime whether or not the parent or other legal authority is the accused; and

(D) there is substantially competent expert testimony indicating the victim psychologically repressed such witness' memory of the fact of the crime, and in the expert's professional opinion the recall of such memory is accurate and free of undue manipulation, and substantial corroborating evidence can be produced in support of the allegations contained in the complaint or information but in no event may a prosecution be commenced as provided in ~~this section~~ subsection (e)(6) later than the date the victim turns 28 years of age. Corroborating evidence may include, but is not limited to, evidence the defendant committed similar acts against other persons or evidence of contemporaneous physical manifestations of the crime.

(f) An offense is committed either when every element occurs, or, if a legislative purpose to prohibit a continuing offense plainly appears, at the time when the course of conduct or the defendant's complicity therein is terminated. Time starts to run on the day after the offense is committed except if the offense charged is a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, and the victim was under 18 years of age at the time of the offense, then time shall start to run on the day after the victim's 18th birthday.

(g) A prosecution is commenced when a complaint or information is filed, or an indictment returned, and a warrant thereon is delivered to the sheriff or other officer for execution. No such prosecution shall be deemed to have been commenced if the warrant so issued is not executed without unreasonable delay.

(h) As used in this section, "parent or other legal authority" shall include, but not be limited to, natural and stepparents, grandparents, aunts, uncles or siblings.";

On page 2, by striking all in lines 9 through 19 and inserting:

"Sec. 3. K.S.A. 2011 Supp. 21-5909 is hereby amended to read as follows: 21-5909. (a) Intimidation of a witness or victim is preventing or dissuading, or attempting to prevent or dissuade, with an intent to vex, annoy, harm or injure in any way another person or an intent to thwart or interfere in any manner with the orderly administration of justice:

(1) Any witness or victim from attending or giving testimony at any civil or criminal trial, proceeding or inquiry authorized by law; or

(2) any witness, victim or person acting on behalf of a victim from:

(A) Making any report of the victimization of a victim to any law enforcement officer, prosecutor, probation officer, parole officer, correctional officer, community correctional services officer or judicial officer, the secretary of the department of social and rehabilitation services or any agent or representative of the secretary, or any person required to make a report pursuant to K.S.A. 2011 Supp. 38-2223, and amendments thereto;

(B) causing a complaint, indictment or information to be sought and prosecuted, or causing a violation of probation, parole or assignment to a community correctional services program to be reported and prosecuted, and assisting in its prosecution;

(C) causing a civil action to be filed and prosecuted and assisting in its prosecution; or

(D) arresting or causing or seeking the arrest of any person in connection with the victimization of a victim.

(b) Aggravated intimidation of a witness or victim is intimidation of a witness or victim, as defined in subsection (a), when the:

(1) Act is accompanied by an expressed or implied threat of force or violence against a witness, victim or other person or the property of any witness, victim or other person;

(2) act is in furtherance of a conspiracy;

(3) the act is committed by a person who has been previously convicted of corruptly influencing a witness or has been convicted of a violation of this section or any federal or other state's statute which, if the act prosecuted was committed in this state, would be a violation of this section;

(4) witness or victim is under 18 years of age; or

(5) act is committed for pecuniary gain or for any other consideration by a person acting upon the request of another person.

(c) (1) Intimidation of a witness or victim is a class B person misdemeanor.

(2) Aggravated intimidation of a witness or victim is a severity level 6, person felony.";

On page 3, in line 40, after "(g)" by inserting "If the defendant, or defendant's attorney in consultation with the defendant, requests a delay and such delay is granted, the delay shall be charged to the defendant regardless of the reasons for making the request, unless there is prosecutorial misconduct related to such delay.";

And by renumbering sections accordingly;

On page 4, in line 22, by striking "21-5109" and inserting "21-5107, 21-5109 and 21-5909";

On page 1, in the title, in line 2, following the first "to" by inserting "the statute of limitations for sexually violent crimes when the victim is a child;"; also in line 2, by striking "relating to" and inserting "intimidation of a witness;"; in line 4, by striking "21-5109" and inserting "21-5107, 21-5109 and 21-5909";

And your committee on conference recommends the adoption of this report.

PAT COLLOTON

LANCE KINZER

MELANIE MEIER

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

Senator Owens moved the Senate adopt the Conference Committee Report on **Substitute for SB 307**.

On roll call, the vote was: Yeas 34; Nays 0; Present and Passing 0; Absent or Not Voting 6.

Yeas: Apple, Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Abrams, Bruce, Donovan, Emler, Kelsey, Steineger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2435** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 7, following line 6, by inserting:

"New Sec. 7. (a) Notwithstanding the provisions of K.S.A. 46-215 through 46-293, and amendments thereto, an employee of a state university may provide significant factual information or advice or recommendations in relation to the negotiated terms of a technology licensing agreement or other research or development agreement between the state university and a company in which the employee has a substantial interest, provided that the employee does not have the authority to negotiate the terms of such agreement, or to approve such agreement on behalf of the state university. Nothing in this section shall allow an employee of a state university, in such employee's capacity as a state university employee, to provide advice or recommendations in relation to the negotiated terms of an agreement, which would directly affect such employee's financial benefit.

(b) For the purposes of this section, the phrase "research or development" means those activities and services relating to the development, transfer or commercialization of technology or other intellectual property.

(c) This section shall be a part of and supplemental to the state governmental ethics law.

Sec. 8. K.S.A. 2011 Supp. 74-32,181 is hereby amended to read as follows: 74-32,181.

(a) The state board shall fix, charge and collect fees not to exceed the following amounts by adopting rules and regulations for such purposes:

(1) For institutions domiciled or having their principal place of business within the state of Kansas:

Initial application fees:

Non-degree granting institution.....\$2,000

Degree granting institution.....\$3,000

Initial evaluation fee (in addition to initial application fees):

Non-degree level.....\$750

Associate degree level.....\$1,000

Baccalaureate degree level.....\$2,000

Master's degree level.....\$3,000

Professional or doctoral degree level.....\$4,000

Renewal application fees:

Non-degree granting institution.....2% of gross tuition,
but not less than \$800, nor more than \$25,000

Degree granting institution.....2% of gross tuition,
but not less than \$1,600, nor more than \$25,000

New program submission fees, for each new program:

Non-degree program.....\$250

Associate degree program.....	\$500
Baccalaureate degree program.....	\$750
Master's degree program.....	\$1,000
Professional or doctoral degree program.....	\$2,000
Program modification fee, for each program.....	\$100
Branch campus site fees, for each branch campus site:	
Initial non-degree granting institution.....	\$1,500
Initial degree granting institution.....	\$2,500
Renewal branch campus site fees, for each branch campus site:	
Non-degree granting institution.....	.2% of gross tuition, but not less than \$800, nor more than \$25,000
Degree granting institution.....	.2% of gross tuition, but not less than \$1,600, nor more than \$25,000
On-site branch campus review fee, for each site.....	\$250
Representative fees:	
Initial registration.....	\$200
Renewal of registration.....	\$150
Late submission of renewal of application fee.....	\$125
Student transcript copy fee.....	\$10
Returned check fee.....	\$50
Changes in institution profile fees:	
Change of institution name.....	\$100
Change of institution location.....	\$100
Change of ownership only.....	\$100
(2) For institutions domiciled or having their principal place of business outside the state of Kansas:	
Initial application fees:	
Non-degree granting institution.....	\$4,000
Degree granting institution.....	\$5,500
Initial evaluation fee (in addition to initial application fees):	
Non-degree level.....	\$1,500
Associate degree level.....	\$2,000
Baccalaureate degree level.....	\$3,000
Master's degree level.....	\$4,000
Professional or doctoral degree level.....	\$5,000
Renewal application fees:	
Non-degree granting institution.....	.3% of gross tuition, but not less than \$2,400, nor more than \$25,000
Degree granting institution.....	.3% of gross tuition, but not less than \$3,000, nor more than \$25,000
New program submission fees, for each new program:	
Non-degree program.....	\$500
Associate degree program.....	\$750
Baccalaureate degree program.....	\$1,000
Master's degree program.....	\$1,500
Professional or doctoral degree program.....	\$2,500
Program modification fee, for each program.....	\$100

Branch campus site fees, for each branch campus site:

Initial non-degree granting institution.....	\$4,000
Initial degree granting institution.....	\$5,500

Renewal branch campus site fees, for each branch campus site:

Non-degree granting institution.....	3% of gross tuition, but not less than \$2,400, nor more than \$25,000
Degree granting institution.....	3% of gross tuition, but not less than \$3,000, nor more than \$25,000

Onsite branch campus review fee, for each site.....\$500

Representative fees:

Initial registration.....	\$350
Renewal of registration.....	\$250
Late submission of renewal of application fee.....	\$125
Student transcript copy fee.....	\$10
Returned check fee.....	\$50

Changes in institution profile fees:

Change of institution name.....	\$100
Change of institution location.....	\$100
Change of ownership only.....	\$100

(b) Fees shall not be refundable.

(c) If there is a change in the ownership of an institution and, if at the same time, there also are changes in the institution's programs of instruction, location, entrance requirements or other changes, the institution shall be required to submit an application for an initial certificate of approval and shall pay all applicable fees associated with an initial application.

(d) An application for renewal shall be deemed late if the applicant fails to submit a completed application for renewal, or documentation requested by the state board to complete the renewal process, before the expiration date of the current certificate of approval.

(e) The state board shall determine on or before June 1 of each year the amount of revenue which will be required to properly carry out and enforce the provisions of the Kansas private and out-of-state postsecondary educational institution act for the next ensuing fiscal year and shall fix the fees authorized for such year at the sum deemed necessary for such purposes within the limits of this section. Prior to adoption of any such fees, the state board shall afford the advisory commission an opportunity to make recommendations on the proposed fees.

(f) Fees may be charged to conduct onsite reviews for degree granting and non-degree granting institutions or to review curriculum in content areas where the state board does not have expertise.

(g) The provisions of this section shall expire on June 30, ~~2012~~ 2017.

New Sec. 9. The state board of regents shall conduct a study regarding the retention and graduation rates of students who are accepted into state universities through the exceptions to the minimum admissions standards prescribed in K.S.A. 76-717, and amendments thereto, and report the findings of such study to the committee on education of the house of representatives and the committee on education of the senate on or before January 13, 2014.

New Sec. 10. (a) (1) Except as provided in subsection (a)(2), no funds appropriated

from the state general fund for any state educational institution shall be expended for the purposes of providing remedial courses.

(2) Funds appropriated from the state general fund for any state educational institution may be expended for a student who is enrolled in a remedial course if the student is: (A) In military service; (B) 21 years of age or older; or (C) an international student enrolled in a remedial course for the purpose of learning English as a second language.

(b) Except for the costs associated with remedial education pursuant to subsection (a)(2), the board of regents, in its budget estimate filed pursuant to K.S.A. 75-3717, and amendments thereto, shall not include any appropriation requests for expenditures related to the provision of remedial courses at state educational institutions.

(c) As used in this section:

(1) The terms "board of regents" and "state educational institution" shall have the same meanings, respectively, as such terms are defined in K.S.A. 76-711, and amendments thereto.

(2) "Remedial course" means any course offered by a state educational institution in the area of mathematics or language arts, which includes expenditures for formally organized or separately budgeted instructional activities that give students the basic knowledge and skills required by the institution before they can undertake formal academic course work leading to a postsecondary degree or certificate.

(d) The provisions of this section shall take effect and be in force from and after August 15, 2015.

(e) This section shall be part of and supplemental to the provisions of article 7 of chapter 76 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 11. K.S.A. 2011 Supp. 76-717 is hereby amended to read as follows: 76-717.

(a) The board of regents may adopt rules and regulations for the admission of students at the state educational institutions. Except as provided by subsection (f), the rules and regulations shall include the following:

(1) Each Kansas resident who has graduated from an accredited Kansas high school and who is seeking admission to a state educational institution shall be admitted if the applicant for admission has achieved at least one of the following:

(A) The applicant has completed the precollege curriculum prescribed by the board of regents with a minimum grade point average of 2.0 on a 4.0 scale or has been recognized by the board of regents as having attained a functionally equivalent level of education; or

(B) the applicant has a composite American college testing program (ACT) score of not less than 21 points; or

(C) the applicant ranks in the top $\frac{1}{3}$ of the applicant's high school class upon completion of seven or eight semesters.

(2) Each Kansas resident who has graduated from a non-accredited private secondary school, as defined in K.S.A. 72-53,100, and amendments thereto, and who is seeking admission to a state educational institution shall be admitted if the applicant for admission has a composite American college testing program (ACT) score of not less than 21 points.

(3) Admission to all state educational institutions shall be granted to each Kansas resident under 21 years of age who has earned the general educational development (GED) certificate with an overall score of not less than 50 points.

(4) Admission to all state educational institutions shall remain open for each Kansas resident who is 21 years of age or older and who has:

(A) Graduated from an accredited Kansas high school or a non-accredited private secondary school; or

(B) earned the general educational development (GED) certificate with an overall score of not less than 50 points.

(5) Each state educational institution shall establish and maintain a policy permitting the admission of not more than 10% of the total number of freshman class admissions to the state educational institution as exceptions to the minimum admissions standards prescribed by this section. These exceptions shall only be applied to students who are *bona fide* residents of Kansas in accordance with rules and regulations of the board of regents and which rules and regulations are substantially similar to law, rule or regulation relative to the determination of resident status for tuition purposes. Such policy shall also provide that in determining which students to admit as exceptions to the minimum admissions standards prescribed by this section, the state educational institution shall give preference to persons who are in military service. The board of regents shall adopt rules and regulations prescribing criteria and guidelines to be applied on a system-wide basis to policies established by the state educational institutions for the purpose of permitting freshman class admissions to the institutions as exceptions to the minimum admissions standards prescribed by this section. On or before January 31 of each year, the board of regents shall submit a report to the legislature containing the number and percentage of freshman class admissions permitted as exceptions to such standards during the preceding academic year. The information contained in the annual report shall be disaggregated by institution.

(6) Each Kansas resident who has earned at least 24 credit hours of transferable course work with a cumulative grade point average of not less than 2.0 on a 4.0 scale at an accredited community college, university or other college shall be admitted as a transfer student to the state educational institutions. Each state educational institution may permit the admission of not more than 10% of the total number of such resident transfer admissions to the state educational institution as exceptions to the minimum admission standards prescribed by this paragraph. In determining which students to admit as exceptions to the minimum admissions standards prescribed by this paragraph, the state educational institution shall give preference to persons who are in military service. The board of regents shall adopt rules and regulations prescribing criteria and guidelines to be applied on a system-wide basis for the purpose of admitting students who have earned at least 24 credit hours of transferable course work to state educational institutions as exceptions to the minimum standards prescribed by this paragraph. On or before January 31 of each year, the board of regents shall submit a report to the legislature containing the number and percentage of transfer student admissions permitted as exceptions to such standards during the preceding academic year. The information contained in the report shall be disaggregated by institution.

(7) Each person who is not a resident of Kansas and who has graduated from an accredited high school may be admitted as a freshman to any of the state educational institutions if the person has achieved at least one of the following:

(A) The person has completed the precollege curriculum prescribed by the board of regents with a minimum grade point average of 2.50 on a 4.0 scale or has been recognized by the board of regents as having attained a functionally equivalent level of

education; or

(B) the person has a composite American college testing program (ACT) score of not less than 21 points; or

(C) the person ranks in the top $\frac{1}{3}$ of the person's high school class upon completion of seven or eight semesters.

(8) Each person who is not a resident of Kansas and who has graduated from a non-accredited private secondary school meeting requirements substantially equivalent to K.S.A. 72-53,100 through 72-53,102, and amendments thereto, may be admitted to any state educational institution if the person has a composite American college testing program (ACT) score of not less than 21 points.

(9) Each person who is not a resident of Kansas and who has earned at least 24 credit hours of transferable course work with a cumulative grade point average of not less than 2.0 on a 4.0 scale at an accredited community college, university or other college may be admitted as a transfer student to any of the state educational institutions. Each state educational institution may permit the admission of not more than 10% of the total number of such non-resident transfer admissions to the state educational institution as exceptions to the minimum admission standards prescribed by this paragraph. In determining which students to admit as exceptions to the minimum admissions standards prescribed by this paragraph, the state educational institution shall give preference to persons who are in military service. The board of regents shall adopt rules and regulations prescribing criteria and guidelines to be applied on a system-wide basis for the purpose of admitting students who have earned at least 24 credit hours of transferable course work to state educational institutions as exceptions to the minimum standards prescribed by this paragraph. On or before January 31 of each year, the board of regents shall submit a report to the legislature containing the number and percentage of transfer student admissions permitted as exceptions to such standards during the preceding academic year. The information contained in the report shall be disaggregated by institution.

(10) (A) For those students admitted under an exception to the minimum admissions standards prescribed by this subsection for academic years 2012-2013 and 2013-2014, each state educational institution may require each such student to adopt an individual plan for success.

(B) For those students admitted under an exception to the minimum admissions standards prescribed by this subsection for academic year 2014-2015 and each academic year thereafter, each state educational institution shall require each such student to adopt an individual plan for success prior to enrollment.

(C) Any individual plan for success adopted pursuant to this paragraph shall be reviewed by the student and the student's advisor at least once during the 12-month period immediately succeeding the initial adoption of such plan. Upon completion of such review, the plan may be revised as mutually agreed to by the student and the student's advisor. Nothing in this paragraph shall be construed as prohibiting any plan from being reviewed at any other time while the student is attending such state educational institution, or from being reviewed more than once during any academic year.

(b) The board of regents may prescribe a precollege curriculum which includes, but need not be limited to, four units of English, three units of mathematics, three units of social studies and three units of natural science.

(c) When a Kansas high school is organized in a manner that provides for documentation of a student's performance in terms other than units of credit or grade point averages, or both, the board of regents shall determine for the students of such school a level of education that is functionally equivalent to the completion of the precollege curriculum with the required grade point average on a 4.0 scale. The determination of a functionally equivalent level of education required under this subsection shall be made by the board of regents after consultation with the state board of education and the board of education or other governing authority having jurisdiction over the students of the affected school.

(d) The board of regents shall determine a level of education that is functionally equivalent to the completion of the precollege curriculum with the required grade point average on a 4.0 scale for persons who are not residents of Kansas.

(e) The board of regents may authorize the chief executive officer of each state educational institution to adopt additional rules and policies relating to admissions of students so long as such rules and policies are not in conflict with the provisions of this section.

(f) The board of regents may adopt rules and regulations establishing standards for the admission of students to state educational institutions that differ from the standards set forth in subsection (a). Rules and regulations adopted pursuant to this subsection that are more rigorous than those set forth in subsection (a) shall not be effective prior to the first day of the fourth academic year following the year in which the rules and regulations are adopted.

(g) Information in reports required to be compiled and submitted to the legislature by this section may be compiled and submitted to the legislature in a single report.

(h) For purposes of this section:

(1) "Individual plan for success" means a written statement for each student admitted under an exception to the minimum admission standards prescribed in subsection (a) that is jointly developed by the student, the student's advisor and any other employee designated by the state educational institution for the purposes of establishing an individualized plan for such student to assist the student in achieving such student's academic goals. In addition to academic coursework, such plan may also address such student's extracurricular activities, financial needs and any other aspect of such student's life which may have a bearing on the student's academic success at the state educational institution. Any such plan may be revised after its initial adoption as mutually agreed to by the student and the student's advisor.

(2) "Military service" means: (A) Any active service in any armed service of the United States; or (B) membership in the Kansas army or air national guard.;

And by redesignating sections accordingly;

On page 7, in line 7, by striking "and" and inserting a comma; in line 8, after "4465" by inserting ", 74-32,181 and 76-717";

On page 1, in the title, in line 3, by striking the first "and" and inserting a comma; also in line 3, after "72-4465" by inserting ", 74-32,181 and 76-717";

And your committee on conference recommends the adoption of this report.

JEAN SCHODORF
 JOHN VRATIL
 ANTHONY HENSLEY
Conferees on part of Senate

LANA GORDON
 CLAY AURAND
 VALDENA WINN
Conferees on part of House

Senator Schodorf moved the Senate adopt the Conference Committee Report on **HB 2435**.

On roll call, the vote was: Yeas 34; Nays 0; Present and Passing 0; Absent or Not Voting 6.

Yeas: Apple, Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Abrams, Bruce, Donovan, Emler, Kelsey, Steineger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2494** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 7 through 36;

On page 2, by striking all in lines 1 through 40 and inserting the following:

"Section 1. K.S.A. 58-817 is hereby amended to read as follows: 58-817. (a) (1) If the occupant is in default for a period of more than 45 days, the operator may enforce the lien by selling the property stored in the leased space for cash. Sale of the property stored on the premises may be by public or private proceedings and may also be as a unit or in parcels, or by way of one or more contracts and at any time or place, and on any terms as long as the sale is commercially reasonable. The operator may otherwise dispose of any property which has no commercial value.

(2) The proceeds of such sale shall then be applied to satisfy the lien, with any surplus disbursed as provided in subsection (d).

(b) Before conducting a sale under subsection (a), the operator shall:

(1) Notify the occupant of the default by first-class mail at the occupant's last-known address, and by electronic mail if the occupant has provided an electronic mail address to the operator;

(2) send a second notice of default, not less than seven days after the notice required by subsection (b)(1), by ~~restricted first-class~~ mail to the occupant at the occupant's last-known address ~~which includes,~~ and by electronic mail if the occupant has provided an electronic mail address to the operator. A second notice of default shall include:

(A) A statement that the contents of the occupant's leased space are subject to the

operator's lien;

(B) a statement of the operator's claim, indicating the charges due on the date of the notice, the amount of any additional charges which shall become due before the date of release for sale and the date those additional charges shall become due;

(C) a demand for payment of the charges due within a specified time, not less than 10 days after the date of the notice;

(D) a statement that unless the claim is paid within the time stated, the contents of the occupant's space will be sold after a specified time; and

(E) the name, street address and telephone number of the operator, or a designated agent whom the occupant may contact to respond to the notice.

(3) At least seven days before the sale, advertise the time, place and terms of the sale in a newspaper of general circulation in the jurisdiction where the sale is to be held. Such advertisement shall be in the classified section of the newspaper. ~~The ad shall state the items that will be released for sale.~~

(c) At any time before a sale under this section, the occupant may pay the amount necessary to satisfy the lien and redeem the occupant's personal property.

(d) If a sale is held under this section, the operator shall:

(1) Satisfy the lien from the proceeds of the sale; and

(2) hold the balance, if any, for delivery on demand to the occupant or any other recorded lienholders for a period of one year after receipt of proceeds of the sale and satisfaction of the lien. Thereafter, the proceeds remaining after satisfaction of the lien shall be considered abandoned property to be reported and paid to the state treasurer in accordance with the disposition of unclaimed property act.

(e) A purchaser in good faith of any personal property sold under the self-service storage act takes the property free and clear of any rights of:

(1) Persons against whom the lien was valid; and

(2) other lienholders.

(f) If the operator complies with the provisions of the self-service storage act, the operator's liability:

(1) To the occupant shall be limited to the net proceeds received from the sale of the personal property; ~~and~~

(2) to other lienholders shall be limited to the net proceeds received from the sale of any personal property covered by the other lien.

(g) If an occupant is in default, the operator may deny the occupant access to the leased space.

~~(h) Unless otherwise specifically provided, all notices required by the self-service storage act shall be sent by restricted mail. Notices sent to the operator shall be sent to the self-service storage facility where the occupant's property is stored. Notices to the occupant shall be sent to the occupant at the occupant's last-known address. Notices shall be deemed delivered when deposited with the United States postal service, properly addressed as provided in subsection (b), with postage prepaid.~~

Sec. 2. K.S.A. 58-817 is hereby repealed.";

On page 1, in the title, by striking all in lines 1 through 4 and inserting "AN ACT concerning personal and real property; relating to the self-service storage act; amending K.S.A. 58-817 and repealing the existing section.";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

Senator Owens moved the Senate adopt the Conference Committee Report on **HB 2494**.

On roll call, the vote was: Yeas 34; Nays 0; Present and Passing 0; Absent or Not Voting 6.

Yeas: Apple, Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Abrams, Bruce, Donovan, Emler, Kelsey, Steineger.

The Conference Committee Report was adopted.

On motion of Senator V. Schmidt, the Senate adjourned until 11:00 a.m., Sunday, May 20, 2012.

Journal of the Senate

SEVENTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Sunday, May 20, 2012, 11:00 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-five senators present.
Senators Abrams, Donovan, Emler, Kelsey and Steineger were excused.
The President introduced Chaplain Tony D. Venturella, Director of Communications in the Senate President's office, who delivered the invocation.

Heavenly Father,

The word is today is our last day. Of that we cannot be sure. We realize however that whether it is or isn't, our real Last Day is a rendezvous we shall not miss and for which we shall not be late.

May we have that real last day in perspective and so order our lives, here today, and this week, and as we begin our real lives, in the real world, apart from this place.

As Saint Francis reminds us:

Lord, make me an instrument of your peace.

Where there is hatred, let me sow love.

Where there is injury, pardon.

Where there is doubt, faith.

Where there is despair, hope.

Where there is darkness, light.

Where there is sadness, joy.

Grant that I may not so much seek to be consoled, as to console;

to be understood, as to understand;

to be loved, as to love.

For it is in giving that we receive.

It is in pardoning that we are pardoned,

and it is in dying that we are born to Eternal Life.

This is our hope, our confidence, our trust.

Amen

The Pledge of Allegiance was led by President Stephen Morris.

On motion of Senator V. Schmidt the Senate recessed until 12:15 p.m.

AFTERNOON SESSION

The Senate met pursuant to recess with Senator Morris in the chair.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report to agree to disagree on **House Substitute for SB 416**, and has appointed Representatives Kinzer, Patton and Pauls as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

On motion of Senator Wagle the Senate adopted the conference committee report on **H Sub for SB 416**, and requested a new conference be appointed.

The President appointed Senators Wagle, Lynn and Holland as a second Conference Committee on the part of the Senate on **H Sub for SB 416**.

On motion of Senator V. Schmidt the Senate recessed until 2:30 p.m.

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

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee Report on **HB 2435**.

The House adopts the Conference Committee Report on **HB 2494**.

The House announced the appointment of Representative Winn to replace Representative Ward as a conferee on **SB 155**.

The House adopts the Conference Committee Report on **House Substitute for SB 425**.

The House adopts the Conference Committee Report on **House Substitute for SB 40**.

The House adopts the Conference Committee Report on **SB 155**.

ORIGINAL MOTION

Senator V. Schmidt moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **SB 155**.

Senator V. Schmidt moved Joint Rule 3(f) of the Senate and House of Representatives be suspended and the 30 minute rule be waived on the conference committee report on **SB 155**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 155** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 5 through 36;

By striking all on pages 2 through 5;

On page 6, by striking all in lines 1 through 6, and inserting the following:

"New Section 1. (a) The state board of education shall conduct a study of, or contract for the study of, the implementation of requiring each district to maintain an individual career plan of study for each pupil enrolled in the district in grades eight

through 12. On or before January 15, 2014, the state board of education shall prepare and submit a report to the legislature on the findings of such study and whether the state board of education intends to initiate implementing such requirements.

(b) For purposes of this section, the term "individual career plan of study" means a proposed individualized coherent sequence of classes focused on a career pathway that will enable seamless transition into a postsecondary program.

(c) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 2. (a) The state board of regents shall establish the career technical education incentive program.

(b) (1) Each school year, to the extent there are sufficient moneys appropriated to the career technical education incentive program, the state board of regents shall make an award to those school districts who have at least one pupil who graduates from a high school in the school district having obtained an industry-recognized credential in an occupation that has been identified by the secretary of labor, in consultation with the state board of regents and the state board of education, as an occupation in highest need of additional skilled employees at the time the pupil entered the career technical education course or program in the school district. Such school districts shall receive an award in an amount equal to \$1,000 for each such pupil graduating from a high school in the school district. Such awards shall be paid at such times as established by the state board of regents. Such awards shall be expended for the expenses incurred by the board of education of the school district under subsection (b)(2), and any moneys remaining after distribution in accordance with subsection (b)(2) may be expended as determined by the board of education of a school district towards operating the school from which the pupils graduated. Upon receipt of such award and application by a pupil who has not attained a high school diploma and is currently or was previously enrolled in a career technical education course or program in the school district, the board of education of each school district shall pay $\frac{1}{2}$ of the costs of the industry-recognized credential assessment specified in such application in an amount not to exceed \$1,000. Such industry-recognized credential assessment shall be related to the career technical education course or program which such pupil is currently or was previously enrolled as determined by the board of education. No board of education shall be required to pay $\frac{1}{2}$ of the cost of three or more industry-recognized credential assessments for the same or substantially the same industry-recognized credential for a pupil if such pupil fails to earn the industry-recognized credential within two attempts of taking the industry-recognized credential assessment.

(2) The state board of education shall certify to the state board of regents and the director of accounts and reports the amounts due to each school district pursuant to this subsection. Such certification, and the amount payable, shall be approved by the director of the budget. The director of accounts and reports shall draw warrants on the state treasurer payable to the district treasurer of each school district entitled to payment of such award amount, pursuant to vouchers approved by the state board of regents. Upon receipt of such warrant, each district treasurer shall deposit the amount of such award in the general fund of the school district.

(c) (1) Each school year, to the extent there are sufficient moneys appropriated to the career technical education incentive program, the state board of regents shall make an award to a community college, technical college or institute of technology who has

at least one secondary student who is currently or was previously admitted to a career technical education course or program in accordance with subsection (c) of K.S.A. 72-4417, and amendments thereto, and such secondary student is regularly enrolled in and attending a private secondary school. The purpose of such award is to reimburse such community college, technical college or institute of technology for paying $\frac{1}{2}$ of the costs of an industry-recognized credential assessment in an occupation that has been identified by the secretary of labor, in consultation with the state board of regents and the state board of education, as an occupation in highest need of additional skilled employees at the time the secondary student was admitted into such career technical education course or program. Upon receipt of such award and application by a secondary student who is currently or was previously enrolled in a career technical education course or program in accordance with subsection (c) of K.S.A. 72-4417, and amendments thereto, and is regularly enrolled in and attending a private secondary school, the governing body of the community college, technical college or the institute of technology which admitted such secondary student shall pay $\frac{1}{2}$ of the costs of the industry-recognized credential assessment specified in such application in an amount not to exceed \$1,000. Such industry-recognized credential assessment shall be related to the career technical education course or program in which such secondary student is currently or was previously enrolled as determined by such governing body of a community college, technical college or institute of technology. No governing body of a community college, technical college or institute of technology shall be required to pay $\frac{1}{2}$ of the cost of three or more industry-recognized credential assessments for the same or substantially the same industry-recognized credential for a secondary student if such secondary student fails to earn the industry-recognized credential within two attempts of taking the industry-recognized credential assessment.

(2) Each governing body of a community college, technical college or institute of technology shall certify to the state board of regents the amount of any payments such community college, technical college or institute of technology will pay based on applications submitted by students pursuant to paragraph (1). The certification shall be on a form prescribed and furnished by the state board of regents, shall contain such information as the state board of regents shall require and shall be filed at the time specified by the state board of regents.

(3) In each school year, each governing body of a community college, technical college or institute of technology is entitled to receive from appropriations for the career technical education incentive program an amount which is equal to the amount certified to the state board of regents in accordance with the provisions of paragraph (2). The state board of regents shall certify to the director of accounts and reports the amount due each governing body of a community college, technical college or institute of technology. The director of accounts and reports shall draw warrants on the state treasurer payable to the treasurer of each governing body of a community college, technical college or institute of technology entitled to payment under this subsection upon vouchers approved by the state board of regents.

(4) Moneys received by a state board of regents under this subsection shall be deposited in the postsecondary technical education fund of each community college and at Washburn university for the Washburn institute of technology or the general operating fund in the technical college in accordance with K.S.A. 2011 Supp. 71-1808, and amendments thereto, and shall be considered reimbursements to the community

college, technical college or institute of technology.

(d) Each school year, at such time as agreed to by the secretary of labor, the president of the state board of regents and the commissioner of education, the secretary shall provide the state board of regents and the state board of education with a list of those occupations in highest need of additional skilled employees. If the occupations identified in such list are not substantially the same as those occupations identified in the list from the prior year, reasonable notice of such changes shall be provided to school districts, community colleges, technical colleges and the institute of technology.

(e) The state board of regents and the state board of education, jointly, may adopt such rules and regulations necessary to implement and carry out the provisions of this section.

New Sec. 3. (a) Provided a particular career technical education program is not offered in a particular service area, the governing board of a community college, technical college or institute of technology located outside such service area, in coordination with one or more school districts located within such service area, may apply to the state board of regents for permission to establish such career technical education program to be taught at a location in such service area. An application for such permission shall be submitted in such form and manner as prescribed by the state board of regents. In reviewing any such application, the state board of regents shall consider the ability and willingness of any postsecondary educational institution located in such service area to offer such career technical education program. If no such career technical education program is offered in such service area and no postsecondary educational institution located in such service area intends to offer such career technical education program, then the board of regents may approve such application to establish such career technical education program. Upon approval of its application by the state board of regents, the governing board of a community college, technical college or institute of technology may purchase or otherwise acquire land or land and improvements in such service area for the purpose of providing such career technical educational program.

(b) The state board of regents may adopt such rules and regulations necessary to administer the provisions of this section.

(c) For purposes of this section:

(1) The terms "career technical education," "community college," "institute of technology" and "technical college" have the same meaning as such terms are defined in K.S.A. 72-4412, and amendments thereto.

(2) "Postsecondary educational institution" has the same meaning as such term is defined in K.S.A. 74-3201b, and amendments thereto.

(3) "Service area" means: (A) For community colleges, a designated geographic area of the state established pursuant to agreement of the presidents of the community colleges and adopted in policy by the state board of regents; (B) for technical colleges, the territory set forth in the college's plan submitted to the board of regents pursuant to K.S.A. 72-4470a, and amendments thereto; and (C) for the institute of technology, Shawnee county.

(d) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 4. (a) The state board of regents shall initiate the development of a statewide articulation agreement on career technical education programs among the

high schools, community colleges, technical colleges and the institute of technology.

(b) For the purposes of this section, the term "articulation agreement" means an agreement entered into to provide for the transferability of substantially equivalent courses of study or programs.

New Sec. 5. On or before January 15, 2014, the state board of education shall prepare a report to the legislature proposing a strategy and proposed plan for providing state aid to career technical education programs or courses in school districts. In preparing such report, the state board of education shall consider the funding scheme under the postsecondary tiered technical education state aid act. The report shall include, but not be limited to, recommendations for legislative changes and estimates of the cost to the state of implementing such changes.

New Sec. 6. (a) If a pupil submits an application for free meals under the national school lunch act on or before the date on which the enrollment of the school district is calculated and it is later determined by the school district or the department of education that the pupil should not have been eligible for free meals, the district or the department shall notify the state board of such determination. Except as provided in subsection (b), upon receipt of such notice, the state board shall recompute the adjusted enrollment of the district and the general fund budget of the district based on the adjusted enrollment of the district excluding the at-risk pupil weighting and high density at-risk pupil weighting, if any, assigned to such pupil.

(b) If a pupil becomes ineligible to receive free meals under the national school lunch act for failure to submit, in a timely manner, any documentation necessary for verification of eligibility as required by the national school lunch act, but subsequently submits such documentation, such pupil shall not be excluded from the calculation of the adjusted enrollment of the district if the district forwards a copy of such documentation to the state board no later than January 14 of the school year.

(c) This section shall be part of and supplemental to the school district finance and quality performance act. This section shall be applicable to school year 2012-2013 and each school year thereafter.

Sec. 7. From and after July 1, 2013, K.S.A. 2011 Supp. 71-201 is hereby amended to read as follows: 71-201. (a) The board of trustees, in accordance with the provisions of law and the rules and regulations of the state board of regents, shall have custody of and be responsible for the property of the community college and shall be responsible for the operation, management and control of the college. The board of trustees shall hold at least one regular meeting each month at a time prescribed by the board. The board shall make an annual report in the manner prescribed by the state board of regents. Members of the board of trustees shall be paid subsistence allowances, mileage and other actual and necessary expenses incurred in the performance of their official duties.

(b) For effectuation of the purposes of this act, the board of trustees in addition to such other powers expressly granted to it by law and subject to the rules and regulations of the state board of regents is hereby granted the following powers:

(1) To select its own chairperson and such other officers as it may deem desirable, from among its own membership. The secretary may be chief administrative officer of the college.

(2) To sue and be sued.

(3) To determine the educational program of the college subject to prior approval

thereof as provided in this act and to grant certificates of completion of courses or curriculum.

(4) To appoint and fix the compensation and term of office of a president or chief administrative officer of the college.

(5) To appoint upon nomination of the president or the chief administrative officer members of the administrative and teaching staffs, to fix and determine within state adopted standards their specifications, define their duties and to fix their compensation and terms of employment. No community college teacher shall be required to meet licensure requirements greater than those required in the state educational institutions.

(6) Upon recommendation of the chief administrative officer, to appoint or employ such other officers of the college, agents and employees as may be required to carry out the provisions of law and to fix and determine within state adopted standards their qualifications, duties, compensation, terms of office or employment and all other items and conditions of employment.

(7) To enter into contracts.

(8) To accept from any government or governmental agency, or from any other public or private body, or from any other source, grants or contributions of money or property which the board may use for or in aid of any of its purposes.

(9) To acquire by gift, purchase, lease-purchase, condemnation or otherwise, and to own, lease, use and operate property, whether real, personal, or mixed, or any interest therein, which is necessary or desirable for community college purposes. Any lease-purchase agreement entered into under authority of this subsection shall be subject to the conditions set forth in K.S.A. 10-1116c, and amendments thereto. The term of any lease entered into under authority of this subsection may be for not to exceed 10 years. Such lease may provide for annual or other payment of rent or rental fees and may obligate the community college to payment of maintenance or other expenses. Any lease or lease-purchase agreement entered into under authority of this subsection shall be subject to change or termination at any time by the legislature. Any assignment of rights in any lease or lease-purchase made under this subsection shall contain a citation of this section and a recitation that the lease or lease-purchase agreement and assignment thereof are subject to change or termination by the legislature. To the extent that the provisions of the cash-basis and budget laws conflict with this subsection in such a manner as to prevent the intention of this subsection from being made effective, the provisions of this subsection shall control. This provision is subject to the provisions of subsection (d).

(10) To enter into lease agreements as lessor of any property, whether real, personal, or mixed, which is owned or controlled by the community college. Any such agreement may specify the purposes for which the property may be used, require that the property be maintained and operated by the lessee, and may contain such restrictions or limitations on the use of the property, be entered into for such period of time, and include such other terms and conditions as the board of trustees determines to be necessary and proper. Every such agreement shall be subject to change or termination at any time by the legislature. Any assignment of rights under any such agreement shall be subject to approval by the board of trustees and shall contain a citation of this section and a recitation that the lease agreement and assignment of rights thereunder are subject to change or termination by the legislature.

(11) To determine that any property owned by the college is no longer necessary for

college purposes and to dispose of the same in such manner and upon such terms and conditions as provided by law.

(12) To exercise the right of eminent domain, pursuant to chapter 26 of the Kansas Statutes Annotated, and amendments thereto.

(13) To make and promulgate such rules and regulations, not inconsistent with the provisions of law or with rules and regulations of the state board of regents, that are necessary and proper for the administration and operation of the community college, and for the conduct of the business of the board of trustees.

(14) To exercise all other powers not inconsistent with the provisions of law or with the rules and regulations of the state board of regents which may be reasonably necessary or incidental to the establishment, maintenance and operation of a community college.

(15) To appoint a member to fill any vacancy on the board of trustees for the balance of the unexpired term. When a vacancy occurs, the board shall publish a notice one time in a newspaper having general circulation in the community college district stating that the vacancy has occurred and that it will be filled by appointment by the board not sooner than 15 days after such publication.

(16) To contract with one or more agencies, either public or private, whether located within or outside the community college district or whether located within or outside the state of Kansas for the conduct by any such agencies of education for students of the community college, and to provide for the payment to any such agencies for their contracted educational services from any funds or moneys of the community college, including funds or moneys received from student tuition and fees, funds received from the state of Kansas or the United States for education, or taxes collected under K.S.A. 71-204, and amendments thereto. Any contract made under this subsection with an institution of another state shall be subject to the provisions of K.S.A. 71-202, and amendments thereto.

(17) To authorize by resolution the establishment of a petty cash fund in an amount not to exceed \$1,000, and to designate in such resolution an employee to maintain such petty cash fund. The employee designated in any resolution provided for in this subsection receiving such funds shall keep a record of all receipts and expenditures from the fund, and shall from time to time, and at the end of the fiscal year, prepare a statement for the board showing all receipts, expenditures, and the balance in the petty cash fund. The board of trustees may authorize the employee designated to maintain any petty cash fund to make a claim for replenishment of the fund to its original amount in advance of approval by the board of trustees if, at any time during the period between regular monthly meetings of the board of trustees, the balance remaining in the fund is insufficient to make needed expenditures for any purpose for which the petty cash fund is maintained. No petty cash fund may be replenished more than one time during each period between regular monthly meetings of the board of trustees. If a petty cash fund is replenished prior to the end of the fiscal year in accordance with the foregoing authorization, the employee authorized to maintain the petty cash fund shall keep an accurate record of all expenditures made therefrom, and the purpose therefor, and shall submit the record to the board of trustees at the next regular monthly meeting thereof. The petty cash fund shall be replenished by payment from the appropriate funds of the community college to the petty cash fund upon proper claim. The fund shall be kept separate from all other funds and shall be used only for authorized expenditures and

itemized receipts shall be taken for each expenditure. No part of such fund may be loaned or advanced against the salary of an employee. All employees entrusted with such funds under this subsection shall be bonded by the community college district.

(c) Subject to the provisions of subsection (d), the board of trustees may purchase or otherwise acquire land or land and improvements and may acquire, construct, reconstruct, repair or remodel improvements thereon or additions thereto, including furnishings, equipment, and architectural and incidental expense related thereto, and for such purposes the board of trustees is authorized to issue and sell general obligation bonds, the cumulative total not to exceed the following amounts: Where the community college district has a taxable tangible valuation of less than \$90,000,000 or is located in a county designated as urban under the provisions of K.S.A. 19-3524, and amendments thereto, not to exceed 5% of the taxable tangible property of the community college district, and where the community college district has a taxable tangible valuation of more than \$90,000,000 not to exceed 3% except as provided above for any community college district located in a county designated as urban under the provisions of K.S.A. 19-3524, and amendments thereto, of the taxable tangible property of the community college district. If any increase in the valuation of a community college district results in an outstanding bonded indebtedness in excess of that provided in this subsection, such increase shall not constitute a violation of this subsection. No such bonds shall be issued until the question of their issuance shall have been submitted to a vote of the electors of the community college district at a regular election or at a special election called for that purpose and the majority of the electors voting on the proposition in such community college district shall have voted in favor of the issuance of the bonds. Such election shall be called, noticed and held and the bonds issued, sold, delivered and retired in accordance with the provisions of the general bond law except as herein otherwise expressly provided.

(d) ~~(1) Except as provided in section 3, and amendments thereto, the board of trustees of a community college may purchase or otherwise acquire land or land and improvements within: (1)-(A) The community college district; or (2)-(B) the service area of the community college. Nothing in this subsection shall be construed or operate in any manner to require a board of trustees to sell, convey or otherwise dispose of land or land and improvements located outside the community college district or the service area of the community college and owned or being acquired by the community college on the effective date of this act.~~

~~(2) For the purposes of this subsection, "service area" means a designated geographic area of the state established pursuant to agreement of the presidents of the community colleges and adopted in policy by the state board of regents.~~

Sec. 8. K.S.A. 72-4417 is hereby amended to read as follows: 72-4417. (a) Students admitted to a ~~vocational-career technical~~ education course or program which is conducted by the school district in which the student is enrolled may be charged fees but shall not be charged tuition.

(b) Postsecondary students admitted to a ~~vocational-career technical~~ education course or program shall pay tuition and fees as provided by laws applicable thereto.

(c) ~~(1) Except as provided in paragraph (2) of this subsection, Secondary students admitted to a vocational-career technical education course or program which is conducted by a community college shall pay tuition and fees as provided by laws applicable to community colleges and the provisions of this section shall not apply.~~

thereto, nor shall any provisions of this act which are inconsistent with laws relating to community college tuition and fees apply to community colleges, technical college or institute of technology may be charged fees, but shall not be charged tuition.

(2) Students admitted to a vocational education course or program under the provision of K.S.A. 71-1706 and which is conducted by a community college which is consolidated with an area vocational school or area vocational technical school may be charged fees but tuition shall be paid as provided in paragraph (2) of subsection (d). Nothing in this act shall be construed to amend, repeal or in any way change laws relating to community college student or out-district tuition. Each school year, to the extent there are sufficient moneys appropriated to the career technical education secondary program, the state board of regents shall distribute state funds to community colleges, technical colleges and the Washburn institute of technology for the cost associated with secondary students enrolled in postsecondary career technical education programs as determined by the state board of regents.

(3) For purposes of this subsection:

(A) "Community college" means any community college established in accordance with chapter 71 of the Kansas Statutes Annotated, and amendments thereto.

(B) "Fees" means those charges assessed against a student by a community college, technical college or the institute of technology for student services, such as health clinics, athletic activities and technology services, or for books, supplies or other materials necessary for a particular course or program, the expense of which is not covered by tuition.

(C) "Institute of technology" means the institute of technology at Washburn university.

(D) "Secondary student" means a pupil who: (i) Has not attained a high school diploma or a general educational development (GED) credential; and (ii) is regularly enrolled in and attending a public or private secondary school.

(E) "Technical college" means a technical college designated pursuant to K.S.A. 72-4472, 72-4473, 72-4474, 72-4475, 72-4477 or 72-4477a, and amendments thereto.

(F) "Tuition" means those charges assessed against a student by a community college, technical college or the institute of technology on a per credit hour, per course or per term basis, and that are charged to cover the general expense of providing instructional services.

(d) Students admitted to a vocational education course or program which is not conducted by the school district in which the student is enrolled shall be charged tuition and fees determined in accordance with subsection (e), subject however to the following: (1) Tuition or fees, or tuition and fees may be paid for the student in accordance with any agreement made under K.S.A. 72-4421, and amendments thereto; or

(2) if tuition of a student is not paid under ~~provision-paragraph~~ (1) of this subsection, the tuition of the student shall be paid by the school district in which the student is enrolled. No school district shall pay tuition for a student who is a postsecondary student, and no school district shall be required to pay tuition or fees of a student who is eligible to have tuition and fees for the course or training the student selects paid by any state or federal agency from moneys, funds or appropriations made available under any one or more state or federal programs. Any state agency administering any one or more such programs shall pay such tuition and fees upon

proper application by a student therefor.

(c) All tuition and fees charged for ~~vocational-career technical~~ education by any board shall be in such amounts as are authorized by rules and regulations adopted by the state board which shall establish general guidelines for tuition and fee schedules in ~~vocational-career technical~~ education courses and programs, except that tuition of postsecondary students shall be fixed in accordance with K.S.A. 72-4433, and amendments thereto. The particular tuition and fee schedule of every ~~vocational-career technical~~ education program shall be subject to annual approval of the state board. A current complete schedule of tuition and fees for each ~~vocational-career technical~~ education course and program of each board as approved by the state board shall be maintained on file in the office of the state board, and shall be open for public inspection at any reasonable time.

Sec. 9. K.S.A. 72-4419 is hereby amended to read as follows: 72-4419. The school district in which a student is enrolled shall pay the tuition of such student to attend any ~~vocational-career technical~~ education course or program when such attendance is approved as provided in K.S.A. 72-4418, and amendments thereto, from its vocational education fund, except that any board receiving funds under an agreement under K.S.A. 72-4421, and amendments thereto, shall pay such tuition when the student is enrolled in a school district which is a party to the agreement if the agreement so provides. In the case of a school district which is not a party to an agreement under K.S.A. 72-4421, and amendments thereto, should there be insufficient or no moneys in the ~~vocational-career technical~~ education fund to pay such tuition, the board of education shall transfer from the general fund to the ~~vocational-career technical~~ education fund such amount as will satisfy the insufficiency.

Sec. 10. K.S.A. 2011 Supp. 72-4470a is hereby amended to read as follows: 72-4470a. (a) All technical college boards shall establish and maintain a plan for a governing board, which shall be separate and independent of any board of education of any school district, to operate, control and manage the technical college. The plan shall include, but not be limited to, provisions relating to:

- (1) The composition of the independent governing board;
- (2) the territory of the technical college. If the territory of the technical college includes more than one county, the plan shall designate a home county;
- (3) the method of election or appointment and the terms of service of the members of the independent governing board;
- (4) the date upon which the independent governing board shall assume management and control of the technical college;
- (5) the manner, terms upon which and extent to which the facilities will be transferred to the independent governing board and the division of other assets and indebtedness and other liabilities; and
- (6) the manner and terms upon which faculty, employees and students will be transferred to the independent governing board. Subject to the provisions of K.S.A. 2011 Supp. 72-4478, and amendments thereto, such provisions shall specify terms of employment and address other personnel matters.

(b) On the date determined in the approved plan, the independent governing board established under subsection (a) of this section shall operate subject to the rules, regulations and supervision of the state board of regents in the same manner as other technical colleges. Any amendments to the plan shall be submitted to the state board of

regents for approval.

(c) In addition to such other powers expressly granted by law and subject to the provisions of subsection (b), the governing board shall have the power to:

(1) Determine the career technical and general education courses of instruction that will comprise the associate of applied science degree programs of the college;

(2) establish the requirements for satisfactory completion of the associate of applied science degree programs of the college;

(3) confer the associate of applied science degree upon students who successfully complete an associate of applied science degree program of the college and to award a certificate or diploma to students who successfully complete a career technical education program of the college;

(4) appoint teaching staff and fix and determine teacher qualifications, duties and compensation. No teacher appointed to teach courses comprising the associate of applied science degree programs of the college shall be required to meet licensure requirements greater than those required in the state educational institutions;

(5) have custody of, and be responsible for, the property of the college and be responsible for the operation, management and control of the college;

(6) select a chairperson and such other officers as it deems desirable, from its membership;

(7) sue and be sued;

(8) appoint and fix the compensation and term of office of a president or chief administrative officer of the college;

(9) fix and determine, within state adopted standards, all other employees' qualifications, duties, compensation and all other items and conditions of employment;

(10) enter into contracts;

(11) accept any gifts, grants or donations;

(12) acquire and dispose of real or personal property;

(13) enter into lease agreements as lessor of any property owned or controlled by the college;

(14) adopt any rules and regulations, not inconsistent with any law or any rules and regulations of the state board of regents, which are necessary for the administration and operation of the college or for the conduct of business of the governing board;

(15) contract with one or more agencies, either public or private, whether located within or outside the territory of the college or whether located within or outside the state of Kansas, for the conduct by any such agency of academic or career technical education for students of the college and to provide for the payment to any such agency for the contracted educational services from any funds or moneys of the college, including funds or moneys received from student tuition and fees;

(16) appoint as its resident agent for the purpose of service of process, either the president of the technical college or the chairperson of the governing board, or both;

(17) take any other action, not inconsistent with any law or any rules and regulations of the state board of regents, which is necessary or incidental to the establishment, operation and maintenance of the college;

(18) issue bonds for capital improvement projects, enter into bond covenants and take such ancillary action as the governing board approves, relating thereto, except that such bonds shall not be secured by a pledge of any property tax revenues of the

technical college;

(19) enter into agreements with counties relating to funding for capital improvement projects at technical colleges; ~~and~~

(20) fix different rates per hour of tuition, fees and charges for the different postsecondary programs administered by such board; ~~and~~

(21) to acquire by lease-purchase any property, whether real, personal, or mixed, or any interest therein, which is necessary or desirable for technical college purposes. The term of any lease-purchase agreement entered into under authority of this subsection may be for not to exceed 10 years. Such lease-purchase agreement may provide for annual or other payment of rent or rental fees and may obligate the technical college to payment of maintenance or other expenses. Any lease-purchase agreement entered into under authority of this subsection shall be subject to change or termination at any time by the legislature. Any assignment of rights in any lease-purchase made under this subsection shall contain a citation of this section and a recitation that the lease-purchase agreement and assignment thereof are subject to change or termination by the legislature.

Sec. 11. K.S.A. 2011 Supp. 72-6455 is hereby amended to read as follows: 72-6455. (a) ~~As used in this section, school district means any district having: (1) An enrollment of at least 50% at-risk pupils; or (2) an enrollment of at least 35.1% at-risk pupils and an enrollment density of at least 212.1 pupils per square mile.~~

~~(b) The high density at-risk pupil weighting of each school district shall be determined by the state board by multiplying the number of at-risk pupils by .10. The product is the high density at-risk pupil weighting of the district.~~

~~(c) If a school district becomes ineligible for high density at-risk pupil weighting because enrollment of at-risk pupils in the district falls below the requirements of subsection (a), the high density at-risk pupil weighting of the district shall be the greater of: (1) The high density at-risk pupil weighting in the current school year; (2) the high density at-risk pupil weighting in the prior school year; or (3) the average of the high density at-risk pupil weighting in the current school year and the preceding two school years.~~

~~The provisions of this subsection paragraph shall expire on June 30, 2011.~~

The high density at-risk pupil weighting of each school district shall be determined by the state board as follows:

(A) Except as provided in subparagraph (C), if the district has an enrollment of at least 35%, but less than 50% at-risk pupils, the state board shall:

(i) Subtract 35% from the percentage of at-risk enrollment in the district;

(ii) multiply the amount determined under clause (i) by .7; and

(iii) multiply the number of at-risk pupils enrolled in the district by the product determined under clause (ii). The resulting product is the high density at-risk pupil weighting of the district.

(B) If the district has an enrollment of 50% or more at-risk pupils, the state board shall multiply the number of at-risk pupils by .105. The resulting product is the high density at-risk pupil weighting of the district.

(C) If the district has an enrollment of at least 35.1% at-risk pupils and an enrollment density of at least 212.1 pupils per square mile, the state board shall multiply the number of at-risk pupils by .105. The resulting product is the high density at-risk pupil weighting of the district.

Sec. 12. K.S.A. 72-4417 and 72-4419 and K.S.A. 2011 Supp. 72-4470a, 72-6455 and 72-6459 are hereby repealed.

Sec. 13. From and after July 1, 2013, K.S.A. 2011 Supp. 71-201 is hereby repealed.";

And by renumbering the remaining sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the period, and inserting "education; amending K.S.A. 72-4417 and 72-4419 and K.S.A. 2011 Supp. 71-201, 72-4470a and 72-6455 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 72-6459";

And your committee on conference recommends the adoption of this report.

CLAY AURAND

STEVE HUEBERT

VALDENIA WINN

Conferees on part of House

JEAN SCHODORF

JOHN VRATIL

ANTHONY HENSLEY

Conferees on part of Senate

Senator Schodorf moved the Senate adopt the Conference Committee Report on **SB 155**.

On roll call, the vote was: Yeas 35; Nays 0; Present and Passing 0; Absent or Not Voting 5.

Yeas: Apple, Bruce, Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Abrams, Donovan, Emler, Kelsey, Steineger.

The Conference Committee Report was adopted.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee Report on **House Substitute for SB 416**.

The House adopts the Conference Committee Report on **House Substitute for SB 294**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to House Substitute for SB 294 submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 13 through 36;

By striking all on pages 2 through 286;

On page 287, by striking all in lines 1 through 27, and inserting the following:

"Section 1. (a) For the fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, June 30, 2015, and June 30, 2016, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) This act shall be known and may be cited as the omnibus appropriation act of 2012 and shall constitute the omnibus reconciliation spending limit bill for the 2012 regular session of the legislature for purposes of subsection (a) of K.S.A. 75-6702, and amendments thereto.

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155, and amendments thereto.

Sec. 2. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund, for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458, and amendments thereto, to the following claimants:

Babcock, Phillip DBA Babcock Angus 473 Road W3 Norton, KS 67654.....	\$58.46
Barr, Kathy 9775 W 333 Rd St Lebo, KS 66856.....	\$271.73
Berean Academy PO Box 70 Elbing, KS 67041.....	\$279.07
Block, Richard A 36845 Hedge Ln Paola, KS 66071.....	\$42.84
City Of Oswego PO Box 210 Oswego, KS 67356.....	\$57.02
Claassen, R Dwight 3003 E 1st St Newton, KS 67114.....	\$142.34
Concrete Materials Co LLC PO Box 16204 Wichita, KS 67216.....	\$5,525.44
Edwards Co Highway Dept 730 W 6th St Kinsley, KS 67547.....	\$1,513.04
Elliott, Blake	

787 Paint Rd Hope, KS 67451.....	\$92.28
Faidley, Harold 385 Buffalo Rd Longford, KS 67458.....	\$126.84
Faidley, Lon 2539 Justice Rd Solomon, KS 67480.....	\$85.08
Flint Hills Industries DBA Hillsboro Industries 220 Industrial Rd Hillsboro, KS 67063.....	\$55.32
Garten Bros Inc 2305 Fair Rd Abilene, KS 67410.....	\$194.40
Gibson, Rick D 28468 L Rd Circleville, KS 66416.....	\$114.36
Gick & Debbie Fleming Farms 309 S Main St Leon, KS 67074.....	\$488.59
Goering, Terry D 1307 E 20 Hutchinson, KS 67505.....	\$54.60
Harvey, Bradley D 24002 130 Ave Collyer, KS 67631.....	\$28.20
Jacobs, Kevin L 647 N 135th St W Wichita, KS 67235.....	\$430.70
Johnson, Ralph 312 W 5th Brookville, KS 67425.....	\$504.58
Kalivoda, Richard 2534 Nickel Rd Cuba, KS 66940.....	\$177.98
Kearny Co Rd & Bridge Dept PO Box 129 Lakin, KS 67860.....	\$10,216.91
Ottawa Bus Service Inc 1320 W 149th St Olathe, KS 66061.....	\$2,747.16
Peterson Farm & Livestock Inc 10729 S Simpson Rd Assaria, KS 67416.....	\$28.36
PPP LLC 1994 US Hwy 24 Glen Elder, KS 67446.....	\$155.95

R & R Excavating PO Box 41 Lindsborg, KS 67456.....	\$217.85
Sand Creek Station Golf Course 920 Meadowbrook Dr Newton, KS 67114.....	\$96.60
Schmidt, Henry E PO Box 107 Independence, KS 67301.....	\$24.50
Strobel, John R 31464 N Hwy 59 Garnett, KS 66032.....	\$432.82
Stucky, Ronald L 543 Cherokee Rd Inman, KS 67546.....	\$331.78
Terradyne Country Club LLC 1400 Terradyne Andover, KS 67002.....	\$674.35
USD 267 Renwick PO Box 68 Andale, KS 67001.....	\$9,610.15
USD 315 Colby 600 West Third St Colby, KS 67701.....	\$112.20
USD 378 Riley County PO Box 326 Riley, KS 66531.....	\$2,557.87
USD 466 Scott County PO Box 288 Scott City, KS 67871.....	\$153.90
USD 512 Shawnee Msn 7235 Antioch Rd Shawnee Mission, KS 66204.....	\$10,341.16
Vinze, Ernest 1064 N 138th St Fort Scott, KS 66743.....	\$105.00
Wildcat Concrete Services Inc PO Box 750075 Topeka, KS 66675.....	\$214.11
Winderlin, Robert 993 Hwy 4 Scott City, KS 67871.....	\$178.85

Sec. 3. (a) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property lost by staff to the following claimant:

Aldrich, Douglas #79156
PO Box 1568

Hutchinson, KS 67504.....\$7.76

(b) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property destroyed by staff to the following claimant:

Clay, Patrick #71823
PO Box 1568
Hutchinson, KS 67504.....\$4.38

(c) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property lost by staff to the following claimant:

Collins, Timothy #6001034
PO Box 2
Lansing, KS 66043.....\$20.00

(d) The department of corrections is hereby authorized and directed to pay the following amount from the Ellsworth correctional facility – facilities operations account of the state general fund for property destroyed by staff to the following claimant:

Cox, Ryan #96107
6700 40th Rd
Thayer, KS 66776.....\$52.50

(e) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property lost by staff to the following claimant:

Mills, Leonard #24700
PO Box 1568
Hutchinson, KS 67504.....\$12.99

(f) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property bought but never received to the following claimant:

Ponce, Hector #79202
PO Box 1568
Hutchinson, KS 67504.....\$29.96

(g) The department of corrections is hereby authorized and directed to pay the following amount from the Winfield correctional facility – facilities operations account of the state general fund for damage to a vehicle caused by an inmate's operation of a weed eater to the following claimant:

Mayberry, Nancy
13 Roberts Court
Winfield, KS 67156.....\$366.49

Sec. 4. (a) The department of revenue is hereby authorized and directed to pay the following amount from the sales tax refund fund for reimbursement of sales tax paid on a vehicle not subject to sales tax after the statute of limitations had expired to the following claimant:

Boulevard Limousine, LLC
729 N. Stevenson St.
Olathe, KS 66061.....\$4,958.97

(b) The department of revenue is hereby authorized and directed to pay the following amount from the income tax refund fund for a refund of income tax paid to the state of Kansas on income earned in the state of Colorado after the statutory time limit for filing an amended return had expired to the following claimant:

Sharp, David
1441 S. Aldrich Dr.
Andover, KS 67002.....\$5,266.00

(c) The department of revenue is hereby authorized and directed to pay the following amount from the sales tax refund fund for reimbursement of sales tax paid to the state of Kansas that was actually owed to the state of Missouri after the statute of limitations for a refund had expired to the following claimant:

Voss Electric Company
1601 Cushman Drive
Lincoln, NE 68512.....\$6,172.40

Sec. 5. (a) The Kansas highway patrol is hereby authorized and directed to pay the following amount from the Kansas highway patrol operations fund for payment of medical expenses of a prisoner in custody, to the following claimant:

Eagle Med. LLC
PO Box 108
West Plains, MO 65775.....\$2,312.00

Sec. 6. (a) The department of social and rehabilitation services is hereby authorized and directed to pay the following amount from the Larned state hospital fee fund for payment for a wedding ring set that was lost by staff to the following claimant:

Greene, Nick and Kristen
3340 N Main
El Dorado, KS 67042.....\$7,174.17

Sec. 7. (a) The adjutant general is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund for damage to a vehicle caused by a faulty parking gate at the armed forces reserve center to the following claimant:

Manley, Barry
4725 NE Shaffer Rd
Topeka, KS 66617.....\$1,236.60

Sec. 8. (a) Except as otherwise provided by this act, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in sections 2 through 8 of this act, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 2 as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by sections 2 through 8 of this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 9.

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the abstracters' fee fund of the abstracters' board of examiners is hereby increased from \$23,291 to \$24,291.

Sec. 10.

STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the bank commissioner fee fund of the state bank commissioner is hereby increased from \$9,251,724 to \$9,488,964.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 60(a) of chapter 118 of the 2011 Session Laws of Kansas on the bank commissioner fee fund of the state bank commissioner is hereby increased from \$9,742,902 to \$10,990,140.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the state bank commissioner is hereby increased from 99.00 to 107.00.

(d) On July 1, 2012, the position limitation established for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the state bank commissioner is hereby increased from 99.00 to 109.00.

(e) On July 1, 2012, there is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Litigation expense fund.....No limit

Provided, That the above agency is authorized to make expenditures from the litigation expense fund for costs, fees, and expenses associated with administrative or judicial proceedings regarding the enforcement of laws administered by the consumer and mortgage lending division and the enforcement and collection of assessed fines, fees and consumer refunds: *Provided further*; That a portion of the moneys collected as a result of fines and investigative fees collected by the consumer and mortgage lending division, as determined by the deputy of the consumer and mortgage lending division, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the litigation expense fund.

Sec. 11.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the board of barbering fee fund of the Kansas board of barbering is hereby increased from \$156,383 to \$166,383.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 61(a) of chapter 118 of the 2011 Session Laws of Kansas on the board of barbering fee fund of the Kansas board of barbering is hereby increased from \$144,892 to \$154,892.

Sec. 12.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On the effective date of this act, the expenditure limitation established for the

fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the behavioral sciences regulatory board fee fund of the behavioral sciences regulatory board is hereby increased from \$617,861 to \$618,361: *Provided, however,* That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2012, for leased office space shall not exceed \$14.00 per square foot.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 62(a) of chapter 118 of the 2011 Session Laws of Kansas on the behavioral sciences regulatory board fee fund of the behavioral sciences regulatory board is hereby increased from \$636,586 to \$685,259: *Provided, however,* That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2013, for leased office space shall not exceed \$14.00 per square foot.

(c) On July 1, 2012, the position limitation established for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the behavioral sciences regulatory board is hereby increased from 8.00 to 9.00.

Sec. 13.

KANSAS DENTAL BOARD

(a) On the effective day of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the dental board fee fund of the Kansas dental board is hereby increased from \$371,890 to \$381,932.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 66(a) of chapter 118 of the 2011 Session Laws of Kansas on the dental board fee fund of the Kansas dental board is hereby decreased from \$374,145 to \$370,998.

Sec. 14.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the board of nursing fee fund of the board of nursing is hereby decreased from \$2,046,214 to \$2,043,652.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 69(a) of chapter 118 of the 2011 Session Laws of Kansas on the board of nursing fee fund of the board of nursing is hereby decreased from \$2,109,810 to \$2,109,710.

Sec. 15.

BOARD OF EXAMINERS IN OPTOMETRY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the optometry fee fund of the board of examiners in optometry is hereby decreased from \$121,180 to \$120,141.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 70(a) of chapter 118 of the 2011 Session Laws of Kansas on the optometry fee fund of the board of examiners in optometry is hereby increased from \$111,631 to \$114,437.

(c) There is appropriated for the above agency from the following special revenue

funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Optometry litigation fund.....\$400,000
 - Criminal history and fingerprinting fund.....No limit
- Sec. 16.

STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the state board of pharmacy fee fund of the state board of pharmacy is hereby increased from \$791,288 to \$792,038.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 71(a) of chapter 118 of the 2011 Session Laws of Kansas on the state board of pharmacy fee fund of the state board of pharmacy is hereby increased from \$839,771 to \$1,068,447: *Provided*, That, if the state board of pharmacy receives authorization from the United States department of health and human services to expend \$250,000 from the Harold Rogers prescription federal fund during the fiscal year ending June 30, 2013, the state board of pharmacy shall certify a copy of such authorization to the director of accounts and reports and, effective on the date of such certification, the expenditure limitation established for the fiscal year ending June 30, 2013, by this subsection on the state board of pharmacy fee fund of the state board of pharmacy is hereby decreased from \$1,068,447 to \$818,447: *Provided further*, That, at the same time as the state board of pharmacy certifies such authorization to the director of accounts and reports, the state board of pharmacy shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now and hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Non-federal gifts and grants fund.....No limit
- Sec. 17.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the securities act fee fund of the office of the securities commissioner of Kansas is hereby decreased from \$2,871,074 to \$2,801,596.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 74(a) of chapter 118 of the 2011 Session Laws of Kansas on the securities act fee fund of the office of the securities commissioner of Kansas is hereby decreased from \$2,923,867 to \$2,833,291.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the office of the securities commissioner of Kansas is hereby decreased from 32.13 to 30.00.

(d) On July 1, 2012, the position limitation established for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the

office of the securities commissioner of Kansas is hereby decreased from 32.13 to 30.00.

Sec. 18.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 75(a) of chapter 118 of the 2011 Session Laws of Kansas on the technical professions fee fund of the state board of technical professions is hereby increased from \$589,122 to \$615,138.

Sec. 19.

STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas, on the veterinary examiners fee fund of the state board of veterinary examiners is hereby increased from \$266,632 to \$268,316: *Provided*, That expenditures from the veterinary examiners fee fund for the fiscal year ending June 30, 2012, for official hospitality shall not exceed \$175.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 76(a) of chapter 118 of the 2011 Session Laws of Kansas on the veterinary examiners fee fund of the state board of veterinary examiners is hereby increased from \$268,132 to \$269,674: *Provided*, That expenditures from the veterinary examiners fee fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$175.

Sec. 20.

STATE BOARD OF MORTUARY ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 67(a) of chapter 118 of the 2011 Session Laws of Kansas on the mortuary arts fee fund of the state board of mortuary arts is hereby increased from \$273,993 to \$291,381.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, pursuant to section 67(a) of chapter 118 of the 2011 Session Laws of Kansas on the mortuary arts fee fund of the state board of mortuary arts is hereby decreased from \$282,648 to \$282,228.

Sec. 21.

STATE BOARD OF HEALING ARTS

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the healing arts fee fund of the state board of healing arts is hereby decreased from \$4,321,859 to \$4,319,499.

Sec. 22.

REAL ESTATE APPRAISAL BOARD

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 72(a) of chapter 118 of the 2011 Session Laws of Kansas on the appraiser fee fund of the real estate appraisal board is hereby decreased from \$314,607 to \$314,357.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

AMC federal registry clearing fund.....No limit
Sec. 23.

KANSAS REAL ESTATE COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the real estate fee fund of the Kansas real estate commission is hereby decreased from \$1,133,094 to \$1,132,374.

Sec. 24.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, pursuant to section 64(a) of chapter 118 of the 2011 Session Laws of Kansas on the cosmetology fee fund of the Kansas board of cosmetology is hereby decreased from \$816,055 to \$815,235.

Sec. 25.

STATE DEPARTMENT OF CREDIT UNIONS

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 65(a) of chapter 118 of the 2011 Session Laws of Kansas on the credit union fee fund of the Kansas department of credit unions is hereby decreased from \$1,038,452 to \$1,037,437.

Sec. 26.

STATE CORPORATION COMMISSION

(a) On the effective date of this act, the expenditure limitation for the fiscal year ending June 30, 2012, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund, and the conservation fee fund in the aggregate, as established in section 95(b) of chapter 118 of the 2011 Session Laws of Kansas, is hereby increased from \$16,844,081 to \$16,960,956.

Sec. 27.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, in section 93(c) of chapter 118 of the 2011 Session Laws of Kansas on the agency operations account of the expense reserve of the Kansas public employees retirement fund is hereby increased from \$8,517,600 to \$8,845,767.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, in section 93(d) of chapter 118 of the 2011 Session Laws of Kansas on the agency operations account of the non-retirement administration fund is hereby increased from \$75,603 to \$82,117.

(c) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$832,896 from the Kansas endowment for youth fund to the children's initiatives fund.

Sec. 28.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, of the \$131,486 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 103(b) of chapter 118 of the 2011 Session Laws of Kansas from the state economic development initiatives fund in the senior community service employment program account, the sum of \$126,245 is

hereby lapsed.

(b) On the effective date of this act, the appropriation of \$8,935 for the above agency for the fiscal year ending June 30, 2012, by section 103(b) of chapter 118 of the 2011 Session Laws of Kansas from the state economic development initiatives fund in the senior community service employment program – ARRA match account, is hereby lapsed.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 143(a) of chapter 118 of the 2011 Session Laws of Kansas for the department of commerce is hereby decreased from 251.80 to 250.00.

(d) On the effective date of this act, notwithstanding the provisions of K.S.A. 74-50,151, and amendments thereto, or any other statute, the director of accounts and reports shall transfer all moneys in the Kansas economic opportunity initiatives fund of the department of commerce to the job creation program fund of the department of commerce. On the effective date of this act, all liabilities of the Kansas economic opportunity initiatives fund are hereby transferred to and imposed on the job creation program fund of the department of commerce.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2012, the following:

Air service incentive fund.....\$2,000,000

Provided, That 50% of all expenditures from the air service incentive fund during fiscal year 2012 shall be made to participate in air passenger service support agreements with the Manhattan area chamber of commerce, inc., and airlines providing air passenger service at Manhattan regional airport, related to any quarter during fiscal year 2012 when flights provided by an airline that is a party to an air passenger service support agreement are filled to less than 70% of capacity, or as determined under a formula finalized and agreed upon by the Manhattan area chamber of commerce, inc., in such support agreements: *Provided however*, That no expenditures shall be made from the air service incentive fund unless the Manhattan area chamber of commerce, inc., has made payments to such airlines for such purpose of \$250,000 or more for fiscal year 2012: *Provided further*, That expenditures from the air service incentive fund to such airlines for such purpose for fiscal year 2012 shall not exceed \$1,000,000: *And provided further*, That 50% of all expenditures from the air service incentive fund during fiscal year 2012 shall be made to participate in air passenger service support agreements with the growth organization of Topeka/Shawnee county, inc., and airlines providing air passenger service at Topeka forbes field airport, related to any quarter during fiscal year 2012 when flights provided by an airline that is a party to an air passenger service support agreement are filled to less than 70% of capacity, or as determined under a formula finalized and agreed upon by the growth organization of Topeka/Shawnee county, inc., in such support agreements: *Provided however*, That no expenditures shall be made from the air service incentive fund account unless the growth organization of Topeka/Shawnee county, inc., has made payments to such airlines for such purpose of \$250,000 or more for fiscal year 2012: *Provided further*, That expenditures from the air service incentive fund account to such airlines for such purpose for fiscal year 2012 shall not exceed \$1,000,000: *And provided further*, That any unencumbered balance in the air service incentive fund account of the state economic development initiatives fund that was available to be expended during fiscal year 2012 to provide air passenger service at Topeka forbes field airport in excess of

\$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013, for the same use and purpose as the same was heretofore appropriated: *And provided further*, That, the growth organization of Topeka/Shawnee county, inc., shall submit an annual report to the legislature on or before January 1, 2013: *And provided further*, That during the 2013 regular legislative session such annual report shall be delivered and the growth organization of Topeka/Shawnee county, inc., shall appear in person to the house committee on commerce and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding such annual report: *And provided further*, That the secretary of commerce shall conduct an independent review of the financial reports submitted by the growth organization of Topeka/Shawnee county, inc., as well as an analysis of the data used by the growth organization of Topeka/Shawnee county, inc.: *And provided further*, That the secretary of commerce shall submit a report and appear in person to the house committee on commerce and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding these matters: *And provided further*, That the secretary of commerce shall develop and implement the necessary procedures to conduct such a review.

Sec. 29.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 101(b) of chapter 118 of the 2011 Session Laws of Kansas to be transferred from the lottery operating fund to the state gaming revenues fund during the fiscal year ending June 30, 2012, is hereby increased from \$70,800,000 to \$71,000,000.

Sec. 30.

KANSAS RACING AND GAMING COMMISSION

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 143(a) of chapter 118 of the 2011 Session Laws of Kansas for the Kansas racing and gaming commission – state racing operations program and expanded lottery act regulation division is hereby decreased from 75.53 to 74.00.

Sec. 31.

STATE COURT OF TAX APPEALS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the COTA filing fee fund of the state court of tax appeals is hereby decreased from \$1,331,328 to \$1,013,888.

Sec. 32.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Assigned counsel expenditures.....\$695,010

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training grant fund.....No limit

Sec. 33.

LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$749,822 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 80(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the legislative coordinating council – operations account, the sum of \$6,667 is hereby lapsed.

(b) On the effective date of this act, of the \$3,549,398 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 80(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the legislative research department – operations account, the sum of \$156,515 is hereby lapsed.

(c) On the effective date of this act, of the \$3,049,313 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 80(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the office of revisor of statutes – operations account, the sum of \$241,617 is hereby lapsed.

Sec. 34.

DIVISION OF POST AUDIT

(a) On the effective date of this act, of the \$2,020,838 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 82(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operations (including legislative post audit committee) account, the sum of \$634 is hereby lapsed.

Sec. 35.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) On the effective date of this act, of the \$120,322,135 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the other medical assistance account, the sum of \$3,006,868 is hereby lapsed.

(b) On the effective date of this act, of the \$87,187,295 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the community based services account, the sum of \$805,504 is hereby lapsed.

(c) On the effective date of this act, of the \$3,029,539 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the alcohol and drug abuse services grants account, the sum of \$60,213 is hereby lapsed.

(d) On the effective date of this act, of the \$46,069,941 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the cash assistance account, the sum of \$2,571,032 is hereby lapsed.

(e) On the effective date of this act, of the \$5,965,139 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the vocational rehabilitation aid and assistance account, the sum of \$40,812 is hereby lapsed.

(f) On the effective date of this act, of the \$99,098,413 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the youth services aid and assistance account, the sum of \$5,706,647 is hereby lapsed.

(g) There is appropriated for the above agency from the state institutions building

fund for the fiscal year ending June 30, 2012, the following:

Sexual predator treatment program expansion.....	\$2,058,900
Renovations at rainbow mental health facility.....	\$1,500,000

(h) On the effective date of this act, of the \$519,325 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(c) of chapter 118 of the 2011 Session Laws of Kansas from the children's initiatives fund in the children's cabinet accountability fund account, the sum of \$42,367 is hereby lapsed.

(i) On the effective date of this act, of the \$4,750,000 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(c) of chapter 118 of the 2011 Session Laws of Kansas from the children's initiatives fund in the family centered system of care account, the sum of \$3 is hereby lapsed.

(j) On the effective date of this act, of the \$5,033,679 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(c) of chapter 118 of the 2011 Session Laws of Kansas from the children's initiatives fund in the child care account, the sum of \$213 is hereby lapsed.

(k) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the social welfare fund of the department of social and rehabilitation services is hereby increased from \$29,069,381 to \$32,383,404.

(l) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Larned state hospital – operating expenditures.....	\$1,149,723
Larned state hospital – sexual predator treatment program.....	\$213,805
Mental health and retardation services aid and assistance.....	\$91,429

(m) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the rainbow mental health facility fee fund of the department of social and rehabilitation services is hereby increased from \$2,465,445 to \$2,501,169.

(n) On the effective date of this act, the public health/social services emergency response federal fund of the department of social and rehabilitation services is hereby redesignated as the national bioterrorism hospital preparedness program federal fund of the department of social and rehabilitation services.

(o) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 143(a) of chapter 118 of the 2011 Session Laws of Kansas for the Larned state hospital is hereby increased from 839.20 to 886.20.

Sec. 36.

DEPARTMENT ON AGING

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

LTC – medicaid assistance – HCBS/FE.....	\$99,634
LTC – medicaid assistance – TCM/FE.....	\$223,877
LTC – medicaid assistance – NF.....	\$7,556,472

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

National bioterrorism hospital preparedness program – federal fund.....	No limit
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(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 110(b) of chapter 118 of the 2011 Session Laws of Kansas on the health policy nursing facility quality care fund of the department on aging is hereby increased from \$19,577,801 to no limit.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 110(b) of chapter 118 of the 2011 Session Laws of Kansas on the social service block grant fund of the department on aging is hereby increased from \$4,399,305 to \$4,500,000.

Sec. 37.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Breast cancer screening program.....\$407,000

Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Sec. 38.

DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION OF
HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Other medical assistance.....\$19,513,116

(b) On the effective date of this act, of the \$17,293,612 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 108(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the children's health insurance program account, the sum of \$28,819 is hereby lapsed.

(c) On the effective date of this act, of the \$14,482,995 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 108(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the health policy operating expenditures account, the sum of \$52,694 is hereby lapsed.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 108(b) of chapter 118 of the 2011 Session Laws of Kansas on the medical programs fee fund of the department of health and environment – division of health care finance is hereby increased from \$50,529,602 to \$56,610,742.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 108(b) of chapter 118 of the 2011 Session Laws of Kansas on the health care access improvement fund of the department of health and environment – division of health care finance is hereby increased from \$33,300,000 to \$33,354,454.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the preventive health care program fund of the department of health and environment – division of health care finance is hereby increased from \$667,369 to \$711,214.

(g) On the effective date of this act, the expenditure limitation established for the

fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the health committee insurance fund of the department of health and environment – division of health care finance is hereby decreased from \$287,646 to \$283,854.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on expenditures from the state workers compensation self-insurance fund of the department of health and environment – division of health care finance for salaries and wages and other operating expenditures is hereby increased from \$3,510,806 to \$3,776,357.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 108(b) of chapter 118 of the 2011 Session Laws of Kansas on expenditures from the cafeteria benefits fund of the department of health and environment – division of health care finance for salaries and wages and other operating expenditures is hereby decreased from \$1,979,603 to \$1,977,635.

Sec. 39.

DEPARTMENT OF LABOR

(a) On the effective date of this act, of the \$409,271 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 105(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$3,731 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the workmen's compensation fee fund of the department of labor is hereby decreased from \$13,883,381 to \$10,624,371.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the federal indirect cost offset fund of the department of labor is hereby decreased from \$404,143 to \$364,858.

Sec. 40.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) On the effective date of this act, of the \$426,485 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures – administration account, the sum of \$350 is hereby lapsed.

(b) On the effective date of this act, of the \$1,200,598 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures – veteran services account, the sum of \$1,178 is hereby lapsed.

(c) On the effective date of this act, of the \$1,917,108 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures – Kansas soldiers' home account, the sum of \$16,366 is hereby lapsed.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the soldiers home fee fund of the Kansas commission of veterans affairs is hereby decreased from \$1,719,521 to \$1,668,438.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the soldiers home federal fund of the Kansas commission of veterans affairs is hereby increased from \$2,254,408 to \$2,603,283.

(f) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Operating expenditures – veterans claim assistance program – service grants. \$32,732

(g) On the effective date of this act, of the \$2,494,684 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures – Kansas veterans' home account, the sum of \$16,366 is hereby lapsed.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the veterans home federal fund of the Kansas commission on veterans affairs is hereby increased from \$2,924,231 to \$3,129,375.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the veterans home fee fund of the Kansas commission on veterans affairs is hereby increased from \$3,000,003 to \$3,129,622.

(j) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the VA burial reimbursement fund – federal of the Kansas commission on veterans affairs is hereby increased from \$80,538 to \$101,942.

Sec. 41.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2012, for the capital improvement project or projects specified as follows:

Debt service – revenue bonds issued for major remodeling and new construction projects at state educational institutions.....\$1,254,925

(b) On the effective date of this act, of the appropriations for the above agency for the fiscal year ending June 30, 2012, by section 128(a) of chapter 118 of the 2011 Session Laws of Kansas of any unencumbered balance in the southwest Kansas access project account of the state general fund, the sum of \$243,620 is hereby lapsed.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Midwest higher education commission.....\$5,462

Sec. 42.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

KPERS – employer contributions.....\$6,992,555

Operating expenditures (including official hospitality).....\$50,000

General state aid.....\$24,632,000

(b) On and after the effective date of this act, notwithstanding the provisions of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas or any other statute, no appropriation shall be made for fiscal year 2012 from the state general fund to the

general state aid account of the department of education by the second proviso to the general state aid account appropriation from the state general fund of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas: *Provided*, That the amount that would be appropriated for the above agency for the fiscal year ending June 30, 2012, pursuant to the second proviso to the general state aid account appropriation from the state general fund of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund to the general state aid account is hereby lapsed: *Provided further*; That, on the effective date of this act, the provisions of the second proviso to the general state aid account appropriation from the state general fund of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 43.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Treatment and programs.....\$1,825,000

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2012, the following:

Labette facility renovation.....\$1,696,150

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Disaster grants – public assistance fund.....No limit

Sec. 44.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Purchase of services.....\$1,868,707

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 130(b) of chapter 118 of the 2011 Session Laws of Kansas on the juvenile detention facilities fund of the juvenile justice authority is hereby increased from \$3,575,963 to \$4,459,805.

(c) On the effective date of this act, of the \$408,118 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 164(a) of chapter 118 of the 2011 Session Laws of Kansas from the state institutions building fund in the backup generator – Kansas juvenile correctional complex account, the sum of \$407,618 is hereby lapsed.

(d) On the effective date of this act, of the \$10,000 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 164(a) of chapter 118 of the 2011 Session Laws of Kansas from the state institutions building fund in the raze pig barn – Kansas juvenile correctional complex account, the sum of \$5,000 is hereby lapsed.

Sec. 45.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Disaster relief.....\$4,226,905

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State asset forfeiture fund.....No limit
Sec. 46.

EMERGENCY MEDICAL SERVICES BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the emergency medical services operating fund of the emergency medical services board is hereby increased from \$1,330,025 to \$1,332,018.

Sec. 47.

STATE FIRE MARSHAL

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$29,339 from the hazardous material program fund of the state fire marshal to the fire marshal fee fund of the state fire marshal.

Sec. 48.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Rehabilitation and repair projects.....\$64,500
Sec. 49.

KANSAS DEPARTMENT OF AGRICULTURE

(a) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2012, by section 138(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund, in the operating expenditures account, the sum of \$57,541 is hereby lapsed.

(b) On the effective date of this act, of the \$702,722 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 138(c) of chapter 118 of the 2011 Session Laws of Kansas in the basin management account of the state water plan fund, the sum of \$68,403 is hereby lapsed.

(c) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2012, by section 138(c) of chapter 118 of the 2011 Session Laws of Kansas from the state water plan fund in the water transition assistance program/conservation reserve enhancement program account, the sum of \$1,019,748 is hereby lapsed.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 138(a) of chapter 118 of the 2011 Session Laws of Kansas on expenditures from the operating expenditures account of the Kansas department of agriculture for official hospitality is hereby increased from \$5,000 to \$10,000.

(e) On and after the effective date of this act, during the fiscal year ending June 30, 2012, in addition to other purposes for which expenditures may be made by the Kansas department of agriculture from moneys appropriated in the reimbursement and recovery fund, conference regulation and disbursement fund, and the market development fund

for the fiscal year ending June 30, 2012, as authorized by section 138(b) of chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the Kansas legislature, expenditures may be made by the Kansas department of agriculture from moneys appropriated in the reimbursement and recovery fund, conference regulation and disbursement fund, and the market development fund for official hospitality.

Sec. 50.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) On the effective date of this act, of the \$40,000 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 141(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the reimbursement for annual licenses issued to Kansas disabled veterans account, the sum of \$18,388 is hereby lapsed.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

State parks operating expenditures.....\$800,000
Sec. 51.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the agency operations account of the state highway fund of the department of transportation is hereby increased from \$287,632,588 to \$289,632,588.

(b) On the effective date of this act, the director of accounts and reports shall transfer \$2,000,000 from the north central Kansas air passenger service support fund of the department of transportation to the state economic development initiatives fund.

Sec. 52. On the effective date of this act, during fiscal year 2012, notwithstanding the provisions of section 101(e) of chapter 118 of the 2011 Session Laws of Kansas, K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer all moneys exceeding the first \$1,696,150 credited to the expanded lottery act revenues fund during fiscal year 2012 from the expanded lottery act revenues fund to the state general fund, within 10 days after such moneys are credited to the expanded lottery act revenues fund: *Provided*, That the transfer of such amounts shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law: *Provided further*, That all moneys transferred from the expanded lottery act revenues fund to the state general fund pursuant to this subsection are to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of revenue, and other state agencies, by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, on the effective date of this act, the provisions of section 101(e) of chapter 118 of the 2011 Session Laws of Kansas, that transfers all moneys that are credited to the expanded lottery act revenues fund from the expanded lottery act revenues fund to the state general fund during the fiscal year ending June 30, 2012, are hereby declared to be null and void and shall have no force and effect.

Sec. 53.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Court appointed special advocates.....\$50,000

(b) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2011 Supp. 21-5933, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the medicaid fraud prosecution revolving fund of the attorney general to the state general fund: *Provided*, That the amount transferred from the medicaid fraud prosecution revolving fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the attorney general by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 54. (a) During the fiscal year ending June 30, 2012, notwithstanding the provisions of chapter 118 of the 2011 Session Laws of Kansas, in addition to the other purposes for which expenditures may be made by any state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2012 for the state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the state agency from moneys appropriated by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature from the state general fund or from any such special revenue fund or funds for fiscal year 2012 to purchase bottled drinking water for water dispensers.

Sec. 55.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Legislative coordinating council – operations.....\$563,652

Provided, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Legislative research department – operations.....\$3,743,092

Provided, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Office of revisor of statutes – operations.....\$3,127,906

Provided, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special revenue fund.....No limit

Sec. 56.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations (including official hospitality).....\$16,680,245

Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no *per diem* compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2013 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated

to each member of the legislature during fiscal year 2013.

Legislative information system.....\$1,401,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special revenue fund.....No limit

Provided, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no *per diem* compensation: *Provided further*, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*, That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2013 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no

expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2013.

Capitol restoration – gifts and donations fund.....No limit

(c) As used in this section, "joint committee" includes the joint committee on rules and regulations, health care stabilization fund oversight committee, joint committee on special claims against the state, legislative budget committee, legislative educational planning committee, joint committee on economic development, joint committee on state building construction, joint committee on the arts and cultural resources, joint committee on information technology, joint committee on pensions, investments and benefits, joint committee on state-tribal relations, workers compensation fund oversight committee, confirmation oversight committee, joint committee on corrections and juvenile justice oversight, joint committee on children's issues, compensation commission, joint committee on Kansas security, joint committee on health policy oversight, state employee pay plan oversight committee, joint committee on energy and environmental policy, joint committee on home and community based services oversight, capitol restoration commission, redistricting advisory group, capitol preservation committee and any other committee, commission or other body for which expenditures are to be paid from moneys appropriated for the legislature for the expenses of any meeting of any such body or for the expenses of any member thereof.

Sec. 57.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations (including legislative post audit committee).....\$2,081,880

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from this account, expenditures shall be made by the above agency from moneys appropriated from this account in fiscal year 2013 to conduct three school district efficiency audits during fiscal year 2013: *And provided further*, That three school districts shall be one school district each from small, medium and large school districts: *And provided further*, That the legislative post audit committee shall make a determination of selecting the appropriate school districts first on a voluntary basis in order to implement the provisions of this proviso.

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Audit services fund.....No limit
Provided, That the division of post audit is hereby authorized to fix, charge and collect fees for copies of public records of the division, including distribution of such copies: *Provided further*; That such fees shall be fixed to recover all or part of the expenses incurred for reproducing and distributing such copies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the audit services fund.
- Conversion of materials and equipment fund.....No limit
- State agency audits fund.....No limit

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

- Governor's department.....\$2,289,976
Provided, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.
- Domestic violence prevention grants.....\$3,760,516
Provided, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at the discretion of the governor.
- Child advocacy centers.....\$833,731
Provided, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2013, by subsection (a) from the state general fund in the governor's department account.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Special programs fund.....No limit
Provided, That expenditures may be made from the special programs fund for

operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

Hispanic and Latino American affairs fee fund.....No limit
Miscellaneous projects fund.....No limit

Provided, That expenditures may be made from the miscellaneous projects fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences and all fees received by the governor's department under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the miscellaneous projects fund.

Intragovernmental service fund.....No limit

Provided, That expenditures may be made from the intragovernmental service fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the intragovernmental service fund.

Conversion of materials and equipment fund.....No limit
Federal grants fund.....No limit
Justice assistance grant – federal fund.....No limit
Hispanic and Latino American affairs commission – donations fund.....No limit
Advisory commission on African-American affairs – donations fund.....No limit
Kansas commission on disability concerns fee fund.....No limit
Kansas commission on disability concerns – gifts, grants and donations fund.No limit
Domestic violence grants fund.....No limit

Provided, That grants made for domestic violence prevention shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control and prevention as the official domestic violence or sexual assault coalition.

Child advocacy centers grant fund.....No limit

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$300,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the domestic violence grants fund of the governor's department.

(e) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the child advocacy center grants fund of the governor's department.

Sec. 59.

LIEUTENANT GOVERNOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations.....\$182,265

Provided, That any unencumbered balance in the operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Special programs fund.....No limit

Provided, That expenditures may be made from the special programs fund for operating expenditures for the lieutenant governor, including conferences and official hospitality: *Provided further*, That the lieutenant governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences and all fees received by the lieutenant governor under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor on official state business and for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor on official state business from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2013, in the operations account.

(d) Expenditures may be made by the above agency for official hospitality and contingencies from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2013, in the operations account without limit at the discretion of the lieutenant governor.

Sec. 60.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$4,895,997

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs.....\$78,000

Provided, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Internet training education for Kansas kids.....\$290,000

Provided, That any unencumbered balance in the internet training education for Kansas kids account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Abuse, neglect and exploitation unit.....\$115,000

Provided, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Lab feasibility study.....\$100,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Private detective fee fund.....No limit

Court cost fund.....No limit

Bond transcript review fee fund.....No limit

Conversion of materials and equipment fund.....No limit

Attorney general's antitrust special revenue fund.....No limit

Private gifts fund.....No limit

Medicaid fraud reimbursement fund.....No limit

Attorney general's antitrust suspense fund.....No limit

Attorney general's consumer protection clearing fund.....No limit

Attorney general's committee on crime prevention fee fund.....No limit

Provided, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*, That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*, That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*, That all fees received for conducting such seminars shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

Tort claims fund.....No limit

Crime victims compensation fund.....No limit

Provided, That expenditures from the crime victims compensation fund for state operations shall not exceed \$454,058: *Provided further*, That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance fund.....No limit

Protection from abuse fund.....No limit
 Crime victims grants and gifts fund.....No limit
Provided, That all private grants and gifts received by the crime victims compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Debt collection administration cost recovery fund.....No limit
Provided, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719, and amendments thereto.

Medicaid fraud prosecution revolving fund.....No limit
Provided, That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further*, That, notwithstanding the provisions of K.S.A. 2011 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general's office other than for medicaid fraud prosecution costs.

Interstate water litigation fund.....No limit
Provided, That, in addition to the other purposes authorized by K.S.A. 82a-1802, and amendments thereto, expenditures may be made from the interstate water litigation fund for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2) expenses related to the appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund.....No limit
 Children's advocacy center fund.....No limit
 Abuse, neglect and exploitation of people with disabilities
 unit grant acceptance fund.....No limit
 Concealed weapon licensure fund.....No limit
 Tobacco master settlement agreement compliance fund.....No limit
 Sexually violent predator expense fund.....No limit
 County law enforcement equipment fund.....No limit
 Child exchange and visiting centers fund.....No limit
 State medicaid fraud control unit – federal fund.....No limit
 Com def sol – violence against women federal fund.....No limit
 Crime victims compensation federal fund.....No limit
 Ed Byrne state/local law enforcement federal fund.....No limit
 Violence against women – ARRA federal fund.....No limit
 Comm prsct/project safe neighborhood federal fund.....No limit
 Public safety prtnt/comm pol fund.....No limit
 Anti-gang initiative federal fund.....No limit

Alcohol impaired driving cntrmsr federal fund.....No limit
 Children's justice grant federal fund.....No limit
 Corr research/evaluation/policy firearms federal fund.....No limit
 Ed Byrne memorial JAG – ARRA federal fund.....No limit
 State victims compensation formula grant federal fund.....No limit
 Medicaid indirect cost federal fund.....No limit
 Federal forfeiture fund.....No limit
 False claims litigation revolving fund.....No limit
Provided, That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 2011 Supp. 75-7501 *et seq.*, and amendments thereto.

GTEAP federal fund.....No limit
 Ed Byrne memorial justice assistance grant federal fund.....No limit
 911 state maintenance fund.....No limit
 911 federal grant fund.....No limit

(c) During the fiscal year ending June 30, 2013, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$485,593 from the Kansas endowment for youth fund to the tobacco master settlement agreement compliance fund of the attorney general.

(e) During the fiscal year ending June 30, 2013, the attorney general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state general fund for the attorney general to another item of appropriation for fiscal year 2013 from the state general fund for the attorney general. The attorney general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2012, the director of accounts and reports shall transfer any unencumbered balance in the private detective fee fund of the attorney general – Kansas bureau of investigation to the private detective fee fund of the attorney general.

(g) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$4,881,920 from the court cost fund of the attorney general to the state general fund.

Sec. 61.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Publication of proposed constitutional amendments.....\$77,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Cemetery and funeral audit fee fund.....No limit
 HAVA ELVIS fund.....No limit
 Conversion of materials and equipment fund.....No limit
 Information and services fee fund.....No limit
Provided, That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,500.

State register fee fund.....No limit
 Uniform commercial code fee fund.....No limit
 State flag and banner fund.....No limit
 Secretary of state fee refund fund.....No limit
 Electronic voting machine examination fund.....No limit
 Credit card clearing fund.....No limit
 Suspense fund.....No limit
 Prepaid services fund.....No limit
 Athlete agent registration fee fund.....No limit
 Democracy fund.....No limit

Provided, That all expenditures from the democracy fund shall be to provide matching funds to implement Title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.

Technology communication fee fund.....No limit
 Help America Vote Act federal fund.....No limit
 HAVA title I federal fund.....No limit
 Voting access – disabled individuals federal fund.....No limit
 Cemetery maintenance and merchandise fee fund.....No limit

(c) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from any special revenue fund or funds for fiscal year 2013 by the above agency by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2013 regular session of the legislature and detailing costs to local units of governments for conducting elections which include proposed constitutional amendments.

Sec. 62.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer operating fund.....\$1,628,512

Provided, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 *et seq.*, and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act, K.S.A. 58-3934 *et seq.*, and amendments thereto, during fiscal year 2013, the state treasurer is hereby authorized and directed to credit the first \$1,628,512 received and deposited in the state treasury to

the state treasurer operating fund: *Provided further*, That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2013 shall be credited as prescribed under the unclaimed property act, K.S.A. 58-3934 *et seq.*, and amendments thereto: *And provided further*, That all moneys credited to the state treasurer operating fund during fiscal year 2013 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act, K.S.A. 58-3934 *et seq.*, and amendments thereto, that are not otherwise reimbursed under any other provision of law.

Fiscal agency fund.....	No limit
Bond services fee fund.....	No limit
City bond finance fund.....	No limit
Local <i>ad valorem</i> tax reduction fund.....	No limit
County and city revenue sharing fund.....	No limit
Suspense fund.....	No limit
County and city retailers' sales tax fund.....	No limit
County and city compensating use tax fund.....	No limit
Local alcoholic liquor fund.....	No limit
Local alcoholic liquor equalization fund.....	No limit
Unclaimed property claims fund.....	No limit
Unclaimed property expense fund.....	No limit

Provided, That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.

County and city transient guest tax fund.....	No limit
Racing admissions tax fund.....	No limit
Rental motor vehicle excise tax fund.....	No limit
Transportation development district sales tax fund.....	No limit
Redevelopment bond fund.....	No limit
Municipal investment pool fund.....	No limit
Pooled money investment portfolio fee fund.....	No limit

Provided, That, on or before the fifth day of each month of the fiscal year ending June 30, 2013, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further*, That, prior to the 10th day of each month during the fiscal year ending June 30, 2013, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*, That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

Special qualified industrial manufacturer fund.....	No limit
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Provided, That, notwithstanding the provisions of K.S.A. 2011 Supp. 74-50,122, and amendments thereto, or any other statute, the special qualified industrial manufacturer

fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of the qualified industrial manufacturer act: *Provided further*; That, on the 15th day of each month that commences during fiscal year 2013, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified industrial manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *And provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the special qualified industrial manufacturer fund established by this subsection: *And provided further*; That, on or before the 10th day of each month commencing during fiscal year 2013, the director of accounts and reports shall transfer from the state general fund to the special qualified industrial manufacturer fund interest earnings based on: (1) The average daily balance of moneys in the special qualified industrial manufacturer fund established by this subsection for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the special qualified industrial manufacturer fund from the withholding taxes paid by a qualified industrial manufacturer shall be paid by the state treasurer to such qualified industrial manufacturer on such dates as are mutually agreed to by the secretary of commerce and the state treasurer, serving as paying agent in accordance with the terms of the agreement entered into pursuant to K.S.A. 2011 Supp. 74-50,122, and amendments thereto, by the secretary of commerce and such qualified industrial manufacturer: *And provided further*; That not more than \$2,000,000 shall be paid from the special qualified industrial manufacturer fund established by this subsection by the state treasurer to a qualified industrial manufacturer: *And provided further*; That the words and phrases used in these provisos to the appropriation of moneys in the special qualified industrial manufacturer fund shall have the meanings respectively ascribed thereto by K.S.A. 2011 Supp. 74-50,121, and amendments thereto, unless the context requires otherwise.

Kansas postsecondary education savings program trust fund.....No limit
Provided, That, notwithstanding the provisions of subsection (f) of K.S.A. 2011 Supp. 75-650, and amendments thereto, or any other statute, moneys are hereby appropriated for the fiscal year ending June 30, 2013, for the purpose of matching contributions of qualified applicants.

Kansas postsecondary education savings expense fund.....No limit
 Conversion of materials and equipment fund.....No limit
 Tax increment financing revenue replacement fund.....No limit
 Spirit bonds fund.....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2013, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2011 Supp. 74-50,136, and amendments thereto, and for which the Spirit bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the

director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Spirit bonds fund: *And provided further*; That, on or before the 10th day of each month commencing during fiscal year 2013, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2011 Supp. 74-50,136, and amendments thereto.

Learjet bond fund.....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2013, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2011 Supp. 74-50,136, and amendments thereto, and for which the Learjet bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Learjet bond fund: *And provided further*; That, on or before the 10th day of each month commencing during fiscal year 2013, the director of accounts and reports shall transfer from the state general fund to the Learjet bond fund interest earnings based on: (1) The average daily balance of moneys in the Learjet bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the Learjet bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Learjet bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2011 Supp. 74-50,136, and amendments thereto.

Siemens bond fund.....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2013, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2011 Supp. 74-50,136, and amendments thereto, and for which the Siemens bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*; That, upon receipt of each such certification, the director of accounts and reports shall

transfer the amount certified from the state general fund to the Siemens bond fund: *And provided further*; That, on or before the 10th day of each month commencing during fiscal year 2013, the director of accounts and reports shall transfer from the state general fund to the Siemens bond fund interest earnings based on: (1) The average daily balance of moneys in the Siemens bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the Siemens bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Siemens bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2011 Supp. 74-50,136, and amendments thereto.

Business machinery and equipment tax reduction assistance fund.....	\$0
Telecommunications and railroad machinery and equipment tax reduction assistance fund.....	\$0
Community improvement district sales tax fund.....	No limit
Special economic revitalization fund.....	No limit
Bioscience development and investment fund.....	No limit

(b) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other statute, the commissioner of insurance shall remit all moneys received by the commissioner under K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury: *Provided, however*; That, for each such remittance deposited in the state treasury during fiscal year 2013, the state treasurer shall not credit such deposit pursuant to K.S.A. 75-1514, and amendments thereto, but shall credit such deposit in accordance with the provisions of this subsection: *Provided further*; That the state treasurer shall credit 10% of each such deposit to the state general fund and the state treasurer shall credit the remainder of each such deposit as follows: (1) The amount equal to 64% of the remainder of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (2) the amount equal to 20% of the remainder of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (3) the amount equal to 16% of the remainder of such deposit shall be credited to the fire service training program fund of the university of Kansas: *And provided further*; That the amount of each such deposit that is credited to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state fire marshal, the emergency medical services board, and the fire service training program of the university of Kansas by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*; That, whenever in fiscal year 2013 the aggregate amount that the 10% credit to the state general fund prescribed by this subsection is equal to \$100,000, then: (1) The provisions of this subsection prescribing the 10% credit to the state general fund no longer shall apply to moneys received pursuant to K.S.A. 75-1508, and amendments thereto; and (2) for the remainder of fiscal year 2013, the state treasurer shall credit the full 100% so received of each such deposit as follows: (A) The amount equal to 64% of such deposit shall be

credited to the fire marshal fee fund of the state fire marshal; (B) the amount equal to 20% of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (C) the amount equal to 16% of such deposit shall be credited to the fire service training program fund of the university of Kansas.

Sec. 63.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Insurance department service regulation fund.....No limit
Provided, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,500; *Provided further*, That transfers may be made from this fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company examination fund.....No limit
Provided, That transfers may be made from the insurance company examination fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company annual statement examination fund.....No limit
Insurance company examiner training fund.....No limit
Conversion of materials and equipment fund.....No limit
Commissioner's travel reimbursement fund.....No limit

Provided, That expenditures may be made from the commissioner's travel reimbursement fund only to reimburse the commissioner of insurance, or any designated employee, for expenses incurred for in-state or out-of-state travel for official purposes, including travel to meetings of public or private associations; *Provided further*, That all moneys received by the commissioner of insurance for such travel from any non-state agency source shall be deposited in the state treasury to the credit of this fund.

Workers compensation fund.....No limit
Provided, That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made.

State firefighters relief fund.....No limit
Provided, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, transfers may be made from the state firefighters relief fund to the insurance department rehabilitation and repair fund of the insurance department: *Provided further*, That, pursuant to provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, one or more transfers may be made during fiscal year 2013 from the state firefighters relief fund to the insurance department service regulation fund to repay the amount that was borrowed for the special distribution in fiscal year 2008 pursuant to section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, relating to the overpayment to the firefighters relief association for Manhattan, KS: *And provided further*, That, as used in this proviso: (1) "2013 formula amount" means the amount determined in accordance with the formula and other provisions of K.S.A. 40-1706, and amendments thereto, for the firefighters

relief association for Manhattan, KS, for fiscal year 2013; (2) "2008 payment amount" means the amount actually paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2008; and (3) "2013 repayment amount" means the difference between the 2013 formula amount and the 2008 payment amount: *And provided further*, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, the amount of the distribution to be paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2013 shall not exceed the 2008 payment amount: *And provided further*, That the commissioner of insurance shall certify the 2013 repayment amount to the director of accounts and reports and the outstanding amount that remains to be repaid to the insurance department service regulation fund pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas after the transfer to the insurance department service regulation fund pursuant to this proviso: *And provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount equal to the 2013 repayment amount from the state firefighters relief fund to the insurance department service regulation fund: *And provided further*, That, at the same time that the commissioner of insurance transmits such certification to the director of accounts and reports, the commissioner of insurance shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

- Insurance company tax and fee refund fund.....No limit
- Group-funded workers' compensation pools fee fund.....No limit
- Provided*, That transfers may be made from the group-funded workers' compensation pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.
- Municipal group-funded pools fee fund.....No limit
- Provided*, That transfers may be made from the municipal group-funded pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.
- Uninsurable health insurance plan fund.....No limit
- Insurance education and training fundNo limit
- Provided*, That expenditures may be made from the insurance education and training fund for training programs and official hospitality: *Provided further*, That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such training programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the insurance education and training fund.
- Monumental life settlement fund.....No limit
- Provided*, That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: *Provided further*, That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.
- Fines and penalties fund.....\$10,000

Provided, That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2013 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

Settlements fund.....No limit

Provided, That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: *Provided further*, That expenditures from the settlements fund shall be made for the purpose of providing consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

Emergency management performance grant – federal fund.....No limit

Affordable care act – federal fund.....No limit

HHS consumer assistance grant – federal fund.....No limit

HHS exchange planning & establishment grant – federal fund.....No limit

HHS rate review grant – federal fund.....No limit

Exchange – KMED early innovator federal grant.....No limit

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2013 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2013 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

Sec. 64.

HEALTH CARE STABILIZATION FUND BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Health care stabilization fund.....No limit

Conference fee fund.....No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2013, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures.....\$1,718,952

Provided, That expenditures may be made from the operating expenditures account for official hospitality.

Legal services and other claims expenses.....No limit

Claims and benefits.....No limit

Sec. 65.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Judicial council fund.....No limit
- Grants and gifts fund.....No limit

Provided, That all private grants and gifts received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

- Publications fee fund.....No limit
- Judicial performance fund.....No limit

(b) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 20-3207, and amendments thereto, or any other statute, the state treasurer is hereby authorized and directed to transfer \$84,777 from the judicial performance fund of the judicial council to the judicial council fund of the judicial council.

(c) On June 30, 2013, notwithstanding the provisions of K.S.A. 20-2207, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the publications fee fund as of June 30, 2013, in excess of \$175,000 from the publications fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the publications fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the publications fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, when the judicial council must expend moneys for unforeseen and unbudgeted items, such moneys shall be paid first from the judicial council fund and then from the publication fees fund.

Sec. 66.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

- Operating expenditures.....\$12,529,563

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures.....\$9,000,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2013: Provided further, That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered.

Capital defense operations.....\$1,433,477

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the capital defense operations account is hereby reappropriated for fiscal year 2013: Provided further, That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners.....\$289,592

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training grant fund.....No limit

Indigents' defense services fund.....No limit

Provided, That expenditures may be made from the indigents' defense services fund for the purpose of assigned counsel and other professional services related to contract cases.

Inservice education workshop fee fund.....No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: Provided further, That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: And provided further, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: And provided further, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2013, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2013 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 67.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Judiciary operations.....\$105,808,490

Provided, That any unencumbered balance in the judiciary operations account in

excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto: *And provided further*, That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: *And provided further*, That expenditures from the judiciary operations account for such contingencies shall not exceed \$25,000: *And provided further*, That expenditures from the judiciary operations account for official hospitality shall not exceed \$4,000: *And provided further*, That expenditures shall be made from the judiciary operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Library report fee fund.....	No limit
Judiciary technology fund.....	No limit
Judicial branch gifts fund.....	No limit
Dispute resolution fund.....	No limit
Judicial branch education fund.....	No limit

Provided, That expenditures may be made from the judicial branch education fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto, educating and training municipal judges and municipal court support staff, and for the planning and implementation of a family court system, as provided by law, including official hospitality: *Provided further*, That the judicial administrator is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees may be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch education fund.

Conversion of materials and equipment fund	No limit
Child welfare federal grant fund.....	No limit
Child support enforcement contractual agreement fund.....	No limit
Bar admission fee fund.....	No limit
Permanent families account – family and children investment fund.....	No limit
Duplicate law book fund.....	No limit
Court reporter fund.....	No limit
Access to justice fund.....	No limit
Judicial technology and building and grounds fund.....	No limit
Judicial branch nonjudicial salary initiative fund.....	No limit
Judicial branch nonjudicial salary adjustment fund.....	No limit
Federal grants fund.....	No limit

District magistrate judge supplemental compensation fund.....	No limit
Judicial branch surcharge fund.....	No limit
Correctional supervision fund.....	No limit
Edward Byrne memorial justice assistance fund	No limit
Community defense solutions – violence against women fund.....	No limit
Edward Byrne justice assistance grant fund – ARRA.....	No limit
S.T.O.P. violence against women act fund – ARRA	No limit
Violence against women grant fund – ARRA	No limit
State court improvement program fund	No limit

Sec. 68.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

13th retirement check – debt service.....\$3,208,993

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund.....No limit

Provided, That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.

Kansas public employees deferred compensation fees fund.....No limit

Group insurance reserve fund.....No limit

Optional death benefit plan reserve fund.....No limit

Kansas endowment for youth fund.....No limit

Senior services trust fund.....No limit

Family and children endowment account – family and children investment fund.....No limit

Non-retirement administration fund.....No limit

Provided, That the executive officer of the Kansas public employees retirement system shall certify to the director of accounts and reports the amount of moneys to transfer from the Kansas endowment for youth fund, the senior services trust fund, the family and children endowment account – family and children investment fund, and the unclaimed property account of the state general fund for the purpose of reimbursing the costs of non-retirement related administrative activities and investment-related expenses for managing such funds in accordance with K.S.A. 74-4909b, and amendments thereto.

KDFA series 2003H bond debt service fund

Provided, That, notwithstanding the provisions of K.S.A. 74-4921 *et seq.*, and amendments thereto, any employer contributions remitted in accordance with the provisions of K.S.A. 20-2605, and amendments thereto, K.S.A. 74-4920, and amendments thereto, K.S.A. 74-4939, and amendments thereto, and K.S.A. 74-4967, and amendments thereto, for the purpose of paying the actuarial cost of the provisions of K.S.A. 74-49,109 *et seq.*, and amendments thereto, shall be credited in the KDFA series 2003H bond debt service fund: *Provided further*, That the executive director of the Kansas public employees retirement system shall certify to the director of accounts and reports an amount to reimburse the state general fund for bond debt service

payments authorized in fiscal year 2013: *And provided further*, That the director of accounts and reports shall transfer to the state general fund such amount certified as provided by the executive director no later than June 30, 2013.

(c) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund for the fiscal year ending June 30, 2013, for the following specified purposes:

Agency operations.....\$9,325,100

Provided, That expenditures from the agency operations account may be made for official hospitality.

Investment-related expenses.....No limit

KPERS technology project.....No limit

(d) Expenditures may be made from the non-retirement administration fund for the fiscal year ending June 30, 2013, for the following specified purposes:

Agency operations.....\$82,690

Investment-related expenses.....No limit

(e) On July 1, 2012, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by subsection (d)(4) of K.S.A. 38-2102, and amendments thereto, to be transferred on July 1, 2012, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby decreased to \$55,800,000.

Sec. 69.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures\$1,194,306

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013:

Provided, however, That expenditures from this account for official hospitality shall not exceed \$150: *Provided further*, That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal fundNo limit

Conversion of materials and equipment fundNo limit

Annual banquet fundNo limit

Provided, That expenditures may be made from the annual banquet fund for operating expenditures for the commission's annual banquet, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such banquet: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such banquet, including official hospitality: *And provided further*, That all fees received for such banquet shall be deposited in the state treasury in accordance with the provisions of

K.S.A. 75-4215, and amendments thereto, and shall be credited to the annual banquet fund.

Education and training fundNo limit
Provided, That expenditures may be made from the education and training fund for operating expenditures for the commission's education and training programs for the general public, including official hospitality: *Provided further*; That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*; That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Sec. 70.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service regulation fund.....No limit
Motor carrier license fees fund.....No limit
Conservation fee fund.....No limit
Provided, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further*; That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*; That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services recovery fund of the department of administration for services rendered in collection efforts: *And provided further*; That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*; That the state corporation commission shall include as part of the fiscal year 2014 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2014, 2015 and 2016.

Energy grants management federal fund – ARRA.....No limit
Provided, That the state corporation commission is hereby designated as the state agency to receive moneys from federal agencies for energy conservation and other energy related activities under the federal American recovery and reinvestment act of 2009, as amended: *Provided further*; That, whenever moneys are received by the state corporation commission from federal agencies for energy conservation and other energy-related activities under the federal American recovery and reinvestment act of 2009, as amended, such moneys shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy grants management federal fund – ARRA.

State electricity regulators assistance – ARRA federal fund.....No limit
Energy efficiency revolving loan program – ARRA federal fund.....No limit

Provided, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission or by a person or persons designated by the chairperson: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and other energy-related activities: *And provided further*, That loans under such program shall be made at an interest rate established by the state corporation commission: *And provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons as may be necessary to administer the energy efficiency revolving loan program: *And provided further*, That any person who agrees to receive money from the energy efficiency revolving loan program – ARRA federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That moneys repaid to the energy efficiency revolving loan program moneys shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That, on or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency revolving loan program – ARRA federal fund interest earnings based on: (1) The average daily balance of repaid moneys in the energy efficiency revolving loan program – ARRA federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Natural gas underground storage fee fund.....	No limit
Gas pipeline inspection fee fund.....	No limit
Special one-call – federal fund.....	No limit
Compressed air energy storage fee fund.....	No limit
Abandoned oil and gas well fund.....	No limit
Well plugging assurance fund.....	No limit
Facility conservation improvement program fund.....	No limit
Gas pipeline safety program – federal fund.....	No limit
Carbon dioxide injection well and underground storage fund.....	No limit
Energy related grants – federal fund.....	No limit
Energy grants management fund.....	No limit
Energy conservation plan – federal fund.....	No limit
Vehicle information systems network – federal fund	No limit
Underground injection control class II – federal fund.....	No limit
One call – federal fund.....	No limit
Inservice education workshop fee fund.....	No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: *Provided further*, That the state corporation commission is hereby authorized to fix, charge and collect fees for such

inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

- Unified carrier registration clearing fund.....No limit
- Credit card clearing fund.....No limit
- Suspense fund.....No limit
- KETA administrative fund.....No limit
- KETA development fund.....No limit

(b) Expenditures for the fiscal year ending June 30, 2013, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund shall not exceed, in the aggregate, \$16,961,396: *Provided*, That, within such limitation on the aggregate of expenditures, expenditures made for fiscal year 2013 from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund for official hospitality shall not exceed, in the aggregate, \$2,000.

(c) Expenditures for the fiscal year ending June 30, 2013, by the state corporation commission from the conservation fee fund or the abandoned oil and gas well fund may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2013 shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(d) During the fiscal year ending June 30, 2013, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer additional moneys from the conservation fee fund of the state corporation commission, which are in excess of \$400,000 as prescribed by K.S.A. 55-193, and amendments thereto, to the abandoned oil and gas well plugging fund of the state corporation commission: *Provided*, That the executive director of the state corporation commission shall certify each such transfer of additional moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The executive director of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 66-1a01, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$100,000 from the public service regulation fund of the state corporation commission to the KETA administrative fund of the state corporation commission: *Provided*, That, on July 1, 2012, or as soon thereafter

as moneys are available, notwithstanding the provisions of K.S.A. 66-1a01, and amendments thereto, or any other statute, and in addition to any other moneys transferred pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the remaining amount of the unexpended or unencumbered expenditure authority for fiscal year 2012, that was to be used for the expenses of the Kansas electric transmission authority for fiscal year 2012, by the state corporation commission from the public service regulation fund as authorized by section 95(f)(1) of chapter 118 of the 2011 Session Laws of Kansas, from the public service regulation fund of the state corporation commission to the KETA administrative fund of the state corporation commission.

Sec. 71.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund.....\$836,462

(b) During the fiscal year ending June 30, 2013, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund for fiscal year 2013 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2012, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2012 may be expended from the utility regulatory fee fund for fiscal year 2013 pursuant to contracts for professional services and any such expenditure for fiscal year 2013 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2013.

(c) On and after the effective date of this act, during the fiscal year ending June 30, 2013, no expenditures shall be made by the above agency from the utility regulatory fee fund for the review or other oversight of proposed administrative rules and regulations or any other duties pursuant to executive order no. 11-02.

Sec. 72.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

General administration\$885,338

Provided, That any unencumbered balance in the general administration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,000: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the general administration account for three employees

in the unclassified service under the Kansas civil service act.

Department of administration systems.....\$1,866,848

Provided, That any unencumbered balance in the department of administration systems account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from the department of administration systems account for official hospitality shall not exceed \$1,000.

Personnel services.....\$1,602,035

Provided, That any unencumbered balance in the personnel services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Purchasing.....\$458,273

Provided, That any unencumbered balance in the purchasing account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Budget analysis.....\$1,594,635

Provided, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the budget analysis account for eight employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Facilities management.....\$47,514

Provided, That any unencumbered balance in the facilities management account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Accounts and reports.....\$1,795,004

Provided, That any unencumbered balance in the accounts and reports account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Public broadcasting council grants.....\$1,041,000

Provided, That any unencumbered balance in the public broadcasting council grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures from the public broadcasting council grants account for capital equipment shall be made to provide matching funds for federal capital equipment grants awarded to eligible public broadcasting stations: *And provided further*, That expenditures from this account may be made to provide matching funds for capital equipment projects funded from any nonstate source in the event federal capital equipment grants are not awarded: *And provided further*, That in the event the federal facility programs cease to exist or fail to conduct grant solicitations, expenditures may be made from this account to provide matching funds for capital equipment projects funded from any nonstate source without first applying for federal capital equipment grants.

Long-term care ombudsman.....\$250,628

Provided, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

KPERS bond debt service.....\$36,142,328
 Public broadcasting digital conversion debt service.....\$1,695,523

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Federal cash management fund.....No limit
 State leave payment reserve fund.....No limit
 Building and ground fund.....No limit

Provided, That expenditures may be made from the building and ground fund for operating and other expenses for the Hiram Price Dillon House.

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including human resources programs and official hospitality: *Provided further*; That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*; That fees shall be fixed in order to recover all or part of the operating expenses incurred, including official hospitality: *And provided further*; That all fees received, including fees received under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Human resource information systems cost recovery fund.....No limit
 Budget fees fund.....No limit

Provided, That expenditures may be made from the budget fees fund for operating expenditures for the division of the budget, including training programs, special projects and official hospitality: *Provided further*; That the director of the budget is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*; That fees for such training programs and special projects shall be fixed in order to recover all or part of the operating expenses incurred for such training programs and special projects, including official hospitality: *And provided further*; That all fees received for such training programs and special projects and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the budget fees fund.

Purchasing fees fund.....No limit

Provided, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*; That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*; That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*; That all fees received for such operating expenses shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215,

and amendments thereto, and shall be credited to the purchasing fees fund.

Architectural services fee fund.....No limit
Provided, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: *Provided further*, That the director of facilities management is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for reproducing and distributing architectural information: *And provided further*, That all fees received for such reproduction and distribution of architectural information shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services fee fund.

Budget equipment conversion fund.....No limit
 Conversion of materials and equipment fund.....No limit
 Architectural services equipment conversion fund.....No limit
 Property contingency fund.....No limit
 Flood control emergency – federal fund.....No limit
 INK special revenue fundNo limit
 CJIS Byrne Grant – federal fund.....No limit
 FICA reimbursements medical residents fund.....No limit
 Information technology fund.....No limit

Provided, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology reserve fund.....No limit
 State buildings operating fund.....No limit

Provided, That expenditures may be made from the state buildings operating fund for operating and other expenses for the Hiram Price Dillon House: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for use of the rooms and other facilities of the Hiram Price Dillon House in accordance with policies adopted by the legislative coordinating council under K.S.A. 75-3682, and amendments thereto, for approving the use of such property: *And provided further*, That fees for approved use of such property shall be reasonable and directly related to the costs of such use and shall be fixed in order to recover all or part of the operating expenses incurred for such use: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *And provided further*, That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, shall remit to the

secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*, That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by subsection (a) of K.S.A. 2011 Supp. 75-37,123, and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee County including both state-owned and privately owned buildings: *And provided further*, That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services recovery fund.....No limit

Provided, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration which are not specifically authorized by any other statute: *And provided further*, That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund: *And provided further*, That on July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$411,578 from the accounting services recovery fund of the department of administration to the state general fund: *And provided further*, That the transfer of such amount shall be in addition to any other transfer from the accounting services recovery fund to the state general fund as prescribed by law: *And provided further*, That the amount transferred from the accounting services recovery fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of administration by other state agencies which receive appropriations from the state general fund to provide such services.

Architectural services recovery fund.....No limit

Provided, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further*, That the director of facilities management is hereby authorized to fix, charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further*, That all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the

architectural services recovery fund.

- Motor pool service fund.....No limit
- Intragovernmental printing service fund.....No limit
- Intragovernmental printing service depreciation reserve fund.....No limit
- Municipal accounting and training services recovery fund.....No limit

Provided, That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: *Provided further*, That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees shall be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the municipal accounting and training services recovery fund.

- Canceled warrants payment fund.....No limit
- State emergency fund.....No limit
- Bid and contract deposit fund.....No limit
- Federal withholding tax clearing fund.....No limit
- Financial management system development fund.....No limit

Provided, That the secretary of administration may establish fees and make special assessments in order to finance the costs of developing the financial management system: *Provided further*, That all moneys received for such fees and special assessments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial management system development fund.

- State gaming revenues fund.....No limit
- Financial management system development fund – on budget.....No limit
- Construction defects recovery fund.....No limit
- Facilities conservation improvement fund.....No limit
- State revolving fund services fee fund.....No limit
- Conversion of materials and equipment – recycling program fund.....No limit
- Curtis office building maintenance reserve fund.....No limit
- Equipment lease purchase program administration clearing fund.....No limit
- Suspense fund.....No limit
- Electronic funds transfer suspense fund.....No limit
- Surplus property program fund – on budget.....No limit
- Surplus property program fund – off budget.....No limit
- Older Americans act long-term care ombudsman federal fund.....No limit
- Long-term care ombudsman gift and grant fund.....No limit
- Title XIX – long-term care ombudsman medicaid federal grant fund.....No limit
- Wireless enhanced 911 grant fund.....No limit
- Landon state office building repair expense fund.....No limit
- MacVicar avenue assessment expense fund.....No limit
- Bioscience development fund.....No limit

(d) On July 1, 2012, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(e) During the fiscal year ending June 30, 2013, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto.

(f) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or in any capital improvement account of the state general fund for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or any such capital improvement account of the state general fund for fiscal year 2013 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(g) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget, which shall be equal to 70% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2013. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2012 and fiscal year 2013 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2013 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the children's initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the children's initiatives fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the children's

initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund shall be made after the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (j) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund.

(h) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2013. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2013 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the state economic development initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state economic development initiatives fund by the state treasurer in accordance with the notice thereof.

(i) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget which shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2013. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2013 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all

amounts debited and credited to the correctional institutions building fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the correctional institutions building fund by the state treasurer in accordance with the notice thereof.

(j) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget which shall be equal to 80% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2013, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2013 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the Kansas endowment for youth fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the Kansas endowment for youth fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund shall be made before the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (g) for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund.

(k) During the fiscal year ending June 30, 2013, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the department of administration to another item of appropriation for fiscal year 2013 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(l) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, the following:

SIBF – state building insurance\$150,000

Provided, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the SIBF – state building insurance account of the state institutions building fund for state building insurance premiums.

(m) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2013, the following:

CIBF – state building insurance.....\$130,000

Provided, That, notwithstanding the provisions of K.S.A. 76-6b09, and amendments thereto, expenditures may be made by the above agency from the CIBF – state building insurance account of the correctional institutions building fund for state building insurance premiums.

(n) On July 1, 2012, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the department on aging to the older Americans act long-term care ombudsman federal fund of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2013 shall be equal to and shall not exceed the older Americans act Title VII: ombudsman award and 4.38% of the Kansas older Americans act Title III: part B supportive services award.

(o) (1) On July 1, 2012, notwithstanding the provisions of any other statute, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state general fund and shall record a corresponding credit to the state general fund in the net amount equal to \$32,689,900 minus the amount credited and debited on or before June 30, 2012, pursuant to section 97(n)(10)(D) of chapter 118 of the 2011 Session Laws of Kansas, to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2006, for state agencies.

(2) On or before September 1, 2012, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state general fund pursuant to this subsection (o), to reflect all moneys actually transferred and credited to the state general fund during fiscal year 2013.

(3) (A) (i) Prior to August 15, 2012, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has a specific expenditure limitation prescribed for fiscal year 2013 and that is in excess of the amount authorized under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2013.

(ii) On or before June 30, 2013, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has no specific expenditure limitation prescribed for the fiscal year, that is in excess of the amount estimated under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2013, and that is determined by the director of the budget not to be needed for the purpose for which such amount was originally budgeted, including, but not limited to, actual or projected cost savings as a result of completed, canceled or modified projects, programs or operations.

(iii) As used in paragraphs (i) and (ii) of this subsection (o)(3)(A), "specific expenditure limitation prescribed for the fiscal year" includes any case in which no expenditures may be made from such reappropriated balance except upon approval by the state finance council.

(B) Prior to August 15, 2012, the director of the budget shall determine and certify

to the director of accounts and reports the aggregate of all unanticipated lapses of moneys which were appropriated or reappropriated from the state general fund for fiscal year 2012 and which were not reappropriated for fiscal year 2013, as determined by the director of the budget: *Provided*, That, as used in this subsection (o)(3)(B), "unanticipated lapses of moneys" shall not include any amount lapsed from the state general fund pursuant to explicit language in an appropriation act of the 2012 regular session of the legislature or any amount lapsed from the state general fund for which specific reappropriation language was deliberately not included in any appropriation act of the 2012 regular session of the legislature.

(C) Prior to August 15, 2012, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all amounts of unencumbered balances in accounts of the state general fund that were first encumbered during a fiscal year commencing prior to July 1, 2011, that were released during fiscal year 2012, and that were not specifically reappropriated by an appropriation act of the 2012 regular session of the legislature.

(4) (A) On August 15, 2012, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (o) (3)(A)(i), the appropriation for fiscal year 2013 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2013, by this or other appropriation act of the 2012 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (o)(3) (A)(i).

(B) On June 30, 2013, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (o)(3) (A)(ii), the appropriation for fiscal year 2013 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2013, by this or other appropriation act of the 2012 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (o)(3) (A)(ii).

(5) At the same time as the director of the budget transmits each certification to the director of accounts and reports pursuant to subsection (o)(3), the director of the budget shall transmit a copy of such certification to the director of legislative research.

(6) (A) Prior to August 15, 2012, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection (o): *Provided*, That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection (o). At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

(B) The director of the budget shall review each such certification from the state board of regents and shall certify a copy of each such certification from the state board of regents to the director of accounts and reports. At the same time as such certification is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research.

(C) On August 15, 2012, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection (o) (6), the appropriation for fiscal year 2013 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2013, by this or other appropriation act of the 2012 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection (o)(6).

(7) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection (o), the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the state agencies for fiscal year 2013.

(8) (A) On or before September 1, 2012, after receipt of each certification by the director of the budget pursuant to this subsection (o), the director of accounts and reports shall transfer and debit to the 27th payroll adjustment account of the state general fund, which is hereby established in the state general fund, by an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (o)(3) and subsection (o)(6) in accordance with such certifications.

(B) On September 1, 2012, the director of accounts and reports shall transfer the balance of the 27th payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however*; That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(C) On September 1, 2012, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o) during fiscal year 2013.

(D) On or before June 30, 2013, after receipt of each certification by the director of the budget pursuant to subsection (o)(3)(A)(ii), the director of accounts and reports shall transfer and debit to the 27th payroll adjustment account of the state general fund, which is hereby established in the state general fund, an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (o)(3)(A)(ii) in accordance with such certifications.

(E) On June 30, 2013, the director of accounts and reports shall transfer the balance of the 27th payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however*; That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(F) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27th payroll

adjustment account of the state general fund pursuant to this subsection (o), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o) during fiscal year 2013.

(G) On June 30, 2013, the director of accounts and reports shall record a credit to the state treasurer's receivables for the state general fund and shall record a corresponding debit to the state general fund in the amount of the outstanding receivable created to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2006.

(H) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o) and all reductions and adjustments thereto made pursuant to this subsection (o). The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state general fund by the state treasurer in accordance with the notice thereof.

(9) As used in this subsection (o), "regents agency" means the state board of regents, Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, and Wichita state university.

(10) The provisions of this subsection (o) shall not apply to:

(A) The health care stabilization fund of the health care stabilization fund board of governors;

(B) any money held in trust in a trust fund or held in trust in any other special revenue fund of any state agency;

(C) any moneys received from any agency or authority of the federal government or from any other federal source, other than any such federal moneys that are credited to or may be received and credited to special revenue funds of a regents agency and that are determined by the state board of regents to be federal moneys that may be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection (o);

(D) any account of the Kansas educational building fund or the state institutions building fund; or

(E) any fund in the state treasury, as determined by the director of the budget, that would experience financial or administrative difficulties as a result of executing the provisions of this subsection (o), including, but not limited to, cash-flow problems, the inability to meet ordinary expenditure obligations, or any conflicts with prevailing contracts, compacts or other provisions of law.

(11) Each amount transferred from any special revenue fund of any state agency, including any regents agency, to the state general fund pursuant to this subsection (o), is transferred to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(12) On or after July 1, 2012, notwithstanding the provisions of K.S.A. 75-4209, and amendments thereto, or any other statute, upon specific authorization in an appropriation act of the legislature, the pooled money investment board is authorized

and directed to loan an amount of not more than \$6,000,000 to the state general fund to provide financing for any additional amounts required above the moneys otherwise provided by law to repay amounts provided by law to finance the cost of the 27th payroll chargeable to the fiscal year 2006 and to provide for an adequate reserve in the 27th payroll adjustment account. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loan. Such loan shall not bear interest and shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Any such loan shall be repaid from the state general fund and any appropriate special revenue funds in the state treasury.

(p) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund for fiscal year 2013, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*, That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(q) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any statute or any rules and regulations to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2013 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund for fiscal year 2013, for the secretary of administration to provide parking for state employees on state-owned parking lots located within the state capitol area, as defined by subsection (c) of K.S.A. 75-2240a, and amendments thereto, without charge or cost to such employees for such parking: *Provided*, That this subsection shall not apply to parking garages or other parking structures in such state capitol area or to any state-owned parking lots for which revenues have been pledged to repay bonds issued for the construction of any such parking garage, structure or lot: *Provided further*, That the secretary of administration shall continue otherwise to administer access to state-owned parking lots in accordance with policies and procedures adopted as provided by law, including use of hang tags and waiting lists for specific parking lots, in order to ensure orderly parking procedures: *And provided further*, That the secretary of administration shall make expenditures from

moneys appropriated from the state buildings operating fund or any other special revenue funds for the purpose of maintaining the state-owned parking lots.

(r) (1) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2012 or fiscal year 2013, as authorized by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2012 or fiscal year 2013 for operating expenditures to abolish 70% of all vacant positions in each state agency that are vacant for more than 120 calendar days as of June 30, 2012, in accordance with this subsection.

(2) On or before June 30, 2012, the head of each state agency and the director of the budget shall consult and shall jointly certify to the secretary of administration the number of vacant positions in the state agency that are vacant for more than 120 calendar days as of June 30, 2012, and which vacant positions constitute the 70% of such vacant positions that shall be abolished for the state agency, in accordance with this subsection: *Provided*, That, upon receipt of each such certification, the secretary of administration shall abolish the certified vacant positions on or before July 30, 2012: *Provided further*, That, at the same time as such certification is transmitted to the secretary of administration, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(3) As used in this subsection, "state agency" means each state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature, except that "state agency" shall not include: The legislature or any agency of the legislative branch of state government; the judicial branch or any agency of the judicial branch of state government; the department of corrections; the juvenile justice authority; the Kansas highway patrol; the Kansas department of wildlife, parks and tourism; the Kansas bureau of investigation; the state board of regents; state educational institutions, as defined in K.S.A. 76-711, and amendments thereto; or institutions, as defined in K.S.A. 76-12a01, and amendments thereto.

(s) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget which shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2013. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2013 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act revenues fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the expanded lottery act revenues fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the expanded lottery act revenues fund by the state treasurer in accordance with the notice thereof.

Sec. 73.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings office fund.....No limit

Provided, That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$100.

Sec. 74.

STATE COURT OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$965,176

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund.....\$5,000

COTA filing fee fund.....\$1,026,435

Sec. 75.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$16,079,378

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013:

Provided, however, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund.....No limit

Division of vehicles operating fund.....\$46,981,886

Provided, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund:

Provided further, That any expenditure from the division of vehicles operating fund of

the department of revenue to reimburse the audit services fund of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2013: *And provided further*; That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or of any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

Vehicle dealers and manufacturers fee fund.....	No limit
Kansas qualified agricultural ethyl alcohol producer incentive fund.....	No limit
Kansas qualified biodiesel fuel producer incentive fund.....	No limit
Division of vehicles modernization fund.....	No limit
Kansas retail dealer incentive fund.....	No limit
Local report fee fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Forfeited property fee fund.....	No limit
Setoff services revenue fund.....	No limit
Publications fee fund.....	No limit
State bingo regulation fund.....	No limit
Child support enforcement contractual agreement fund.....	No limit
County treasurers' vehicle licensing fee fund.....	No limit
Tax amnesty recovery fund.....	No limit
Reappraisal reimbursement fund.....	No limit

Provided, That all moneys received for the costs incurred for conducting appraisals for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: *Provided further*; That expenditures may be made from this fund for the purpose of conducting appraisals pursuant to orders of the court of tax appeals under K.S.A. 79-1479, and amendments thereto.

Special training fund.....	No limit
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Provided, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*; That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*; That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.

Recovery fund for enforcement actions and attorney fees.....	No limit
Federal commercial motor vehicle safety fund.....	No limit
State homeland security program federal fund.....	No limit
Earned income tax credits – TANF – federal fund.....	No limit
Central stores fund.....	No limit

Provided, That expenditures may be made from the central stores fund to operate and maintain a central stores activity to sell supplies to other state agencies: *Provided*

further, That all moneys received for such supplies shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the central stores fund.

Performance/registration information systems management federal fund.....	No limit
Commercial vehicle information systems/network federal fund.....	No limit
Temporary assistance – needy families federal fund.....	No limit
Highway planning construction federal fund.....	No limit
Immigration MOU federal fund.....	No limit
Commercial drivers licensing state program federal fund.....	No limit
Real ID program federal fund.....	No limit
Microfilming fund.....	No limit

Provided, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies:

Provided further, That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.

Miscellaneous trust bonds fund.....	No limit
Oil and gas valuation depletion trust fund.....	No limit
Liquor excise tax guarantee bond fund.....	No limit
Non-resident contractors cash bond fund.....	No limit
Bond guaranty fund.....	No limit
Interstate motor fuel user cash bond fund.....	No limit
Motor fuel distributor cash bond fund.....	No limit
Special county mineral production tax fund.....	No limit
State emergency fund – business restoration assistance.....	No limit
State emergency fund – southeast Kansas business recovery assistance.....	No limit
County drug tax fund.....	No limit
Escheat proceeds suspense fund.....	No limit
Privilege tax refund fund.....	No limit
Suspense fund.....	No limit
Cigarette tax refund fund.....	No limit
Motor-vehicle fuel tax refund fund.....	No limit
Cereal malt beverage tax refund fund.....	No limit
Income tax refund fund.....	No limit
Sales tax refund fund.....	No limit
Compensating tax refund fund.....	No limit
Alcoholic liquor tax refund fund.....	No limit
Cigarette/tobacco products regulation fund.....	No limit
Motor carrier tax refund fund.....	No limit
Car company tax fund.....	No limit
Protested motor carrier taxes fund.....	No limit
Tobacco products refund fund.....	No limit
Transient guest tax refund fund established by K.S.A. 12-1694a.....	No limit
Interstate motor fuel taxes clearing fund.....	No limit
Motor carrier permits escrow clearing fund.....	No limit
Bingo refund fund.....	No limit
Transient guest tax refund fund established by K.S.A. 12-16,100.....	No limit

Interstate motor fuel taxes refund fund.....	No limit
Interfund clearing fund.....	No limit
Local alcoholic liquor clearing fund.....	No limit
International registration plan distribution clearing fund.....	No limit
Rental motor vehicle excise tax refund fund.....	No limit
International fuel tax agreement clearing fund.....	No limit
Mineral production tax refund fund.....	No limit
Special fuels tax refund fund.....	No limit
LP-gas motor fuels refund fund.....	No limit
Local alcoholic liquor refund fund.....	No limit
Sales tax clearing fund.....	No limit
Rental motor vehicle excise tax clearing fund.....	No limit
VIPS/CAMA technology hardware fund.....	No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or of any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.

County and city retailers sales tax clearing fund – county and city sales tax....	No limit
City and county compensating use tax clearing fund.....	No limit
County and city transient guest tax clearing fund.....	No limit
Automated tax systems fund.....	No limit
Dyed diesel fuel fee fund.....	No limit
Electronic databases fee fund.....	No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or of any other statute, expenditures may be made from electronic databases fee fund for the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.

Photo fee fund.....	No limit
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Provided, That, notwithstanding the provisions of K.S.A. 2011 Supp. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of administering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and identification cards.

Estate tax abatement refund fund.....	No limit
Distinctive license plate fund.....	No limit
Repossessed certificates of title fee fund.....	No limit
Hazmat fee fund.....	No limit
Intra-governmental service fund.....	No limit
Community improvement district sales tax administration fund.....	No limit
Community improvement district sales tax refund fund.....	No limit

Community improvement district sales tax clearing fund.....	No limit
Drivers license first responders indicator federal fund.....	No limit
Byrne grant national motor vehicle title information systems federal fund.....	No limit
Enforcing underage drinking federal fund.....	No limit
FDA tobacco program federal fund.....	No limit
Commercial vehicle administrative system fund.....	No limit

(c) On July 1, 2012, October 1, 2012, January 1, 2013, and April 1, 2013, the director of accounts and reports shall transfer \$11,745,472 from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2012, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund of the department of administration to the setoff services revenue fund of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 *et seq.*, and amendments thereto.

(e) On August 1, 2012, the director of accounts and reports shall transfer \$20,400 from the social welfare fund and \$39,600 from the federal child support enforcement fund of the Kansas department for children and families to the child support enforcement contractual agreement fund of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the agreement.

(f) On July 1, 2012, the director of accounts and reports shall transfer \$576,271 from the state emergency fund-business restoration assistance program of the department of revenue to the state general fund.

(g) On July 1, 2012, the director of accounts and reports shall transfer \$1,289,451 from the state emergency fund-southeast Kansas business recovery assistance of the department of revenue to the state general fund.

(h) On July 1, 2012, notwithstanding the provisions of K.S.A. 2011 Supp. 8-299, and amendments thereto, or of any other statute, the director of accounts and reports shall transfer \$6,056,000 from the photo fee fund of the department of revenue to the state general fund.

(i) On July 1, 2012, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or of any other statute, the director of accounts and reports shall transfer \$2,098,254 from the VIPS/CAMA technology hardware fund of the department of revenue to the state general fund.

(j) On July 1, 2012, notwithstanding the provisions of K.S.A. 75-5159, and amendments thereto, or of any other statute, the director of accounts and reports shall transfer \$6,751,952 from the division of vehicles modernization fund of the department of revenue to the state general fund.

Sec. 76.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund.....	No limit
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Lottery operating fund.....No limit
Provided, That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.

Expanded lottery receipts fund.....No limit

Lottery gaming facility manager fund.....No limit

Expanded lottery act revenues fund.....\$0

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection, an amount of not less than \$4,500,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2012, and on or before the 15th of each month thereafter through June 15, 2013: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund to the state gaming revenues fund and shall credit such amount to the state gaming revenues fund for the fiscal year ending June 30, 2013: *Provided, however*, That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2013 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15th of each month through June 15, 2013, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,500,000: *Provided further*, That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2013 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2013 is equal to or more than \$71,300,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2013 pursuant to this subsection shall be equal to or more than \$71,300,000: *And provided further*, That the transfers prescribed by this subsection shall be made in lieu of transfers under subsection (d) of K.S.A. 74-8711, and amendments thereto, for fiscal year 2013.

(c) Notwithstanding the provisions of K.S.A. 79-4801, and amendments thereto, or any other statute and in addition to the requirements of subsection (b) of this section, on or after June 15, 2013, upon certification by the executive director of the lottery, the director of accounts and reports shall transfer from the lottery operating fund to the state gaming revenues fund the amount of total profit attributed to the special veterans benefits game under K.S.A. 2011 Supp. 74-8724, and amendments thereto, during fiscal year 2013: *Provided*, That the director of accounts and reports shall transfer immediately thereafter such amount of total profit attributed to the special veterans benefits game from the state gaming revenues fund to the state general fund: *Provided further*, That, on or before June 25, 2013, the executive director of the lottery shall certify to the director of accounts and reports the amount equal to the amount of total profit attributed to the special veterans benefits game under K.S.A. 2011 Supp. 74-8724, and amendments thereto, during fiscal year 2013: *And provided further*, That, at the same time as such certification is transmitted to the director of accounts and reports, the executive director of the lottery shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(d) In addition to the purposes for which expenditures of moneys in the lottery operating fund may be made, as authorized by provisions of K.S.A. 74-8711, and amendments thereto, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act, and the Kansas expanded lottery act.

(e) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$5,000,000 from the expanded lottery act revenues fund to the state general fund within 10 days after such moneys are credited to the expanded lottery act revenues fund: *Provided*, That the transfer of such amounts shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law: *Provided further*, That the moneys transferred from the expanded lottery act revenues fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of revenue, and other state agencies, by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 77.

KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund.....No limit
Provided, That expenditures from the state racing fund for official hospitality shall not exceed \$2,500.

Racing reimbursable expense fund.....No limit
Racing applicant deposit fund.....No limit
Kansas horse breeding development fund.....No limit
Kansas greyhound breeding development fund.....No limit

Provided, That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to subsection (b) of K.S.A. 2011 Supp. 74-8767, and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds which win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*, That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with subsection (b) of K.S.A. 2011 Supp. 74-8767, and amendments thereto.

Racing investigative expense fund.....No limit
Horse fair racing benefit fund.....No limit
Tribal gaming fund.....No limit

Provided, That expenditures from the tribal gaming fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$1,500.

Expanded lottery regulation fund.....No limit

Provided, That expenditures from the expanded lottery regulation fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$2,500.

- Live horse racing purse supplement fund.....No limit
- Live greyhound racing purse supplement fund.....No limit
- Greyhound promotion and development fund.....No limit
- Gaming background investigation fund.....No limit
- Education and training fund.....No limit

Provided, That expenditures may be made from the education and training fund for operating expenditures, including official hospitality, incurred for hosting or providing training, in-service workshops and conferences: *Provided further*, That the Kansas racing and gaming commission is hereby authorized to fix, charge and collect fees for hosting or providing training, in-service workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for hosting or providing such training, in-service workshops and conferences: *And provided further*, That all fees received for hosting or providing such training, in-service workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

- Illegal gambling enforcement fund.....No limit

Provided, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory activities, including, but not limited to: (1) Conducting investigations of illegal gambling operations or activities; (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however*, That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further*, That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2012, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2013 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund of the Kansas racing and gaming commission during fiscal year 2013 for the operating expenditures for the state gaming

agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2013, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with subsection (b) of K.S.A. 75-5516, and amendments thereto, pursuant to bills which are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund for fiscal year 2013 for the Kansas racing and gaming commission by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 2013 for the state gaming agency regulatory oversight of class III gaming, including but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming, which are hereby authorized.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from the Kansas greyhound breeding development fund of the Kansas racing and gaming commission to the greyhound tourism fund of the department of wildlife, parks and tourism that is directed to be made on or before June 30, 2013, by subsection (b)(1) of K.S.A. 74-8831, and amendments thereto, and shall transfer on or before June 30, 2013, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2013, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from the parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee, projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund.

Sec. 78.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Employment incentive for persons with a disability.....\$500,000

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Older Kansans employment program.....\$281,202

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the older Kansans employment program account is hereby reappropriated for fiscal year 2013.

Rural opportunity zones program.....\$1,829,838

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2013.

Senior community service employment program.....\$8,075

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the senior community service employment program account is hereby reappropriated for fiscal year 2013.

Strong military bases program.....\$100,000

Governor's council of economic advisors.....\$186,104

Innovation growth program.....\$3,022,805

Creative industries commission.....\$700,000

Operating grant (including official hospitality).....\$9,194,964

Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Job creation program fund.....No limit

Kan-grow engineering fund – KU.....\$3,500,000

Kan-grow engineering fund – KSU.....\$3,500,000

Kan-grow engineering fund – WSU.....\$3,500,000

Kansas creative arts industries commission special gifts fund.....No limit

Governor's council of economic advisors private operations fund.....No limit

Publication and other sales fund.....No limit

Conversion of equipment and materials fund.....No limit

Conference registration and disbursement fund.....No limit

Reimbursement and recovery fund.....No limit

Community development block grant – federal fund.....No limit

National main street center fund.....No limit

IMPACT program services fund.....No limit
 IMPACT program repayment fund.....No limit
 Kansas partnership fund.....No limit
Provided, That the interest rate on any loan made from the Kansas partnership fund shall be annually indexed to the federal discount rate.

General fees fund.....No limit
Provided, That expenditures may be made from the general fees fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.

Kansas existing industry expansion fund.....No limit
Provided, That expenditures may be made from the Kansas existing industry expansion fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the Kansas existing industry expansion program: *Provided further*, That all moneys received by the department of commerce for repayment of loans made under the Kansas existing industry expansion program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas existing industry expansion fund.

Athletic fee fund.....No limit
 WIA adult – federal fund.....No limit
 WIA youth activities – federal fund.....No limit
 WIA dislocated workers – federal fund.....No limit
 Trade adjustment assistance – federal fund.....No limit
 Disabled veterans outreach program – federal fund.....No limit
 Local veterans employment representative program – federal fund.....No limit
 Wagner Peyser employment services – federal fund.....No limit
 Senior community service employment program – federal fund.....No limit
 Indirect cost – federal fund.....No limit
 State affordable airfare fund.....No limit

Provided, That the regional economic area partnership, hereinafter referred to as "REAP", shall submit an annual report to the legislature on or before May 1, 2013: *Provided further*, That the annual report shall be delivered and REAP shall appear in person to the house committee on commerce and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding such annual report: *And provided further*, That the secretary of commerce shall conduct an independent review of the financial reports submitted by REAP and an analysis of the data used by REAP: *And provided further*, That the secretary of commerce shall submit a report and appear in person to the house committee on commerce and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding these matters: *And provided further*, That the secretary of commerce shall develop and implement the necessary procedures to conduct such a review.

Temporary labor certification foreign workers – federal fund.....No limit

Work opportunity tax credit – federal fund.....	No limit
American job link alliance – federal fund.....	No limit
American job link alliance job corps – federal fund.....	No limit
Early childhood associate apprenticeship program – federal fund.....	No limit
Registered apprenticeship works – federal fund.....	No limit
Green jobs grant – federal fund.....	No limit
Enterprise facilitation fund.....	No limit
Unemployment insurance – federal fund.....	No limit
State small business credit initiative – federal fund.....	No limit
Second chance act – federal fund.....	No limit
SBA step grant – federal fund.....	No limit
H-1B technical skills training grant – federal fund.....	No limit
Creative industries commission gifts, grants and bequests – federal fund.....	No limit
Energy efficiency revolving loan – federal fund.....	No limit
State broadband data development – federal fund.....	No limit
Transition assistance program – federal fund.....	No limit
Veteran workforce investment program – federal fund.....	No limit
Health profession opportunity – federal fund.....	No limit
Health care workforce planning – federal fund.....	No limit
Kansas creative arts industries commission checkoff fund.....	No limit
Creative industries fund.....	No limit

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2013, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from such special revenue funds of the department of commerce for fiscal year 2013, in accordance with the provisions of this or other appropriation act of the 2012 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund for

fiscal year 2013 for the department of commerce as authorized by this or other appropriation act of the 2012 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund for fiscal year 2013 for official hospitality.

(f) On or after July 1, 2012, the secretary of commerce shall certify to the director of the budget and to the director of accounts and reports a report of the activities of the regional economic area partnership (REAP) and the progress attained by REAP during the fiscal year 2012 to develop and implement the program to provide more air flight options, more competition for air travel and affordable air fares for Kansas, including a regional airport in western Kansas. At the same time as such certification is transmitted to the director of accounts and reports and the director of the budget, the secretary of commerce shall transmit a copy of such certification to the director of the legislative research department. Upon receipt of such certification from the secretary of commerce, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$5,000,000 from the state economic development initiatives fund to the state affordable airfare fund of the department of commerce.

(g) Any unencumbered balance of the engineering expansion grants account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(h) Any unencumbered balance of the small technology pilot program account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(i) Any unencumbered balance of the entrepreneurial centers account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(j) Any unencumbered balance of the centers of excellence account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(k) Any unencumbered balance of the MAMTC account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(l) Any unencumbered balance of the air service incentive fund account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(m) On July 1, 2012, the governor's economic council private operations fund of the department of commerce is hereby redesignated as the governor's council of economic advisors private operations fund of the department of commerce.

Sec. 79.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

State housing trust fund.....No limit
Provided, That all expenditures from the state housing trust fund shall be made by the Kansas housing resources corporation for the purposes of administering and supporting housing programs of Kansas housing resources corporation.

Sec. 80.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$383,069

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2013, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-5413 *et seq.*, and 75-4321 *et seq.*, and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen's compensation fee fund.....\$10,681,804
Occupational health and safety – federal fund.....No limit
Boiler inspection fee fund.....No limit
Employment security interest assessment fund.....No limit
Special employment security fund.....No limit

Provided, That expenditures may be made from the special employment security fund for payment of communications costs: *Provided further*, That expenditures from this fund for payment of communications costs shall not exceed \$10,000.

Employment security administration fund.....No limit
Wage claims assignment fee fund.....No limit
Employment security computer systems institute fund.....No limit
Department of labor special projects fund.....No limit
Federal indirect cost offset fund.....\$316,149
Employment security fund.....No limit
Labor force statistics federal fund.....No limit
Compensation and working conditions federal fund.....No limit
Employment services Wagner-Peyser funded activities federal fund.....No limit
Dispute resolution fund.....No limit

Provided, That all moneys received by the secretary of labor for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, shall be deposited in the state treasury and credited to the dispute resolution fund: *Provided further*, That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, subject to full reimbursement

therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures.

(c) In addition to the other purposes for which expenditures may be made by the department of labor from the employment security fund for fiscal year 2013 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2013 from the employment security fund from moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of debt service on a bond issued for the rewrite of the unemployment insurance benefit system: *Provided*, That expenditures from the employment security fund during fiscal year 2013 of moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of such debt service shall not exceed \$2,642,600.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2013, expenditures may be made by the above agency from the special employment security fund for fiscal year 2013 for the following capital improvement purposes: Payment on the master lease agreement for the renovation of the Eastman building on the Topeka west complex: *Provided*, That expenditures from this fund for fiscal year 2013 for such capital improvement purposes shall not exceed \$18,874: *Provided further*, That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitation imposed on the special employment security fund for fiscal year 2013.

Sec. 81.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures – veteran services.....	\$1,216,059
<i>Provided</i> , That any unencumbered balance in the operating expenditures – veterans services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: <i>Provided, however</i> ; That expenditures from this account for official hospitality shall not exceed \$1,500.	
Operations – state veterans cemeteries	\$536,229
<i>Provided</i> , That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: <i>Provided further</i> ; That expenditures from this account for official hospitality shall not exceed \$1,200.	
Operating expenditures – Kansas soldiers' home.....	\$1,862,404
<i>Provided</i> , That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Operating expenditures – Kansas veterans' home.....	\$2,255,375
<i>Provided</i> , That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Scratch lotto – Kansas veterans' home.....	\$99,850
Scratch lotto – veterans services.....	\$326,090
Scratch lotto – Kansas soldiers' home.....	\$73,232

Scratch lotto – veterans cemeteries.....\$156,839
 Operating expenditures – administration.....\$392,970
Provided, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,500.

Veterans claim assistance program – service grants.....\$576,000
Provided, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided, however*, That no expenditures shall be made by the Kansas commission on veterans affairs from the veterans claim assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund.....	\$1,746,487
Soldiers' home benefit fund.....	No limit
Soldiers' home work therapy fund.....	No limit
Soldiers' home medicare fund.....	No limit
Soldiers' home medicaid fund.....	No limit
Soldiers' home canteen fund.....	No limit
Veterans' home medicare fund.....	No limit
Veterans' home medicaid fund.....	No limit
Veterans' home fee fund.....	\$3,297,286
Veterans' home canteen fund.....	No limit
Veterans' home benefit fund.....	No limit
Soldiers' home outpatient clinic fund.....	No limit
State veterans cemeteries fee fund.....	No limit
State veterans cemeteries donations and contributions fund.....	No limit
Outpatient clinic patient federal reimbursement fund – federal.....	No limit
VA burial reimbursement fund – federal.....	\$124,923
Veterans home federal fund.....	\$3,611,932
Soldiers home federal fund.....	\$2,408,862
Commission on veterans affairs federal fund.....	\$210,739
Kansas veterans memorials fund.....	No limit
Vietnam war era veterans' recognition award fund.....	No limit
Kansas hometown heroes fund.....	No limit

(c) (1) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 73-1231, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or K.S.A. 2011 Supp. 73-1233, and amendments thereto, or any other statute, the executive director of the Kansas commission on veterans affairs, with the approval of the director

of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs to another special revenue fund of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection (c), "special revenue fund" means the soldiers' home fee fund, veterans' home fee fund, soldiers' home outpatient clinic fund, soldiers' home benefit fund, soldiers' home work therapy fund, veterans' home canteen fund, soldiers' home canteen fund, veterans' home benefit fund, Persian Gulf War veterans health initiative fund, state veterans cemeteries fee fund, state veterans cemeteries donations and contributions fund, and Kansas veterans memorials fund.

(d) During the fiscal year ending June 30, 2013, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the Kansas commission on veterans affairs or any institution or facility under the general supervision of management of the Kansas commission on veterans affairs to another item of appropriation for fiscal year 2013 from the state general fund for the Kansas commission on veterans affairs or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 82.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....	\$3,826,174
<i>Provided</i> , That any unencumbered balance in the operating expenditures (including official hospitality) account of the department of health and environment – division of health in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Operating expenditures (including official hospitality) – health.....	\$3,296,900
<i>Provided</i> , That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Office of the inspector general.....	\$79,722
<i>Provided</i> , That any unencumbered balance in the office of the inspector general account of the department of health and environment – division of health care finance in excess of \$100 as of June 30, 2012, is hereby reappropriated to the office of the inspector general account of the above agency for fiscal year 2013.	
Vaccine purchases.....	\$732,897
<i>Provided</i> , That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Aid to local units.....	\$4,805,709

Provided, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary health projects.....\$7,877,649

Provided, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchase of drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs at not-for-profit or publicly-funded primary care clinics, including federally qualified community health centers and federally qualified community health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay: *And provided further*, That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted.

Aid to local units – women's wellness.....\$94,296

Provided, That any unencumbered balance in the aid to local units – family planning account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the aid to local units – women's wellness account for fiscal year 2013: *Provided further*, That all expenditures from the aid to local units – women's wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs.....\$447,418

Provided, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Breast cancer screening program.....\$219,336

Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Ryan White matching funds.....\$47,682

Provided, That any unencumbered balance in the Ryan White matching funds account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Pregnancy maintenance initiative.....\$338,846

Provided, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Cerebral palsy posture seating.....\$105,537

Provided, That any unencumbered balance in the cerebral palsy posture seating

account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

PKU treatment.....\$199,274
Provided, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Teen pregnancy prevention activities.....\$338,846
Provided, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Medical assistance – federal fund.....No limit
 Substance abuse and mental health services administration – federal fund.....No limit
 Breast and cervical cancer program and detection – federal fund.....No limit
 Health and environment training fee fund – health.....No limit

Provided, That expenditures may be made from the health and environment training fee fund – health for acquisition and distribution of division of health program literature and films and for participation in or conducting training seminars for training employees of the division of health of the department of health and environment, for training recipients of state aid from the division of health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2013, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2013 for agency operations for the division of health.

Health facilities review fund.....No limit
 Insurance statistical plan fund.....No limit
 Health and environment publication fee fund – health.....No limit

Provided, That expenditures from the health and environment publication fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

District coroners fund.....No limit
 Sponsored project overhead fund – health.....No limit
 Tuberculosis elimination and laboratory – federal fund.....No limit
 Maternity centers and child care facilities licensing fee fund.....No limit

Child care and development block grant – federal fund.....	No limit
Federal supplemental funding for tobacco prevention and control – federal fund.....	No limit
Coordinated chronic disease prevention and health promotion program – federal fund.....	No limit
Office of rural health – federal fund.....	No limit
Emergency medical services for children – federal fund.....	No limit
Primary care offices – federal fund.....	No limit
Injury intervention – federal fund.....	No limit
Oral health workforce activities – federal fund.....	No limit
Rural hospital flex program – federal fund.....	No limit
Hospital bioterrorism preparedness – federal fund.....	No limit
Kansas coalition against sexual and domestic violence – federal fund.....	No limit
ARRA migrant health – federal fund.....	No limit
ARRA child care development – federal fund.....	No limit
ARRA Kansas health information exchange project – federal fund.....	No limit
ARRA epidemiology and lab capacity – federal fund.....	No limit
ARRA immunization and vaccines for children – federal fund.....	No limit
ARRA women infants and children – federal fund.....	No limit
ARRA primary care offices – federal fund.....	No limit
ARRA collaborative component I – federal fund.....	No limit
ARRA collaborative component III – federal fund.....	No limit
ARRA ambulatory surgical center ASC/HAI medicare – federal fund.....	No limit
ARRA prevention of healthcare associated infections – federal fund.....	No limit
Medicare – federal fund.....	No limit
<i>Provided, That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2013 pursuant to a contract which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.</i>	
Migrant health program – federal fund.....	No limit
Refugee health – federal fund.....	No limit
Strengthen public health immunization infrastructure – federal fund.....	No limit
Healthy homes and lead poisoning prevention – federal fund.....	No limit
Children's mercy hospital lead program – federal fund.....	No limit
Women, infants and children health program – federal fund.....	No limit
WIC health program fund – senior farmer's market – federal.....	No limit
Assistance for firefighters grant program – federal fund.....	No limit
Immunization and vaccines for children grants – federal fund.....	No limit
Home visiting grant – federal fund.....	No limit
Preventive health block grant – federal fund.....	No limit
Maternal and child health block grant – federal fund.....	No limit
National center for health statistics – federal fund.....	No limit
Title X family planning services program – federal fund.....	No limit
Comprehensive STD prevention systems – federal fund.....	No limit
Children with special health care needs – federal fund.....	No limit
Make a difference information network – federal fund.....	No limit
Ryan White Title II – federal fund.....	No limit

Bicycle helmet distribution – federal fund.....	No limit
Bicycle helmet revolving fund.....	No limit
SSA fee fund.....	No limit
Lead certification cooperation agreement – federal fund.....	No limit
Childhood lead poisoning prevention program – federal fund	No limit
State implementation projects for prevention of secondary conditions – federal fund	No limit
Title IV-E – federal fund.....	No limit
HIV prevention projects – federal fund	No limit
HIV/AIDS surveillance – federal fund	No limit
Infants & toddlers Title 1 – federal fund.....	No limit
Universal newborn hearing screening – federal fund.....	No limit
State loan repayment program – federal fund	No limit
Opt-out testing initiative – federal fund	No limit
Kansas system for early registration of volunteers – federal fund	No limit
Cardiovascular health programs – federal fund	No limit
Adult lead surveillance data – federal fund	No limit
Medical reserve corps contract – federal fund	No limit
Trauma fund.....	No limit

Provided, That expenditures may be made by the department of health and environment for fiscal year 2013 from the trauma fund of the department of health and environment – division of health for the stroke prevention project: *Provided further*, That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.

Homeland security – federal fund	No limit
Homeland security real ID – federal fund	No limit
Special education state grants – federal fund.....	No limit
Refugee assistance – federal fund.....	No limit
Personal responsibility education program – federal fund.....	No limit
Mammography quality standards act – federal fund.....	No limit
Education, training, and enhanced services to end violence against and abuse of women with disabilities – federal fund	No limit
Diagnostic x-ray program – federal fund	No limit
HRSA small hospital improvement grant program – federal fund	No limit
State indoor radon grant – federal fund	No limit
HUD lead hazard control program of Kansas City – federal fund.....	No limit
Gifts, grants and donations fund – health.....	No limit
Special bequest fund – health.....	No limit
Civil registration and health statistics fee fund.....	No limit
Power generating facility fee fund	No limit
Nuclear safety emergency preparedness special revenue fund.....	No limit

Provided, That all moneys received by the department of health and environment – division of health from the adjutant general from the nuclear safety emergency management fee fund of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment – division of health.

Radiation control operations fee fund.....	No limit
Lead-based paint hazard fee fund.....	No limit

Strengthening public health infrastructure – federal fund.....	No limit
Improving minority health – federal fund	No limit
Abstinence education – federal fund.....	No limit
Affordable care act – federal fund	No limit
Carbon monoxide detector/fire injury prevention – federal fund.....	No limit
Health information exchange – federal fund.....	No limit
Kansas newborn screening fund.....	No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Healthy start.....\$237,914
Provided, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Infants and toddlers program.....\$5,700,000
Provided, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Smoking prevention.....\$1,000,000
Provided, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Newborn hearing aid loaner program.....\$47,161
Provided, That any unencumbered balance in the newborn hearing aid loaner program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

SIDS network grant.....\$96,374
Provided, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Newborn screening.....\$233,190
Provided, That any unencumbered balance in the newborn screening account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(d) On July 1, 2012, and on other occasions during fiscal year 2013 when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of health or of the department of health and environment – division of environment, to the sponsored project overhead fund – health of the department of health and environment – division of health.

(e) On July 1, 2012, October 1, 2012, January 1, 2013, and April 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$559,307 from the child care/development block grant federal fund of the Kansas department for children and families to the child care and development block grant – federal fund of the department of health and environment – division of health.

(f) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of health, which have available moneys, to the sponsored

project overhead fund – health of the department of health and environment – division of health for expenditures, as the case may be, for administrative expenses.

(g) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of health from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the department of health and environment – division of health from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 for up to four full-time equivalent positions in the unclassified service under the Kansas civil service act in the division of health: *Provided, That*, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, all such additional full-time equivalent positions in the unclassified service under the Kansas civil service act shall be in addition to other positions within the department of health and environment in the unclassified service as prescribed by law and shall be established by the secretary of health and environment within the position limitation established for the department of health and environment on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2013 made by this or other appropriation act of the 2012 regular session of the legislature: *Provided, however;* That the authority to establish such additional positions in the unclassified service shall not affect the classified service status of any person who is an employee of the department of health and environment in the classified service under the Kansas civil service act.

(h) During the fiscal year ending June 30, 2013, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of health to the sponsored project overhead fund – health of the department of health and environment – division of health pursuant to this section may include amounts equal to up to 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(i) During the fiscal year ending June 30, 2013, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of health from moneys appropriated from the district coroners fund for fiscal year 2013, as authorized by this or other appropriation act of the 2012 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment – division of health from such moneys appropriated from the district coroners fund for fiscal year

2013 pursuant to K.S.A. 22a-242, and amendments thereto.

(k) During the fiscal year ending June 30, 2013, subject to any applicable requirements of federal statutes, rules, regulations or guidelines, any expenditures or grants of money by the department of health and environment – division of health for family planning services financed in whole or in part from federal title X moneys shall be made subject to the following two priorities: First priority to public entities (state, county, local health departments and health clinics) and, if any moneys remain, then, Second priority to non-public entities which are hospitals or federally qualified health centers that provide comprehensive primary and preventative care in addition to family planning services: *Provided*, That, as used in this subsection "hospitals" shall have the same meaning as defined in K.S.A. 65-425, and amendments thereto, and "federally qualified health center" shall have the same meaning as defined in K.S.A. 65-1669, and amendments thereto.

Sec. 83.

DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Health policy operating expenditures\$11,743,027

Provided, That any unencumbered balance in the operating expenditures account of the Kansas health policy authority in excess of \$100 as of June 30, 2012, is hereby reappropriated to the health policy operating expenditures account of the above agency for fiscal year 2013: *Provided further*, That expenditures shall be made from the health policy operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Other medical assistance \$634,870,000

Provided, That any unencumbered balance in the other medical assistance account of the Kansas health policy authority in excess of \$100 as of June 30, 2012, is hereby reappropriated to the other medical assistance account of the above agency for fiscal year 2013: *Provided further*, That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And provided further*, That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the joint committee on health policy oversight prior to the start of the regular session of the legislature in 2013.

Children's health insurance program.....\$19,293,612

Provided, That any unencumbered balance in the children's health insurance program account of the Kansas health policy authority in excess of \$100 as of June 30, 2012, is hereby reappropriated to the children's health insurance program account of the above agency for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Preventive health care program fund\$671,552

Cafeteria benefits fundNo limit

Provided, That expenditures from the cafeteria benefits fund for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$1,920,129.

State workers compensation self-insurance fund..... No limit

Provided, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$3,698,812.

Dependent care assistance program fund No limit

Provided, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$430,916.

Non-state employer group benefit fund\$153,313

Division of health care finance special revenue fund No limit

Provided, That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$1,000.

Health committee insurance fund..... \$305,571

Health care database fee fund No limit

Association assistance plan fund.....No limit

Medical programs fee fund \$64,826,805

Health benefits administration clearing fund – remit admin service orgNo limit

Provided, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$7,854,305.

Health insurance premium reserve fund.....No limit

Other state fees fund \$627,912

Health care access improvement fund.....No limit

Children's health insurance program federal fundNo limit

State planning – health care – uninsured fundNo limit

Medicaid infrastructure grant – disability employment federal fundNo limit

HIV care formula grant federal fund.....No limit

Medical assistance program federal fund..... No limit

Quality care fund..... \$0

Quality based community assessment fund..... No limit

Medicaid management information system and data analysis fund..... \$1,000,000

Provided, That all moneys in the medicaid management information system and data analysis fund shall be used for the purpose of implementing and updating the medicaid management information system and to obtain and monitor data from contractors, upon approval of the waiver application for the purpose of implementing medicaid managed care programs under any global managed care system by the federal centers for medicare and medicaid services: *Provided further*, That such system shall enable the measurement and reporting of outcomes quality and efficiency for individuals receiving medicaid benefits.

(c) During the fiscal year ending June 30, 2013, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June

30, 2013, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

Sec. 84.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$6,347,161
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account of the department of health and environment – division of environment in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mined-land conservation and reclamation fee fund.....No limit
Publication fee fund – environment.....No limit
Solid waste management fund.....No limit
Provided, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2013, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.
Public water supply fee fund.....No limit
Voluntary cleanup fund.....No limit
Storage tank fee fund.....No limit
Air quality fee fund.....No limit
Hazardous waste collection fund.....No limit
Health and environment training fee fund – environment.....No limit

Provided, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of

K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*; That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2013, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2012 for agency operations for the division of environment.

- Driving under the influence equipment fund.....No limit
- Waste tire management fund.....No limit
- Health and environment publication fee fund – environment.....No limit

Provided, That expenditures from the health and environment publication fee fund – environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

- Local air quality control authority regulation services fund.....No limit
- Surface mining fee fund.....No limit
- Environmental response fund.....No limit
- Sponsored project overhead fund – environment.....No limit
- Chemical control fee fund.....No limit
- QuantiFERON TB laboratory fund.....No limit
- Resource conservation and recovery act – federal fund.....No limit
- Superfund state cooperative agreements – federal fund.....No limit
- Water supply – federal fund.....No limit
- Air quality section 103 – federal fund.....No limit
- EPA – core support – federal fund.....No limit
- Network exchange grant – federal fund.....No limit
- ARRA Kansas clean diesel assistance program grant – federal fund.....No limit
- Performance partnership grants – federal fund.....No limit
- Kansas clean diesel grant – federal fund.....No limit
- Air quality program – federal fund.....No limit
- Section 106 monitoring initiative – federal fund.....No limit
- Air quality section 105 – federal fund.....No limit
- Leaking underground storage tank trust – federal fund.....No limit
- Surface mining control and reclamation act – federal fund.....No limit
- Abandoned mined-land – federal fund.....No limit
- Department of defense and state cooperative agreement – federal fund.....No limit
- EPA non-point source – federal fund.....No limit
- Pollution prevention program – federal fund.....No limit
- EPA operator expense reimbursement for drinking water – federal fund.....No limit
- EPA water monitoring – federal fund.....No limit
- Gifts, grants and donations fund – environment.....No limit
- Special bequest fund – environment.....No limit
- Aboveground petroleum storage tank release trust fund.....No limit
- Underground petroleum storage tank release trust fund.....No limit
- Drycleaning facility release trust fund.....No limit
- Public water supply loan fund.....No limit
- Public water supply loan operations fund.....No limit

Kansas water pollution control revolving fund..... No limit
Provided, That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L.92-500) shall be credited to the Kansas water pollution control revolving fund: *Provided further*; That expenditures from this fund shall be made to provide for the payment of such matching grants.

Kansas water pollution control operations fund..... No limit
 Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds..... No limit
 Surcharge fund for Kansas water pollution control revolving fund revenue bonds..... No limit
 Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds..... No limit
 Debt service reserve fund..... No limit
 EPA water related grants – federal fund..... No limit

Provided, That no moneys from any grant that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year shall be deposited to the credit of the EPA water related grants – federal fund.

Subsurface hydrocarbon storage fund..... No limit
 Natural resources damages trust fund..... No limit
 Hazardous waste management fund..... No limit
 Brownfields revolving loan program – federal fund..... No limit
 Mined-land reclamation fund..... No limit
 Operator outreach training program – federal fund..... No limit
 Underground storage tank – federal fund..... No limit
 EPA underground injection control – federal fund..... No limit
 Laboratory medicaid cost recovery fund – environment..... No limit
 EPA state response program – federal fund..... No limit
 Environmental use control fund..... No limit
 Environmental response remedial activity specific sites – federal fund..... No limit
 Emergency environmental response – nonspecific sites federal fund..... No limit
 Medicare program – environment – federal fund..... No limit
 EPA pollution prevention – federal fund..... No limit
 Inspections Kansas infrastructure projects – federal fund No limit
 Marais Des Cygnes targeted watershed project – federal fund No limit
 Healthy watershed initiative – federal fund..... No limit
 Salt solution mining well plugging fund..... No limit
 UST redevelopment fund..... No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the state water plan project or projects specified as follows:

Contamination remediation.....\$775,000

Provided, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

TMDL initiatives and use attainability analysis.....\$200,000

Provided, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2012, is hereby

reappropriated for fiscal year 2013.

Watershed restoration and protection plan.....\$625,000
Provided, That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Local environmental protection program.....\$800,000
Provided, That any unencumbered balance in the local environmental protection program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Nonpoint source program.....\$296,761
Provided, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, for the project specified as follows:

Newborn screening.....\$1,187,081

(e) During the fiscal year ending June 30, 2013, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2013 from the state water plan fund for the department of health and environment – division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(f) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund of the department of health and environment which are directed to be made on or before the 10th day of each month by K.S.A. 65-3024, and amendments thereto.

(g) On July 1, 2012, and on other occasions during fiscal year 2013 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of health or of the department of health and environment – division of environment, to the sponsored project overhead fund – environment of the department of health and environment – division of environment.

(h) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of environment, which have available moneys, to the sponsored project overhead fund – environment of the department of health and environment – division of environment or to the sponsored project overhead fund – health of the department of health and environment – division of health, as the case may

be, for expenditures for administrative expenses.

(i) During the fiscal year ending June 30, 2013, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) During the fiscal year ending June 30, 2013, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of environment to the sponsored project overhead fund – environment of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

Sec. 85.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Administration.....	\$551,026
<i>Provided</i> , That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: <i>Provided, however</i> , That expenditures from this account for official hospitality shall not exceed \$1,748.	
Administration – assessments.....	\$36,296
<i>Provided</i> , That any unencumbered balance in the administration – assessments account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Administration – assessments – Level II care.....	\$44,042
<i>Provided</i> , That any unencumbered balance in the administration – assessments – Level II care account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Administration – assessments – Level I care.....	\$363,826
<i>Provided</i> , That any unencumbered balance in the administration – assessments – Level I care account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Administration – medicaid.....	\$1,481,510
<i>Provided</i> , That any unencumbered balance in the administration – medicaid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Administration – medicaid MFP – admin match.....	\$2,821
<i>Provided</i> , That any unencumbered balance in the administration – medicaid MFP – admin match account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Administration – older Americans act match.....	\$171,349

Provided, That any unencumbered balance in the administration – older Americans act match account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Senior care act.....\$2,667,848

Provided, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2012 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2012: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2013 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2012: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition – state match.....\$3,845,725

Provided, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2012 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2012: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2013 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2012: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – TCM/FE.....\$2,512,895

Provided, That any unencumbered balance in the LTC – medicaid assistance – TCM/FE account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from the LTC – medicaid assistance – TCM/FE account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – HCBS/FE.....\$32,023,028

Provided, That any unencumbered balance in the LTC – medicaid assistance – HCBS/FE account in excess of \$100 as of June 30, 2012, is hereby reappropriated for

fiscal year 2013: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from the LTC – medicaid assistance – HCBS/FE account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – NF.....\$175,661,600

Provided, That any unencumbered balance in the LTC – medicaid assistance – NF account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures: *And provided further*, That, notwithstanding the provisions of K.S.A. 2011 Supp. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary for aging and disability services shall institute trending methods to provide rate increases for nursing facilities for fiscal year 2013.

LTC – medicaid assistance – PACE.....\$2,458,943

Provided, That any unencumbered balance in the LTC – medicaid assistance – PACE account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures made from the LTC – medicaid assistance – PACE account shall be for the PACE program: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Nursing facilities regulation.....\$464,221

Provided, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Nursing facilities regulation – title XIX.....\$1,011,379

Provided, That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Any unencumbered balance in the LTC – medicaid assistance – MFP account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Health occupational credentialing.....\$645,573

State operations.....\$11,231,497

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the state operations account for fiscal year 2013: *Provided further*, That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse services grants.....\$1,811,703

Provided, That any unencumbered balance in the alcohol and drug abuse services grants account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the alcohol and drug abuse services grant account of the above agency for fiscal year 2013.

Mental health and retardation services aid and assistance.....\$181,327,163

Provided, That any unencumbered balance in the mental health and retardation services aid and assistance account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the mental health and retardation services aid and assistance account of the above agency for fiscal year 2013.

Kansas neurological institute – operating expenditures.....\$10,322,454

Provided, That any unencumbered balance in the Kansas neurological institute – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Kansas neurological institute – operating expenditures account of the above agency for fiscal year 2013: *Provided, however*; That expenditures from the Kansas neurological institute – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150: *Provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating expenditures.....\$31,734,072

Provided, That any unencumbered balance in the Larned state hospital – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Larned state hospital – operating expenditures account of the above agency for fiscal year 2013: *Provided, however*; That expenditures from the Larned state hospital – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150: *Provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital – sexual predator treatment program.....\$16,631,179

Provided, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Larned state hospital – sexual predator treatment program account of the above agency for fiscal year 2013.

Osawatomie state hospital – operating expenditures\$14,648,181

Provided, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Osawatomie state hospital – operating expenditures account of the above agency for fiscal year 2013: *Provided however*; That expenditures from the Osawatomie state hospital – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150.

Parsons state hospital and training center – operating expenditures.....\$10,200,226

Provided, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account of the department of social and rehabilitation

services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Parsons state hospital and training center – operating expenditures account of the above agency for fiscal year 2013: *Provided, however;* That expenditures from the Parsons state hospital and training center – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150: *And provided further;* That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: *And provided further;* That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further;* That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Rainbow mental health facility – operating expenditures.....\$4,470,110
Provided, That any unencumbered balance in the Rainbow mental health facility – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Rainbow mental health facility – operating expenditures account of the above agency for fiscal year 2013: *Provided, however;* That expenditures from the Rainbow mental health facility – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150.

Children's mental health initiative.....\$335,210
Provided, That any unencumbered balance in the children's mental health initiative account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the children's mental health initiative account of the above agency for fiscal year 2013: *Provided, however;* That no expenditures shall be made from the children's mental health initiative account of the above agency for inpatient hospital beds for children.

Community based services.....\$89,181,531
Provided, That any unencumbered balance in the community based services account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the community based services account of the above agency for fiscal year 2013.

Other medical assistance.....\$126,577,754
Provided, That any unencumbered balance in the other medical assistance account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the other medical assistance account of the above agency for fiscal year 2013.

Community mental health centers supplemental funding.....\$2,500,000
Provided, That any unencumbered balance in the community mental health centers supplemental funding account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the community mental health centers supplemental funding account of the above agency for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund.....\$47,323,202

Provided, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and retardation services may be credited to the title XIX fund: *Provided further*, That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance.

Kansas neurological institute fee fund.....\$1,569,143

Kansas neurological institute – foster grandparents program – federal fund...\$382,909

Kansas neurological institute – FGP gifts, grants, donations special fund.....No limit

Kansas neurological institute – FGP gifts, grants, donations fund.....No limit

Kansas neurological institute – patient benefit fund.....No limit

Kansas neurological institute – work therapy patient benefit fund.....No limit

Kansas neurological institute – conferences fees fund.....No limit

Provided, That all moneys received as fees for conference activities by Kansas neurological institute shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas neurological institute – conferences fees fund: *Provided further*, That the superintendent of Kansas neurological institute is hereby authorized to fix, charge and collect fees for conference activities sponsored by Kansas neurological institute: *And provided further*, That expenditures may be made from this fund to defray the costs of such conference activities.

Larned state hospital fee fund.....\$4,466,618

Larned state hospital – elementary and secondary education fund – federal...No limit

Larned state hospital – vocational education fund – federal.....No limit

Larned state hospital – motor pool revolving fund.....No limit

Larned state hospital – work therapy patient benefit fund.....No limit

Larned state hospital – canteen fund.....No limit

Larned state hospital – patient benefit fund.....No limit

Osawatomie state hospital – ECIA fund – federal.....No limit

Osawatomie state hospital – canteen fund.....No limit

Osawatomie state hospital – patient benefit fund.....No limit

Osawatomie state hospital – work therapy patient benefit fund.....No limit

Osawatomie state hospital – motor pool revolving fund.....No limit

Osawatomie state hospital – training fee revolving fund.....No limit

Provided, That all moneys received as fees for training activities for Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Osawatomie state hospital – training fee revolving fund: *Provided further*, That the superintendent of Osawatomie state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomie state hospital: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomie state hospital.

Osawatomie state hospital fee fund.....\$9,200,303

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Osawatomie state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomie state hospital: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomie state hospital fee fund.

Parsons state hospital and training center – canteen fund.....	No limit
Parsons state hospital and training center – patient benefit fund.....	No limit
Parsons state hospital and training center – work therapy patient benefit fund.....	No limit
Parsons state hospital and training center fee fund.....	\$1,354,867

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

Rainbow mental health facility fee fund.....	\$2,424,365
Rainbow mental health facility – patient benefit fund.....	No limit
Rainbow mental health facility – work therapy patient benefit fund.....	No limit
AoA demonstration lifespan respite project.....	No limit
Community putting prevention to work.....	No limit
Special program for aging IIIB – federal fund.....	No limit
Special program for aging IIIC – federal fund.....	No limit
Special program for aging IIID – federal fund.....	No limit
National family caregiver support program IIIE – federal fund.....	No limit
Special program for aging IV & II – federal fund.....	No limit
Special program for aging VII-2 – federal fund.....	No limit
Special program for aging VII-3 – federal fund.....	No limit
Alzheimer's disease fund.....	No limit
Survey & certification – federal fund.....	No limit
Center for medicare/medicaid service – federal fund.....	No limit
Money follows the person grant – federal fund.....	No limit
Medicaid assistance program – federal fund.....	No limit

Provided, That transfers of moneys from the title XIX fund – federal to the state fire marshal may be made during fiscal year 2013 pursuant to a contract which is hereby authorized to be entered into by the secretary for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Social service block grant fund.....\$4,500,000

Provided, That each grant agreement with an area agency on aging for a grant from the social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2012 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2012:

Provided further, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2013 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2012: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services which are determined to be the most economical services available.

Nutrition service incentive program fund – federal.....No limit

National bioterrorism hospital preparedness program – federal fund.....No limit

Senior citizen nutrition check-off fund.....No limit

Conferences and workshops attendance and publications fees fund.....No limit

Provided, That the secretary for aging and disability services is hereby authorized to fix, charge and collect conference and workshop attendance fees for conferences and workshops sponsored by the Kansas department for aging and disability services and fees for copies of publications: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conferences and workshops attendance and publications fees fund: *And provided further*, That expenditures may be made from this fund to defray all or part of the costs of such conferences and workshops including official hospitality and of such publications.

Health policy nursing facility quality care fund.....No limit

Provided, That the secretary for aging and disability services, acting as the agent of the Kansas health policy authority, is hereby authorized to collect the quality care assessment under K.S.A. 2011 Supp. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 2011 Supp. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the health policy nursing facility quality care fund: *Provided further*, That all moneys in the health policy nursing facility quality care fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 2011 Supp. 75-7435, and amendments thereto.

State licensure fee fund.....No limit

General fees fund.....No limit

Provided, That the secretary for aging and disability services is hereby authorized to collect (1) fees from the sale of surplus property, (2) fees charged for searching, copying and transmitting copies of public records, (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property, and (4) other miscellaneous fees: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided*

further, That expenditures shall be made from this fund to meet the obligations of the department on aging, or to benefit and meet the mission of the Kansas department for aging and disability services.

Gifts and donations fund.....No limit

Provided, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*; That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Medical resources and collection fund.....No limit

Provided, That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury and in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund and expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *Provided further*; That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund and expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

SHICK fund – grants – federal.....No limit

Senior services fund.....No limit

Long-term care loan and grant fund.....No limit

Intergovernmental transfer administration fund.....\$0

Non-government grant fund.....No limit

Health facilities review fund.....No limit

Medicare enrollment assistance program fund – federal.....No limit

Medical assistance program – federal fund.....No limit

DADS social welfare fund.....\$222,900

Other state fees fund.....No limit

Substance abuse/mental health services federal fund.....No limit

Community mental health block grant federal fund.....No limit

Prevention/treatment substance abuse federal fund.....No limit

Problem gambling and addictions grant fund.....No limit

Alternatives to psych. resid. treatment facilities for children federal fund.....No limit

Substance abuse performance outcome grant federal fund.....No limit

ADAS data collection grant federal fund.....No limit

Money follows the person rebalancing demonstration federal fund.....No limit

Temporary assistance for needy families – fed funds.....No limit

Public health/social services emergency response federal fund.....No limit

Assistance in transition from homelessness federal fund.....No limit

Developmental disabilities basic support federal fund.....No limit

Olmstead fellowship program.....No limit

Medicare fund.....No limit

Medicare fund – oasis.....No limit

Nonfederal reimbursements fund.....No limit
Provided, That all nonfederal reimbursements received by the Kansas department for aging and disability services shall be deposited in the state treasury and credited to the nonfederal reimbursements fund.

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Family centered system of care.....\$4,750,000
Children's mental health waiver.....\$3,800,000

Provided, That any unencumbered balance in the children's mental health waiver account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the children's mental health waiver account of the above agency for fiscal year 2013.

(d) On July 1, 2012, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital – canteen fund to the Osawatomie state hospital – patient benefit fund.

(e) On July 1, 2012, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center – canteen fund to the Parsons state hospital and training center – patient benefit fund.

(f) On July 1, 2012, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital – canteen fund to the Larned state hospital – patient benefit fund.

(g) During the fiscal year ending June 30, 2012, no moneys paid by the Kansas department for aging and disability services from the mental health and retardation services aid and assistance account of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit, or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2013, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2013 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of

health from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2013 for the department of health and environment – division of health, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the secretary for children and families and the secretary of health and environment for fiscal year 2013 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2013: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2013 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2013 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(j) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer the amounts specified by the director of the budget from the LTC – medicaid assistance – NF account of the state general fund of the Kansas department for aging and disability services to the LTC – medicaid assistance – HCBS/FE account of the state general fund of the Kansas department for aging and disability services or to the community based services account of the Kansas department for aging and disability services: *Provided*, That such amounts to be transferred shall be certified by the director of the budget on December 1, 2012, and on June 1, 2013, to reflect the nursing facility rate paid for persons moving from a nursing facility to the home and community-based services waiver for the physically disabled or the frail elderly for the six months preceding the date of certification: *Provided further*, That each of the individuals transferred must meet the requirements described in a policy jointly developed by the secretary for aging and disability services and the secretary for children and families governing the operations of this transfer: *And provided further*, That the director of the budget shall transmit a copy of each such certification to the director of legislative research: *And provided further*, That the Kansas department for aging and disability services shall report to the legislature at the beginning of the regular session in 2013 with expenditure data regarding this program.

(k) On July 1, 2012, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund of the health care stabilization fund board of governors to the health facilities review fund of the Kansas department for aging and disability services for the purpose of financing a review of records of licensed medical

care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 *et seq.*, and amendments thereto.

(l) During the fiscal year ending June 30, 2013, in addition to other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the Kansas department for aging and disability services from the state general fund or from any special revenue fund or funds for fiscal year 2013, to contract for mental health education, outreach and advocacy services with keys for networking, the national alliance on mental illness, and the consumer advisory council in an amount not less than \$150,000 for each contract for such mental health education, outreach and advocacy services.

Sec. 86.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

State operations.....\$94,621,395

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from the state operations account for official hospitality shall not exceed \$500.

Youth services aid and assistance.....\$103,188,486

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Vocational rehabilitation aid and assistance.....\$6,162,641

Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *Provided, however*, That all such expenditures for durable equipment or assistive technology devices shall require a \$1 for \$1 match from non-state sources: *And provided further*, That expenditures may be made from this account by the secretary for children and families for the purchase of worker's compensation insurance for consumers of vocational rehabilitation services and assessments at work site and job tryout sites throughout the state.

Cash assistance.....\$30,133,787

Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Nonfederal reimbursements fund.....No limit

Provided, That all nonfederal reimbursements received by the Kansas department for children and families shall be deposited in the state treasury and credited to the nonfederal reimbursements fund.

Social services clearing fund.....	No limit
Social welfare fund.....	\$28,680,312
Other state fees fund.....	No limit
Child welfare services state grants federal fund.....	No limit
Social services block grant – federal fund.....	No limit
Child care/development block grant federal fund.....	No limit
Temporary assistance to needy families federal fund.....	No limit
Promoting safe/stable families federal fund.....	No limit
Title IV-E foster care federal fund.....	No limit
Medical assistance program federal fund.....	No limit
Rehabilitation services – vocational rehabilitation federal fund.....	No limit
Enhance child safety – parental substance abuse federal fund.....	No limit
SRS enterprise fund.....	No limit
SRS trust fund.....	No limit
Child support enforcement federal fund.....	No limit
Energy assistance block grant federal fund.....	No limit
Family and children trust account – family and children investment fund.....	No limit

Provided, That expenditures from the family and children trust account – family and children investment fund for official hospitality shall not exceed \$1,500.

Low-income home energy assistance federal fund.....	No limit
Commodity supp food program federal fund.....	No limit
Social security – disability insurance federal fund.....	No limit
Supplemental nutrition assistance program federal fund.....	No limit
Emergency food assistance program federal fund.....	No limit
Child care and development mandatory and matching federal fund.....	No limit
Community-based child abuse prevention grants federal fund.....	No limit
Chafee education and training vouchers program federal fund.....	No limit
Title IV-E FDF federal fund.....	No limit
Adoption incentive payments federal fund.....	No limit
State sexual assault and domestic violence coalitions grants federal fund.....	No limit
National bioterrorism hospital preparedness program federal fund.....	No limit
Assistance in transition from homelessness federal fund.....	No limit
Adoption assistance federal fund.....	No limit
Chafee foster care independence program federal fund.....	No limit
Refugee and entrant assistance federal fund.....	No limit
Head start federal fund.....	No limit
Developmental disabilities basic support federal fund.....	No limit
Children's justice grants to states federal fund.....	No limit
Child abuse and neglect state grants federal fund.....	No limit
Independent living state grants federal fund.....	No limit
Independent living services for older blind federal fund.....	No limit
Supported employment for individuals with severe disabilities federal fund.....	No limit
Rehabilitation training – general training federal fund.....	No limit
CMS research, demonstration and evaluations federal fund.....	No limit

Administrative matching grants for food assistance program federal fund.....No limit
 Temporary assistance for needy families emergency funds federal fund.....No limit
 Rehabilitation services – vocational rehabilitation – ARRA federal fund.....No limit
 Independent living older blind – ARRA federal fund.....No limit
 Prevention fellowship program grant federal fund.....No limit
 Federal Olmstead grant federal fund.....No limit
 Child care discretionary federal fundNo limit
 Supplemental security income federal fund.....No limit
 Child support enforcement research federal fundNo limit
 Child abuse and neglect discretionary federal fund.....No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Children's cabinet accountability fund.....\$519,325
Provided, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Child care.....\$5,033,679
Provided, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Early head start.....\$66,584
Provided, That any unencumbered balance in the early head start account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Family preservation.....\$2,154,357
Provided, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Quality initiative infants & toddlers.....\$500,000
Provided, That any unencumbered balance in the quality initiative infants & toddlers account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Early childhood block grant.....\$18,179,410
Provided, That any unencumbered balance in the early childhood block grant account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Reading roadmap program.....\$256,637
Provided, that any unencumbered balance in the reading roadmap program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(d) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2013, the following:

Children's cabinet administration.....\$264,126

(e) During the fiscal year ending June 30, 2013, the secretary for children and families, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2013 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) During the fiscal year ending June 30, 2013, the secretary for children and

families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the nonfederal reimbursements fund to the social welfare fund the amount specified by the secretary for children and families.

(h) During the fiscal year ending June 30, 2013, all moneys received by the secretary for children and families, to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund, shall be deposited in the state treasury to the credit of the family and children endowment account of the family and children investment fund.

(i) During the fiscal year ending June 30, 2013, to the extent it is determined by the secretary for children and families to be cost effective, the secretary for children and families shall apply for and accept donations from private sources to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund. During the fiscal year ending June 30, 2013, upon receipt of one or more donations of moneys from private sources for deposit to the credit of the family and children endowment account of the family and children investment fund, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from any moneys appropriated from the state general fund or any special revenue fund or funds for the fiscal year 2013, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the Kansas department for children and families from any such moneys appropriated for fiscal year 2013 for payments into the family and children endowment account of the family and children investment fund that match the aggregate amount of all such donations and that are equal to the aggregate amount of moneys donated to and credited to the family and children endowment account of the family and children investment fund during fiscal year 2013.

(j) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2013 for the Kansas department for children and families as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the secretary for children and families for fiscal year 2013 to fix, charge and collect fees from parents for services provided to their children by an institution or program of the Kansas department for children and families: *Provided*, That all moneys received by the Kansas department for children and families for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the social welfare fund.

(k) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 for the Kansas department for children and families as authorized by this or any other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the secretary for children and families for fiscal year 2013 to develop and present a proposal for a program which would expand the Kansas foster child educational assistance program to allow attendance by eligible foster children at private colleges located in Kansas: *Provided*, That the secretary shall present such proposal to the house of representatives committee on appropriations and the senate committee on ways and means at the beginning of the 2013 legislative session.

(l) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or the child care/development block grant federal fund or any other special revenue fund or funds for fiscal year 2013, expenditures shall be made by the above agency for fiscal year 2013 from the state general fund or the child care/development block grant federal fund or any other special revenue fund or funds in an amount of not less than \$11,223,189 to provide funding for the early head start program.

Sec. 87.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Kansas guardianship program.....\$1,157,539

Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Sec. 88.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$11,004,144

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Special education services aid.....\$427,717,630

Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures shall not be made from the special education services aid account for the provision of instruction for any homebound or hospitalized child unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: *And provided further*, That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-983, and amendments thereto: *And provided further*, That expenditures shall be made from the amount remaining in this account, after deduction

of the expenditures specified in the foregoing proviso, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-978, and amendments thereto.

General state aid.....\$1,957,322,270

Provided, That any unencumbered balance in the general state aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Supplemental general state aid.....\$339,212,000

Provided, That any unencumbered balance in the supplemental general state aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Discretionary grants.....\$322,457

Provided, That the above agency shall make expenditures from the discretionary grants account during the fiscal year 2013, in the amount not less than \$125,000 for after school programs for middle school students in the sixth, seventh and eighth grade: *Provided further*; That the after school programs may also include fifth and ninth grade students, if they attend a junior high: *And provided further*; That such discretionary grants shall be awarded to after school programs that operate for a minimum of two hours a day, every day that school is in session, and a minimum of six hours a day for a minimum of five weeks during the summer: *And provided further*; That the discretionary grants awarded to after school programs shall require a \$1 for \$1 local match: *And provided further*; That the aggregate amount of discretionary grants awarded to any one after school program shall not exceed \$25,000.

School food assistance.....\$2,510,486

School safety hotline.....\$10,000

Mentor teacher program grants.....\$484,337

Moving Expenses.....\$700,000

Technical education transportation.....\$500,000

Technical education promotion.....\$50,000

KPERS – employer contributions.....\$332,095,628

Provided, That any unencumbered balance in the KPERS – employer contributions account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That all expenditures from the KPERS – employer contributions account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939, and amendments thereto: *And provided further*; That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

Educable deaf-blind and severely handicapped children's programs aid.....\$110,000

School district juvenile detention facilities and Flint Hills job

corps center grants.....\$6,012,355

Provided, That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-8187, and amendments thereto.

Any unencumbered balance in the governor's teaching excellence scholarships and awards account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures from the governor's teaching excellence scholarships and awards account for teaching excellence scholarships shall be made in accordance with K.S.A. 72-1398, and amendments thereto: *And provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants for governor's teaching excellence scholarships shall be deposited in the state treasury and credited to the governor's teaching excellence scholarships program repayment fund.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State school district finance fund.....	No limit
School district capital improvements fund.....	No limit
<i>Provided</i> , That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-6761, and amendments thereto.	
School district capital outlay state aid fund.....	\$0
Conversion of materials and equipment fund.....	No limit
State safety fund.....	No limit
School bus safety fund.....	No limit
Motorcycle safety fund.....	No limit
Federal indirect cost reimbursement fund.....	No limit
Teacher and administrator fee fund.....	No limit
Food assistance – federal fund.....	No limit
Education jobs fund – federal.....	No limit
Food assistance – school breakfast program – federal fund.....	No limit
Food assistance – national school lunch program – federal fund.....	No limit
Food assistance – child and adult care food program – federal fund.....	No limit
Elementary and secondary school aid – federal fund.....	No limit
Elementary and secondary school aid – educationally deprived children – federal fund.....	No limit
Educationally deprived children – state operations – federal fund.....	No limit
Elementary and secondary school – educationally deprived children – LEA's fund.....	No limit
ESEA chapter II – state operations – federal fund.....	No limit
Education of handicapped children fund – federal.....	No limit
Education of handicapped children fund – state operations – federal fund.....	No limit
Education of handicapped children fund – preschool – federal fund.....	No limit
Education of handicapped children fund – preschool state operations – federal.....	No limit

Elementary and secondary school aid – federal fund – migrant education fund.....	No limit
Elementary and secondary school aid – federal fund – migrant education – state operations.....	No limit
Vocational education amendments of 1968 – federal fund.....	No limit
Vocational education title II – federal fund.....	No limit
Vocational education title II – federal fund – state operations.....	No limit
Educational research grants and projects fund.....	No limit
Drug abuse fund – department of education – federal.....	No limit
Drug abuse funds – federal – state operations fund.....	No limit
Federal K-12 fiscal stabilization fund.....	No limit
Inservice education workshop fee fund.....	No limit
<i>Provided</i> , That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: <i>Provided further</i> , That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: <i>And provided further</i> , That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.	
Private donations, gifts, grants and bequests fund.....	No limit
Interactive video fee fund.....	No limit
<i>Provided</i> , That expenditures may be made from the interactive video fee fund for operating expenditures incurred in conjunction with the operation and use of the interactive video conference facility of the department of education: <i>Provided further</i> , That the state board of education is hereby authorized to fix, charge and collect fees for the operation and use of such interactive video conference facility: <i>And provided further</i> , That all fees received for the operation and use of such interactive video conference facility shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the interactive video fee fund.	
Reimbursement for services fund.....	No limit
Communities in schools program fund.....	No limit
Governor's teaching excellence scholarships program repayment fund.....	No limit
<i>Provided</i> , That all expenditures from the governor's teaching excellence scholarships program repayment fund shall be made in accordance with K.S.A. 72-1398, and amendments thereto: <i>Provided further</i> , That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: <i>And provided further</i> , That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: <i>And provided further</i> , That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor's	

teaching excellence scholarships program repayment fund.

Elementary and secondary school aid – federal fund – reading first.....	No limit
Elementary and secondary school aid – federal fund – reading first – state operations.....	No limit
State grants for improving teacher quality – federal fund.....	No limit
State grants for improving teacher quality – federal fund – state operations....	No limit
21 st century community learning centers – federal fund.....	No limit
State assessments – federal fund.....	No limit
Rural and low-income schools program – federal fund.....	No limit
Language assistance state grants – federal fund.....	No limit
Service clearing fund.....	No limit
Helping schools license plate program fund.....	No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Pre-K program.....	\$4,799,812
Parent education program.....	\$7,237,635

Provided, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount which is equal to not less than 65% of the grant.

(d) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund of the Kansas department for children and families to the communities in schools program fund of the department of education.

(e) On March 30, 2013, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$750,000 from the state safety fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*; That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of education by other state agencies which receive appropriations from the state general fund to provide such services.

(f) On June 30, 2013, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$750,000 from the state safety fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*; That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of education by other state agencies which receive appropriations from the state general fund to provide such services.

(g) On July 1, 2012, and quarterly thereafter, the director of accounts and reports shall transfer \$73,259 from the state highway fund of the department of transportation to the school bus safety fund of the department of education.

(h) On July 1, 2012, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund of the department of education to the motorcycle safety fund of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to subsection (b)(2) of K.S.A. 8-272, and amendments thereto.

Sec. 89.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$1,575,755

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$941.

Grants to libraries and library systems.....\$3,101,865

Provided, That any unencumbered balance in the grants to libraries and library systems account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That, of the moneys appropriated in the grants to libraries and library systems account, \$1,480,465 shall be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555, and amendments thereto, \$1,230,084 shall be distributed for interlibrary loan development grants and \$391,316 shall be paid according to contracts with the subregional libraries of the Kansas talking book services.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund.....No limit

Federal library services and technology act – fund.....No limit

Grants and gifts fund.....No limit

Sec. 90.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$5,138,348

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped.....\$133,847

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
Reserve fund.....	No limit
Local services reimbursement fund.....	No limit

Provided, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts:

Provided further, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund.....	No limit
Special bequest fund.....	No limit
Gift fund.....	No limit
Technology lending library – federal fund.....	No limit
Nine month payroll clearing fund.....	No limit
Food assistance – cash for commodities – federal fund.....	No limit
Food assistance – breakfast – federal fund.....	No limit
Food assistance – lunch – federal fund.....	No limit
Chapter I handicapped – federal fund.....	No limit
Education improvement – federal fund.....	No limit
Elementary and secondary education act – federal fund.....	No limit
Special education assistance – ARRA – federal fund.....	No limit
E-rate grant – federal fund.....	No limit
Preparation and mentoring of teachers of the blind and visually impaired – federal fund.....	No limit
Improve teacher quality grant – federal fund.....	No limit
School breakfast program – federal fund.....	No limit
Special education preschool grants – federal fund.....	No limit

Sec. 91.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....	\$8,600,122
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
Reserve fund.....	No limit
Local services reimbursement fund.....	No limit

Provided, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts:

Provided further, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund.....	No limit
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Elementary and secondary education act – federal fund.....	No limit
Elementary and secondary education act 2009 ARRA – federal fund.....	No limit
Vocational education fund – federal.....	No limit
School lunch program – federal fund.....	No limit
Special bequest fund.....	No limit
Special workshop fund.....	No limit
Gift fund.....	No limit
Nine month payroll clearing fund.....	No limit
Special education state grants – federal fund.....	No limit
Special education state grants ARRA – federal fund.....	No limit
Special education preschool ARRA – federal fund.....	No limit
Improve teacher quality grant – federal fund.....	No limit
School breakfast program – federal fund.....	No limit
National school lunch program ARRA – federal fund.....	No limit
Special education preschool grants – federal fund.....	No limit

Sec. 92.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$4,734,199

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas humanities council.....\$60,886

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Credit card clearing fund.....No limit

Vehicle repair and replacement fund.....No limit

General fees fund.....No limit

Archeology fee fund.....No limit

Provided, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

Conversion of materials and equipment fund.....No limit

Soil/water conservation fund.....No limit

Microfilm fees fund.....No limit

Provided, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*, That

all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

Records center fee fund.....No limit

Provided, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the records center fee fund.

Historic properties fee fund.....No limit

Historic preservation grants in aid fund.....No limit

Historic preservation overhead fees fund.....No limit

National historic preservation act fund – local.....No limit

Private gifts, grants and bequests fund.....No limit

Museum and historic sites visitor donation fund.....No limit

Insurance collection replacement/reimbursement fund.....No limit

Heritage trust fund.....No limit

Provided, That expenditures from the heritage trust fund for state operations shall not exceed \$94,548.

Land survey fee fund.....No limit

Provided, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2013 for operating expenditures that are not related to administering the land survey program.

National trails fund.....No limit

State historical society facilities fund.....No limit

Historic properties fund.....No limit

Law enforcement memorial fund.....No limit

Highway planning/construction fund.....No limit

Save America's treasures fund.....No limit

Property sale proceeds fund.....No limit

Provided, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

Sec. 93.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$32,306,519

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Master's-level nursing capacity.....\$133,101

Kansas wetlands education center at Cheyenne bottoms.....\$262,155

Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas academy of math and science.....\$728,011

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; performing arts center services; farm income; choral music clinic; yearbook; off-campus tours; memorial union activities; student activity (unallocated); Leader (newspaper); conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act – federal fund.....No limit

Service clearing fund.....No limit

Provided, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies,

paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund.....No limit
Health fees fund.....No limit

Provided, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees fund.....No limit

Provided, That expenditures may be made from the student union fee fund for official hospitality.

Kansas career work study program fund.....No limit
Economic opportunity act – federal fund.....No limit
Kansas comprehensive grant fund.....No limit
Faculty of distinction matching fund.....No limit
Nine month payroll clearing account fund.....No limit
Federal Perkins student loan fund.....No limit
Housing system revenue fund.....No limit

Provided, That expenditures may be made from the housing system revenue fund for official hospitality.

Institutional overhead fund.....No limit
Oil and gas royalties fund.....No limit
Housing system suspense fund.....No limit
Housing system operations fund.....No limit
Housing system repairs, equipment and improvement fund.....No limit
Sponsored research overhead fund.....No limit
Kansas distinguished scholarship fund.....No limit
University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *Provided further*; That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund to the federal Perkins student loan fund.

Sec. 94.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$102,538,863

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby

reappropriated for fiscal year 2013.

Midwest institute for comparative stem cell biology.....\$129,833

Provided, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

Faculty of distinction matching fund.....No limit

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund.....No limit

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts:

Technology equipment; flight services; human resources management system; computer services; copy centers; standardized test fees; placement center; recreational services; college of technology and aviation; motor pool; music; professorships; student activities fees; army and aerospace uniforms; aerospace uniform augmentation; biology sales and services; chemistry; field camps; state department of education; physics storeroom; sponsored research, instruction, public service, equipment and facility grants; chemical engineering; nuclear engineering; contract-post office; library collections; civil engineering; continuing education; sponsored construction or improvement projects; attorney, educational and personal development, human resources; student financial assistance; application for undergraduate programs; speech and hearing fees; gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; student identification card; auditorium receipts; catalog sales; emission spectroscopy fees; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; human ecology storeroom; college of human ecology sales; family resource center fees; human movement performance; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the

guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further*, That expenditures may be made from this fund for official hospitality.

Kansas career work study program fund.....	No limit
Service clearing fund.....	No limit
<i>Provided</i> , That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.	
Sponsored research overhead fund.....	No limit
<i>Provided</i> , That expenditures may be made from the sponsored research overhead fund for official hospitality.	
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
<i>Provided</i> , That expenditures may be made from the housing system operations fund for official hospitality.	
Housing system repairs, equipment and improvement fund.....	No limit
Mandatory retirement annuity clearing fund.....	No limit
Student health fees fund.....	No limit
<i>Provided</i> , That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.	
Scholarship funds fund.....	No limit
Perkins student loan fund.....	No limit
Board of regents – U.S. department of education awards fund.....	No limit
State agricultural university fund.....	No limit
Federal extension civil service retirement clearing fund.....	No limit
Salina – student union fees fund.....	No limit
Salina – housing system operation fund.....	No limit
Kansas distinguished scholarship fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Temporary deposit fund.....	No limit
Business procurement card clearing fund.....	No limit
Suspense fund.....	No limit
Voluntary tax shelter annuity clearing fund.....	No limit

Agency payroll deduction clearing fund.....No limit
 Payroll clearing fund.....No limit
 Pre-tax parking clearing fund.....No limit
 Salina student life center revenue fund.....No limit
 Child care facility revenue fund.....No limit
 University federal fund.....No limit
Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Johnson county education research triangle fund.....No limit
 Energy conservation improvements fund.....No limit
 Animal health research fund.....No limit
 National bio agro-defense facility fund.....No limit
Provided, That all expenditures from the national bio agro-defense facility fund shall be expended in accordance with the governor's national bio agro-defense facility steering committee's plan and shall be approved by the president of Kansas state university.

Kan-grow engineering fund – KSU.....No limit
 (c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed \$100,000 from the general fees fund to the Perkins student loan fund.

Sec. 95.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
 AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Cooperative extension service (including official hospitality).....\$18,563,311
Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Agricultural experiment stations (including official hospitality).....\$29,694,858
Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund.....No limit
Provided, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy – Ashland farm; KSU agricultural research center – Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy – general; agronomy – experimental field crop sales; entomology sales; grain science and industry – Kansas

state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation – construction; other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2013: *And provided further*; That expenditures may be made from this fund for official hospitality.

Fertilizer research fund.....	No limit
Sponsored research overhead fund.....	No limit
<i>Provided</i> , That expenditures may be made from this fund for official hospitality.	
Federal extension fund.....	No limit
Federal experimental station fund.....	No limit
Federal awards – advance payment fund.....	No limit
Smith-Lever special program grant – federal fund.....	No limit
Faculty of distinction matching fund.....	No limit
Agricultural land use-value fund.....	No limit
University federal fund.....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Agricultural experiment stations.....	\$299,581
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(d) During the fiscal year ending June 30, 2013, no moneys appropriated from the state general fund or any special revenue fund or funds for Kansas state university or Kansas state university extension systems and agriculture research programs shall be expended on or after the effective date of this act by Kansas state university or Kansas state university extension systems and agriculture research programs, directly or indirectly, for (1) any financial aid or other support for any 4-H competitive events or activities at county fairs for which the minimum age for participants is increased from 7

years of age to 9 years of age, or (2) any financial aid or other support for any 4-H organization or unit that sponsors competitive events at county fairs and that is planning to increase or has increased the minimum age for participants in such events from 7 years of age to 9 years of age.

Sec. 96.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$9,854,049
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Operating enhancement.....\$5,000,000
Provided, That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for rural Kansas.....\$400,000
Provided, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit
Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Veterinary medicine teaching hospital revenue fund.....No limit
Faculty of distinction matching fund.....No limit
Hospital and diagnostic laboratory improvement fund.....No limit
Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the

restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from this fund for official hospitality.

Sponsored research overhead fund.....No limit

Provided, That expenditures may be made from this fund for official hospitality.

Health professions student loan fund.....No limit

University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund to the health professions student loan fund.

Sec. 97.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$30,794,530

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Reading recovery program.....\$214,896

Nat'l Board Cert/Future Teacher Academy.....\$129,050

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal school fund.....No limit

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student

exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund.

Service clearing fund.....No limit
Provided, That the service clearing fund shall be used for the following service activities: Telecommunications services; office supplies inventory; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; data processing center; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund.....No limit
 Kansas career work study program fund.....No limit
 Student health fees fund.....No limit
Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.
 Faculty of distinction matching fund.....No limit
 Bureau of educational measurements fund.....No limit
 National direct student loan fund.....No limit
 Economic opportunity act – work study – federal fund.....No limit
 Educational opportunity grants – federal fund.....No limit
 Basic opportunity grant program – federal fund.....No limit
 Research and institutional overhead fund.....No limit
 Kansas comprehensive grant fund.....No limit
 Housing system suspense fund.....No limit
 Housing system operations fund.....No limit
 Housing system repairs, equipment and improvement fund.....No limit
 Kansas distinguished scholarship fund.....No limit
 University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership federal fund.....No limit

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Emporia state university of not to exceed \$30,000 from the general fees fund to the national direct student loan fund.

Sec. 98.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$33,587,377

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

School of construction.....\$748,806

Polymer science program.....\$500,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund.....No limit

Provided, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*; That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*; That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Midwest Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to

purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund.....No limit

Provided, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health fees fund.....No limit

Provided, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further*, That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund.....No limit

Faculty of distinction matching fund.....No limit

Perkins student loan fund.....No limit

Sponsored research overhead fund.....No limit

College work study fund.....No limit

Nursing student loan fund.....No limit

Housing system suspense fund.....No limit

Housing system operations fund.....No limit

Housing system repairs, equipment and improvement fund.....No limit

Kansas comprehensive grant fund.....No limit

Kansas distinguished scholarship program fundNo limit

University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Perkins student loan fund; nursing student loan fund.

Sec. 99.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$131,031,704

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Geological survey.....\$5,883,407
Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Umbilical cord matrix project.....\$130,900
Provided, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities revenue fund.....No limit
Faculty of distinction matching fund.....No limit
General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund.....No limit
Sponsored research overhead fund.....No limit
Law enforcement training center fund.....No limit

Provided, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program.

Law enforcement training center fees fund.....No limit

Provided, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Institute for policy and social research; technology equipment; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend

or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund.....No limit

Provided, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

- Health service fund.....No limit
- Kansas career work study program fund.....No limit
- Student union fund.....No limit
- Federal Perkins loan fund.....No limit
- Health professions student loan fund.....No limit
- Housing system suspense fund.....No limit
- Housing system operations fund.....No limit
- Housing system repairs, equipment and improvement fund.....No limit
- Educational opportunity act – federal fund.....No limit
- Loans for disadvantaged students fund.....No limit
- Prepaid tuition fees clearing fund.....No limit
- Kansas comprehensive grant fund.....No limit
- Fire service training fund.....No limit
- University federal fund.....No limit
- Johnson county education research triangle fund.....No limit
- Kan-grow engineering fund – KU.....No limit
- Medical resident FICA recovery fund.....No limit

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Federal Perkins student loan program account of the national direct student loan fund; federal supplemental educational opportunity program account of the national direct student loan fund; federal disadvantaged student loan program account of the national direct student loan fund; health professions student loan fund.

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the water plan project or projects specified, the following:

Geological survey.....\$26,841

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the geological survey account is hereby reappropriated for fiscal year 2013.

Sec. 100.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$101,581,046
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans.....\$4,488,171
Provided, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit
Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Faculty of distinction matching fund.....No limit
 Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to the following accounts: Technology equipment; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special revenue fund.....	No limit
Kansas breast cancer research fund.....	No limit
Sponsored research overhead fund.....	No limit
Parking fund – Wichita campus.....	No limit
Services to hospital authority fund.....	No limit
Direct medical education reimbursement fund.....	No limit
Service clearing fund.....	No limit

Provided, That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; instructional services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Educational nurse faculty loan program fund.....	No limit
Federal college work study fund.....	No limit
AMA education and research grant fund.....	No limit
Federal health professions/primary care student loan fund.....	No limit
Federal nursing student loan fund.....	No limit
Suspense fund.....	No limit
Federal student educational opportunity grant fund.....	No limit
Federal Pell grant fund.....	No limit
Federal Perkins student loan fund.....	No limit
Medical loan repayment fund.....	No limit

Provided, That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund.

Medical student loan programs provider assessment fund.....	No limit
Graduate medical education administration reserve fund.....	No limit
University of Kansas medical center private practice foundation reserve fund.....	No limit
Robert Wood Johnson award fund.....	No limit
Federal scholarship for disadvantaged students fund.....	No limit
University federal fund.....	No limit
Leveraging educational assistance partnership federal fund.....	No limit
Graduate medical education support fund.....	No limit
Johnson county education research triangle fund	No limit
Cancer center research fund.....	No limit

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following funds: Federal Perkins student loan fund; federal nursing student loan fund; federal student education opportunity grant fund; federal college work study fund; educational nurse faculty loan program fund; federal health professions/primary care student loan fund.

(d) During the fiscal year ending June 30, 2013, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts

to purchase additional malpractice insurance for medical students enrolled at the university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

Sec. 101.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$65,056,930

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund.....No limit

Provided, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunication; computer service; and such other internal

service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Faculty of distinction matching fund.....	No limit
Kansas career work study program fund.....	No limit
Scholarship funds fund.....	No limit
Sponsored research overhead fund.....	No limit
Economic opportunity act – federal fund.....	No limit
Education opportunity grant – federal fund.....	No limit
Matching education opportunity grant fund.....	No limit
Health professions student assistance program – loans fund.....	No limit
Nine month payroll clearing account fund.....	No limit
Pell grants fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system renovation principal and interest fund.....	No limit
Housing system renovation and bond reserve fund.....	No limit
WSU housing system depreciation and replacement fund.....	No limit
Perkins loan fund.....	No limit
Kansas distinguished scholarship fund.....	No limit
Kansas comprehensive grant fund.....	No limit
WSU housing systems revenue fund.....	No limit
University federal fund.....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership – federal fund.....	No limit
Center of innovation for biomaterials in orthopaedic research – Wichita state university fund.....	No limit
Aviation research.....	No limit
Kan-grow engineering fund – WSU.....	No limit

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Aviation infrastructure.....	\$4,981,537
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Provided, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That during the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2013 by Wichita state university by this or other appropriation act of the 2012 regular session of the legislature, the moneys appropriated in the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2013 may only be expended for training and equipment expenditures of the national center for aviation training.

(d) During the fiscal years ending June 30, 2012, and June 30, 2013, in addition to the other purposes for which expenditures may be made by Wichita state university from moneys appropriated from the state general fund or any special revenue fund for

the above agency for fiscal year 2012 or fiscal year 2013 by chapter 118 of the 2011 Session Laws of Kansas, or by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Wichita state university from the state general fund or from any special revenue fund or funds for fiscal year 2012 and fiscal year 2013, after consultation with the national institute for aviation research, to provide for the establishment of a technical training board: *Provided*, That, except as otherwise provided in this subsection (d), such board shall be similar in composition to the aviation research board and shall advise the president of Wichita state university, and others representing Wichita state university, on all expenditures from the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2012 and fiscal year 2013: *Provided further*, That such board shall review and evaluate all such expenditures: *And provided further*, That the executive director of the national institute for aviation research shall be the administrator for the technical training board: *And provided further*, That the membership of the technical training board shall include representatives of Sedgwick county and representatives of the Wichita area technical college as ex-officio, nonvoting members: *And provided further*, That the technical training board shall prepare and submit a report to the legislature, which shall be presented to the education budget committee of the house of representatives and to the appropriate subcommittee of the ways and means committee of the senate, not later than the first calendar day of the 2013 regular session of the legislature, detailing the findings of the technical training board regarding the expenditures by Wichita state university from the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2012 and fiscal year 2013.

Sec. 102.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$3,376,048
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That, during fiscal year 2013, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2013 by the state board of regents as authorized by this or other appropriation act of the 2012 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2013 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2013, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2013 by the state board of regents as authorized by this or other appropriation act of the 2012

regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2013 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education commission.....\$95,000
 State scholarship program.....\$1,065,919

Provided, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 72-6816, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*, That, of the total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program.....\$15,758,338

Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Ethnic minority scholarship program.....\$296,498

Provided, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas work-study program.....\$496,813

Provided, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 *et seq.*, and amendments thereto: *And provided further*, That all moneys transferred from this account to the Kansas career work study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships.....\$175,335

Provided, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Military service scholarships.....\$470,314

Provided, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *provided further*, That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 2011 Supp. 74-32,227 through 74-32,232, and amendments

thereto.

Teachers scholarship program.....\$1,846,320
Provided, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

National guard educational assistance.....\$870,869
Provided, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Vocational scholarships.....\$114,075
Provided, That any unencumbered balance in the vocational scholarships account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Nursing student scholarship program.....\$417,255
Provided, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Optometry education program.....\$107,089
Provided, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Municipal university operating grant.....\$11,130,920
 Adult basic education.....\$1,457,031
 Postsecondary tiered technical education state aid.....\$54,943,658

Provided, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2013, in the postsecondary tiered technical education state aid account is greater than the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2012, in the postsecondary tiered technical education state aid account, then the difference between the amount of moneys appropriated for the fiscal year 2013 and the amount of moneys appropriated for the above agency fiscal year 2012 shall be distributed based on each eligible institution's calculated gap, according to the postsecondary tiered technical education state aid act, K.S.A. 2011 Supp. 71-1801 through 71-1810, and amendments thereto, as determined by the state board of regents: *Provided further*, That no eligible institution shall receive an amount of money from the postsecondary tiered technical education state aid account in fiscal year 2013 that is less than the amount such eligible institution received from such account in fiscal year 2012, unless the amount of moneys appropriated for the above agency 2012 in the postsecondary tiered technical education state aid account for fiscal year 2013 is less than the amount of moneys appropriated for the above agency for fiscal year 2012 in the postsecondary tiered technical education state aid account: *And provided further*, That if the amount of moneys appropriated for the above agency for fiscal year 2013 is less than the amount of moneys appropriated for the above agency for fiscal year 2012 in the postsecondary tiered technical education state aid account, then each eligible institution shall receive an amount of moneys as determined by the state board of regents.

Non-tiered course credit hour grant.....\$79,853,632
 Technology equipment at community colleges and Washburn university.....\$398,475
Provided, That the state board of regents is hereby authorized to make expenditures

from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Vocational education capital outlay aid.....	\$71,585
Payment to KPERS.....	\$1,750,905
Tuition waivers.....	\$84,657
Nurse educator grant program.....	\$188,126

Provided, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies grant program.....	\$1,787,193
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Provided, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas postsecondary education institutions from the nursing faculty and supplies grant program account for expansion of nursing faculty and consumable laboratory supplies: *And provided further*, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nurse faculty and supplies grant program account for \$1 from the state educational institution receiving the grant: *And provided further*, That not less than \$94,064 in such grants shall be made to accredited private postsecondary educational institutions in Kansas.

Postsecondary technical education authority.....	\$681,785
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Provided, That, in addition to the other purposes for which expenditures may be made by the above agency from the postsecondary technical education authority account for fiscal year 2013, expenditures shall be made by the above agency from the postsecondary technical education authority account for fiscal year 2013 to develop a report on the participation in technical education courses that lead to high-wage, high-demand technical occupations and result in Kansas board of regents approved industry credentials: *Provided further*, That such report shall be made available to the house of representatives committee on appropriations and the senate committee on ways and means no later than the first day of the 2013 regular legislative session.

Southwest Kansas access project.....	\$243,000
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Provided, That any unencumbered balance in the Southwest Kansas access project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship repayment fund.....	No limit
Vocational education scholarship discontinued attendance fund.....	No limit
Regents' scholarship gift fund.....	No limit

Provided, That expenditures may be made from the regents' scholarship gift fund for scholarships awarded to Kansas residents who are attending institutions of

postsecondary education in Kansas which are authorized under the laws of this state to award academic degrees and who meet academic and other eligibility criteria established by the state board of regents by rules and regulations: *Provided, however;* That a financial needs test shall not be one of the eligibility criteria established by the state board of regents for such scholarships: *Provided further;* That no scholarship awarded from this fund shall exceed \$2,000 per academic year: *And provided further;* That any recipient of a scholarship awarded from this fund may also receive either a state scholarship under K.S.A. 72-6810 through 72-6816, and amendments thereto, or a tuition grant under K.S.A. 72-6107 through 72-6111, and amendments thereto, or both: *And provided further;* That there shall be no reduction of any scholarship awarded from this fund for the amount of any such state scholarship or tuition grant received.

KAN-ED fund.....No limit
Provided, That expenditures may be made from the KAN-ED fund for official hospitality for the purposes of the KAN-ED act.

Health profession opportunity grant – federal.....No limit
 Rigorous program of study – federal.....No limit
 Earned indirect costs fund – federal.....No limit
 Faculty of distinction program fund.....No limit
 Paul Douglas teacher scholarship fund – federal.....No limit
 GED credentials processing fees fund.....No limit
 Proprietary school fee fund.....No limit
Provided, That expenditures may be made from the proprietary school fee fund for official hospitality.

Tuition waiver gifts, grants and reimbursements fund.....No limit
 Adult basic education – federal fund.....No limit
 Truck driver training fund.....No limit
 No child left behind federal fund.....No limit
 Comprehensive grant program discontinued attendance fund.....No limit
 State scholarship discontinued attendance fund.....No limit
 Kansas ethnic minority fellowship program fund.....No limit
 Private postsecondary educational institution degree authorization expense reimbursement fee fund.....No limit
 Substance abuse education fund – federal.....No limit
 Nursing service scholarship program fund.....No limit
 Clearing fund.....No limit
 Conversion of materials and equipment fund.....No limit
 Teacher scholarship program fund.....No limit
 Motorcycle safety fund.....No limit
 Financial aid services fee fund.....No limit

Provided, That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: *Provided further;* That the chief executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications and other activities related to student financial assistance programs administered by the state board of regents: *And provided further;* That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering

such programs: *And provided further,* That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.

Inservice education workshop fee fund.....	No limit
Optometry education repayment fund.....	No limit
Teacher scholarship repayment fund.....	No limit
Advanced registered nurse practitioner service scholarship program fund.....	No limit
Nursing service scholarship repayment fund.....	No limit
Nurse educator service scholarship repayment fund.....	No limit
ROTC service scholarship program fund.....	No limit
ROTC service scholarship repayment fund.....	No limit
Carl D. Perkins vocational and technical education – federal fund.....	No limit
College access challenge grant program.....	No limit
Kansas national guard educational assistance program repayment fund.....	No limit
Carl D. Perkins technical preparation – federal fund.....	No limit
Grants fund.....	No limit
Workforce development loan fund.....	No limit
Regents clearing fund.....	No limit
Private and out-of-state postsecondary educational institution fee fund.....	No limit
Statewide data systems ARRA – unifying data systems to support systemic changes fund.....	No limit
Distance learning/telemedicine federal grant.....	No limit
Statewide data systems federal fund.....	No limit
USAC E-rate program federal fund.....	No limit
WIA youth activities federal fund.....	No limit
WIA adult set-aside federal fund.....	No limit
WIA dislocated workers set-aside federal fund.....	No limit
Incentive for technical education fund.....	No limit
Tuition for technical education fund.....	No limit

(c) During the fiscal year ending June 30, 2013, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2013, to another item of appropriation in an account of the state general fund for fiscal year 2013. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, "account": (1) Means the operating expenditures (including official hospitality) account of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university; and (2) includes each other account of the state general fund of the state board of regents.

(d) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 for such state educational institution as authorized by this or other appropriation act of the 2012

regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2013: *Provided, however*, That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further*, That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*, That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal or greater than the cost of debt service on such bonds: *And provided further*, That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection (d)(1) at the beginning of the 2013 regular session of the legislature.

(2) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

SEDIF – vocational education capital outlay aid.....\$2,547,726

Provided, That expenditures from the SEDIF – vocational education capital outlay aid account for each grant of vocational education capital outlay aid shall be matched by the postsecondary institution awarded such grant in an amount which is equal to 50% of the grant: *Provided further*, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the SEDIF – vocational education capital outlay aid account is hereby reappropriated for fiscal year 2013.

SEDIF – technology innovation and internship program.....\$179,284

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2013.

SEDIF – EPSCOR.....\$993,265

Community and technical college competitive grants.....\$500,000
Provided, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*; That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1 for \$1 basis and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

(f) During the fiscal year ending June 30, 2013, notwithstanding any provisions of subsection (f) of K.S.A. 2011 Supp. 66-2010, and amendments thereto, as such subsection existed prior to June 30, 2009, to the contrary, the amount of \$3,749,909 shall be certified before July 1, 2013, by the chief executive officer of the state board of regents to the administrator of the KUSF and the administrator of the KUSF shall pay such amount from the Kansas universal service fund of the state corporation commission to the KAN-ED fund of the state board of regents during the fiscal year 2013 in accordance with the provisions of subsections (f)(1) and (f)(2) of K.S.A. 2011 Supp. 66-2010, and amendments thereto, as such subsections existed prior to June 30, 2009.

Sec. 103.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

- Operating expenditures\$24,360,048
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.
- Community corrections.....\$17,583,912
Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2013 which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.
- Local jail payments.....\$347,060
Provided, That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under subsection (b) of K.S.A. 19-1930, and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.
- Treatment and programs.....\$49,784,426
Provided, That any unencumbered balance in the treatment and programs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
- Topeka correctional facility – facilities operations.....\$13,447,541
Provided, That any unencumbered balance in the Topeka correctional facility –

facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility – facilities operations.....\$29,867,666

Provided, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility – facilities operations.....\$38,757,256

Provided, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility – facilities operations.....\$12,992,683

Provided, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility – facilities operations.....\$12,424,217

Provided, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility – facilities operations.....\$14,966,808

Provided, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility – facilities operations.....\$23,946,444

Provided, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility – facilities operations.....\$10,133,075

Provided, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Facilities operations.....\$13,761,662

Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Labette facility operations.....\$2,200,000

Any unencumbered balance in excess of \$100 as of June 30, 2012, in each of the following accounts is hereby reappropriated for fiscal year 2013: Department of corrections forensic psychologist fund.

Any unencumbered balance in the DUI treatment services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for the fiscal year 2013: *Provided further*; That expenditures may be made from the DUI treatment services account for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal flexible fiscal stabilization fund.....	No limit
Supervision fees fund.....	No limit
Residential substance abuse treatment – federal fund.....	No limit
Department of corrections forensic psychologist fund.....	No limit
Victim assistance fund.....	No limit
Ed Byrne memorial justice assistance grants – federal fund.....	No limit
Violence against women – federal fund.....	No limit
Sex offender management grant – federal fund.....	No limit
Recovery act justice assistance – federal fund.....	No limit
Department of corrections state asset forfeiture fund.....	No limit
Chapter I – federal fund.....	No limit
Victims of crime act – federal fund.....	No limit
Correctional industries fund.....	No limit

Provided, That expenditures may be made from the correctional industries fund for official hospitality.

Ed Byrne state and local law assistance – federal fund.....	No limit
Safeguard community grants – federal fund.....	No limit
Workforce investment act – federal fund.....	No limit
Workplace and community transition training – federal fund.....	No limit
USMS reimbursement – federal fund.....	No limit
Corrections training and staff development – federal fund.....	No limit
Second chance act – federal fund.....	No limit
Alcohol and drug abuse treatment fund.....	No limit

Provided, That expenditures may be made from the alcohol and drug abuse fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

State of Kansas – department of corrections inmate benefit fund.....	No limit
Department of corrections – alien incarceration grant fund – federal.....	No limit
Department of corrections – general fees fund.....	No limit

Provided, That expenditures may be made from the department of corrections – general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: *Provided further*; That the secretary of

corrections is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*; That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.

JEHT reentry program fund.....	No limit
Sedgwick county program fund.....	No limit
Topeka correctional facility – community development block grant – federal fund.....	No limit
Topeka correctional facility – bureau of prisons contract – federal fund.....	No limit
Topeka correctional facility – general fees fund.....	No limit
Topeka correctional facility – laundry equipment depreciation reserve fund.....	No limit
Hutchinson correctional facility – general fees fund.....	No limit
Federal flexible fiscal stabilization fund – Hutchinson correctional facility.....	No limit
Lansing correctional facility – general fees fund.....	No limit
Ellsworth correctional facility – general fees fund.....	No limit
Winfield correctional facility – general fees fund.....	No limit
Federal flexible fiscal stabilization fund – Winfield correctional facility.....	No limit
Norton correctional facility – general fees fund.....	No limit
Federal flexible fiscal stabilization fund – Norton correctional facility.....	No limit
El Dorado correctional facility – general fees fund.....	No limit
Larned correctional mental health facility – general fees fund.....	No limit
Correctional services special revenue fund.....	No limit
Community corrections supervision fund.....	No limit
Community corrections special revenue fund.....	No limit

(c) During the fiscal year ending June 30, 2013, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2013 from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account of the state general fund during fiscal year 2013 for costs pursuant to subsection (b) of K.S.A. 19-1930, and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the

correctional industries fund during fiscal year 2013 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2012, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2013.

(f) On July 1, 2012, October 1, 2012, January 1, 2013, and April 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$233,750 from the correctional industries fund to the department of corrections – general fees fund.

(g) During the fiscal year ending June 30, 2013, all expenditures made by the department of corrections from the correctional industries fund shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the community corrections special revenue fund of the department of corrections.

Sec. 104.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$3,420,954

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Management information systems.....\$844,087

Provided, That any unencumbered balance in the management information systems account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas juvenile correctional complex facility operations.....\$16,945,460

Provided, That any unencumbered balance in the Kansas juvenile correctional complex facility operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739, and amendments thereto.

Larned juvenile correctional facility operations.....\$8,719,451

Provided, That any unencumbered balance in the Larned juvenile correctional facility operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*, That such educational services

contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Purchase of services.....\$23,524,240

Provided, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Prevention and graduated sanctions community grants.....\$21,383,874

Provided, That any unencumbered balance in the intervention and graduated sanctions community grants account in excess of \$100 as of June 30, 2012, are hereby reappropriated to the prevention and graduated sanctions community grants account for fiscal year 2013: *Provided further*, That money awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Medical assistance program – federal fund..... No limit
- Title IV-E fund..... No limit
- Juvenile accountability incentive block grant – federal fund..... No limit
- Juvenile justice delinquency prevention – federal fund..... No limit
- Juvenile detention facilities fund..... No limit
- Juvenile justice fee fund – central office..... No limit
- Juvenile justice federal fund – Larned juvenile correctional facility..... No limit
- Juvenile justice federal fund – Kansas juvenile correctional complex..... No limit
- Juvenile justice federal fund..... No limit
- Byrne grant – federal fund – Kansas juvenile correctional complex..... No limit
- Kansas juvenile delinquency prevention trust fund..... No limit
- Byrne grant – federal fund..... No limit
- Prisoner reentry initiative demonstration – federal fund..... No limit
- Comprehensive approaches to sex offender management
discretionary grant – federal fund..... No limit
- Part E – developing, testing, and demonstrating promising
new programs – federal fund..... No limit
- Title V – delinquency prevention program – federal fund..... No limit
- Block grants for prevention and treatment of substance abuse – federal fund..... No limit
- Promoting safe and stable families – federal fund..... No limit
- Title I program for neglected and delinquent children – federal fund..... No limit
- Improving teacher quality state grants – federal fund..... No limit
- Kansas juvenile correctional complex – juvenile accountability
block grant – federal fund..... No limit
- Workforce investment act – federal fund – Kansas juvenile
correctional complex..... No limit
- National school lunch program – federal fund –
Kansas juvenile correctional complex..... No limit
- National school lunch program – federal fund – Larned
juvenile correctional facility..... No limit

Atchison youth residential center fee fund.....	No limit
Larned juvenile correctional facility fee fund.....	No limit
Larned juvenile correctional facility – title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Larned juvenile correctional facility.....	No limit
Dev/test/demo new prgs – Larned juvenile correctional facility – federal fund.....	No limit
Kansas juvenile correctional complex fee fund.....	No limit
Kansas juvenile correctional complex – title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Kansas juvenile correctional complex.....	No limit
Kansas juvenile correctional complex – gifts, grants, and donations fund.....	No limit
Dev/test/demo new prgs – Kansas juvenile correctional complex – federal fund.....	No limit
Comprehensive approach to sex offender management discretionary grant – Kansas juvenile correctional complex – federal fund.....	No limit

(c) During the fiscal year ending June 30, 2013, the commissioner of juvenile justice, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to another item of appropriation for fiscal year 2013 from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice. The commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) In addition to the other purposes for which expenditures may be made by the juvenile justice authority from the juvenile detention facilities fund for fiscal year 2013, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, the juvenile justice authority is hereby authorized and directed to make expenditures from the juvenile detention facilities fund for fiscal year 2013 for purchase of services.

Sec. 105.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....	\$4,587,104
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: <i>Provided, however</i> , That expenditures from this account for official hospitality shall not exceed \$1,250.	
Disaster relief.....	\$6,028,703
<i>Provided</i> , That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Incident management team.....	\$16,202

Provided, That any unencumbered balance in the incident management team account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Civil air patrol – operating expenditures.....\$34,507
 Military activation payments.....\$15,807

Provided, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 2011 Supp. 75-3228, and amendments thereto: *Provided further*, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas military emergency relief\$9,881

Provided, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Conversion of materials and equipment fund – military division.....	No limit
Adjutant general expense fund.....	No limit
State asset forfeiture fund.....	No limit
Emergency management – federal fund matching – administration fund.....	No limit
State emergency fund.....	No limit
State emergency fund weather disasters 5/4/2007.....	No limit
State emergency fund weather disasters 12/06, 7/07.....	No limit
Disaster reimbursement fund.....	No limit
Disaster grants – public assistance federal fund.....	No limit
National guard military operations/maintenance federal fund.....	No limit
Intra-agency hazardous mitigation trn/pl federal fund.....	No limit
Econ adjustment/military installation federal fund.....	No limit
Public safety partnership/community policing federal fund.....	No limit
Disaster assistance to individual/household federal fund.....	No limit
Interoperability communication equipment fund.....	No limit
Homeland security FFY05 int federal fund.....	No limit
State homeland security program federal fund.....	No limit
Nuclear safety emergency management fee fund.....	No limit

Provided, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2013 pursuant to agreements which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 *et seq.*, and amendments thereto.

Military fees fund – federal.....No limit

Provided, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.

Armories and units general fees fund.....No limit

Emergency systems for advanced registration for volunteer health professionals – federal fund.....No limit

Civil air patrol – grants and contributions – federal fund.....No limit

Emergency management performance grant – federal fund.....No limit

NG – federal forfeiture fund.....No limit

Inaugural expense fund.....No limit

Kansas military emergency relief fund.....No limit

Provided, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

Emergency management assistance compact federal fund.....No limit

Public safety interoperable communications grant program federal fund.....No limit

Military construction national guard federal fund.....No limit

National guard civilian youth opportunities federal fund.....No limit

Hazard mitigation grant federal fund.....No limit

Citizen corps federal fund.....No limit

Law enforcement terrorism prevention program federal fund.....No limit

Safe and drug-free schools and communities national programs federal fund.....No limit

National guard museum assistance fund.....No limit

Provided, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35th infantry division museum and education center facility.

Great plains joint regional training center fee fund.....No limit
Provided, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to other positions within the adjutant general's department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*, That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2013 made by this or other appropriation act of the 2012 regular session of the legislature.

Sec. 106.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund.....\$3,620,954

Provided, That expenditures from the fire marshal fee fund for official hospitality

shall not exceed \$500.

Gifts, grants and donations fund.....	No limit
Hazardous material program fund.....	\$373,962
Intragovernmental service fund.....	No limit
State fire marshal liquefied petroleum gas fee fund.....	\$189,297
Hazardous materials emergency fund.....	\$250,000

Provided, That expenditures may be made by the state fire marshal from the hazardous materials emergency fund for fiscal year 2013 for the purposes of responding to specific incidences of emergencies related to hazardous materials without prior approval of the state finance council: *Provided, however*; That expenditures from the hazardous materials emergency fund during fiscal year 2013 for the purposes of responding to any specific incidence of an emergency related to hazardous materials without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session.

Fire safety standard and firefighter protection act enforcement fund.....	No limit
Cigarette fire safety standard and firefighter protection act fund.....	No limit
Non-fuel flammable or combustible liquid aboveground storage tank system fund.....	No limit
Homeland security grant – federal fund.....	No limit

(b) On July 1, 2012, and January 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$186,981 from the fire marshal fee fund of the state fire marshal to the hazardous material program fund of the state fire marshal.

(c) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund to the hazardous materials emergency fund of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. *Provided*, That the aggregate amount of such transfers for the fiscal year ending June 30, 2013, shall not exceed \$50,000.

(d) During the fiscal year ending June 30, 2013, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund during fiscal year 2013, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2013 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2013 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the hazardous materials emergency fund to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2013 in accordance with the

provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(e) During the fiscal year ending June 30, 2013, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund and any other resources available to the fire marshal fee fund during the fiscal year 2013, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2012 are insufficient to meet in full the estimated expenditures for fiscal year 2013 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2013: *Provided*, That the aggregate amount of such transfers during fiscal year 2013 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection is transmitted to the director of accounts and reports during fiscal year 2012, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 107.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- General fees fund.....No limit
Provided, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law.
- For patrol of Kansas turnpike fund.....No limit
Provided, That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.
- Highway patrol motor vehicle fund.....No limit
- Department of justice – federal recovery act – Edward J. Byrne memorial justice assistance grant program – federal fund.....No limit
- Kansas highway patrol state forfeiture fund.....No limit

Disaster grants – public assistance – federal fund.....	No limit
Edward Byrne memorial assistance grant – state and local	
law enforcement – federal fund.....	No limit
Bulletproof vest partner – federal fund.....	No limit
Performance registration information system management – federal fund.....	No limit
Commercial vehicle information system network – federal fund.....	No limit
Highway planning and construction – federal fund.....	No limit
Public safety interoperability grant – federal fund.....	No limit
Citizen corps – federal fund.....	No limit
Emergency management performance grants – federal fund.....	No limit
Safety data improvement project – federal fund.....	No limit
Interoperability communication equipment – federal fund.....	No limit
Edward Byrne memorial assistance grant – federal fund –	
federal American recovery and reinvestment act.....	No limit
Cops grant – federal fund.....	No limit
KHP federal forfeiture – federal fund.....	No limit
Law enforcement terrorism prevention – federal fund.....	No limit
High intensity drug trafficking areas – federal fund.....	No limit
State domestic preparedness equipment sprt – federal fund.....	No limit
Metro med response system – federal fund.....	No limit
Homeland security program – federal fund.....	No limit
Buffer zone protection program – federal fund.....	No limit
Rural law enforcement assistance grant – federal fund –	
federal American recovery and reinvestment act.....	No limit
Edward Byrne memorial justice assistance grant – federal fund.....	No limit
Emergency ops cntr – federal fund.....	No limit
State and community highway safety – federal fund.....	No limit
Gifts and donations fund.....	No limit
<i>Provided</i> , That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.	
Motor carrier safety assistance program state fund.....	No limit
<i>Provided</i> , That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.	
National motor carrier safety assistance program – federal fund.....	No limit
<i>Provided</i> , That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.	
Aircraft fund – on budget.....	No limit
Highway safety fund.....	No limit
Capitol area security fund.....	No limit
Vehicle identification number fee fund.....	No limit
Motor vehicle fuel and storeroom sales fund.....	No limit
<i>Provided</i> , That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: <i>Provided further</i> , That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities	

and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol operations fund.....\$53,249,854

Provided, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: *Provided further*, That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund of not more than \$627,766 for the purpose of paying the overtime and holiday compensation to highway patrol officers and troopers who have accumulated such overtime and holiday pay that remained unpaid: *And provided further*, That such payment shall be made during fiscal year 2013: *And provided further*, That, of the \$627,766 for such compensation payment purpose, any amount not expended or encumbered during fiscal year 2013 for such purpose shall be lapsed on July 1, 2013.

Highway patrol training center fund.....No limit

Provided, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft fund.....No limit

Provided, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*, That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund.

1122 program clearing fund.....No limit

(b) On or before the 10th of each month during the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2012, and January 1, 2013, or as soon after each date as moneys are available the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$650,000 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program state fund of the Kansas highway patrol.

(d) On July 1, 2012, and January 1, 2013, or as soon after each date as moneys are available, the director of accounts and reports shall transfer \$26,293,380.50 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2013 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2013 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$287,000 from the state highway fund of the department of transportation to the highway safety fund of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the state highway fund of the department of transportation to the general fees fund of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2012, and January 1, 2013, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 74-2136, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$300,000 from the highway patrol motor vehicle fund of the Kansas highway patrol to the aircraft fund – on budget of the Kansas highway patrol.

(h) On July 1, 2012, the director of accounts and reports shall transfer \$627,766 from the state general fund to the Kansas highway patrol operations fund of the Kansas highway patrol.

Sec. 108.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$15,546,134

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the operating expenditures account for fiscal year 2013: *Provided, however*; That expenditures from

the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup.....\$450,000

Provided, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: Provided further, That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state forfeiture fund.....No limit

Provided, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

Federal forfeiture fund.....No limit

Provided, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

High intensity drug trafficking area – federal fund.....No limit

Federal grants – marijuana eradication – federal fund.....No limit

Criminal justice information system line fund.....\$751,740

DNA database fund.....No limit

Kansas bureau of investigation motor vehicle fund.....No limit

Provided, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: Provided further; That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials fee fund.....No limit

Provided, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation: Provided, however; That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by subsection (e) of K.S.A. 28-176, and amendments thereto: Provided further; That all fees received for such laboratory tests, including all moneys received pursuant to subsection (a) of K.S.A. 28-176, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however*; That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter *Provided*, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further*; That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures.

Record check fee fund.....No limit

Provided, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further*; That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.

Intergovernmental service fund.....No limit

Agency motor pool fund.....No limit

National criminal history improvement program federal fund.....No limit

Public safety partnership and community policing federal fund.....No limit

Forensic DNA backlog reduction federal fund.....	No limit
Coverdell forensic sciences improvement federal fund.....	No limit
Anti-gang initiative federal fund.....	No limit
Homeland security federal fund.....	No limit
State homeland security program federal fund.....	No limit
Convicted/arrestee DNA backlog reduction federal fund.....	No limit
Disaster grants – public assistance federal fund.....	No limit
Ed Byrne memorial justice assistance federal fund.....	No limit
Ed Byrne state/local law enforcement federal fund.....	No limit
Violence against women – ARRA federal fund.....	No limit
AWA implementation grant program federal fund.....	No limit
Ed Byrne memorial JAG – ARRA federal fund.....	No limit
Convicted offender/arrestee DNA backlog reduction federal fund.....	No limit
KBI-FBI reimbursement federal fund.....	No limit
Project safe neighborhoods fund.....	No limit
Social security administration reimbursement – federal fund.....	No limit

Sec. 109.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Rural health options grant fund.....	No limit
Rural access to emergency devices grant – federal fund.....	No limit
Emergency medical services operating fund.....	\$1,343,842

Provided, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*; That such fees may be fixed in order to recover all or part of such costs: *And provided further*; That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*; That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*; That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant payment fund.....	No limit
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Provided, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund.....	No limit
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Provided, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and

accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*, That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*, That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2013.

National bioterrorism hospital preparedness – federal fund.....No limit
Highway safety – federal fund.....No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the board of emergency medical services operating fund for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2013 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants, instructor-coordinators and training officers: *Provided further*, That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants, instructor-coordinators and training officers: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants, instructor-coordinators and training officers who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund for the emergency medical services board for fiscal year 2013, as authorized by this or any other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund for the emergency medical services board for fiscal year 2013 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in the EMS region are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to such EMS region for the operation of the education and training of emergency medical attendants in such EMS region.

(d) On July 1, 2012, and January 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund to the educational incentive grant payment fund of the emergency medical services board.

(e) During the fiscal year ending June 30, 2013, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2013, and, upon a finding by the director of the budget in

consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2013 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2013 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2013 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2013, if any EMS regional council enters into a grant agreement with the emergency medical service board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2013.

Sec. 110.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....	\$681,549
<i>Provided</i> , That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Substance abuse treatment programs.....	\$6,338,396
<i>Provided</i> , That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
Statistical analysis – federal fund.....	No limit
Drug abuse fund – federal.....	No limit

Sec. 111.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers' standards and training fund.....\$560,000
Provided, That expenditures from the Kansas commission on peace officers' standards and training fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$500.

Local law enforcement training reimbursement fund.....No limit
Sec. 112.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$10,283,733

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the operating expenditures account for fiscal year 2013: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$10,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dairy fee fund.....No limit
Meat and poultry inspection fee fund.....No limit
Wheat quality survey fund.....No limit
Plant protection fee fund.....No limit
Laboratory equipment fund.....No limit
Water structures – state highway fund.....\$114,415
Soil amendment fee fund.....No limit
Agricultural liming materials fee fund.....No limit
Weights and measures fee fund.....No limit
Water appropriation certification fund.....No limit
Water resources cost fund.....No limit

Provided, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 2011 Supp. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

Agriculture seed fee fund.....No limit
Chemigation fee fund.....No limit
Agriculture statistics fund.....No limit
Petroleum inspection fee fund.....No limit
Water transfer hearing fund.....No limit
Grain commodity commission services fund.....No limit
Kansas agricultural remediation fund.....No limit
Warehouse fee fund.....No limit
U.S. geological survey cooperative gauge agreement grants fund.....No limit

Provided, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*; That all moneys collected for the construction or operation of river water intake

gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Computer services fund.....	No limit
Agricultural chemical fee fund.....	No limit
Feeding stuffs fee fund.....	No limit
Fertilizer fee fund.....	No limit
Plant pest emergency response fund.....	No limit
Pesticide use fee fund.....	No limit
Geographic information system fee fund.....	No limit
Egg fee fund.....	No limit
Water structures fund.....	\$112,176
Meat and poultry inspection fund – federal.....	No limit
EPA pesticide performance partnership grant – federal fund.....	No limit
FEMA dam safety – federal fund.....	No limit
FEMA – hazard mitigation map federal fund.....	No limit
FEMA stream mapping – federal fund.....	No limit
Pest detection and survey – federal fund.....	No limit
State trade and export promotion – federal fund.....	No limit
FDA tissue residue – federal fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Trademark fund.....	No limit
Market development fund.....	No limit

Provided, That expenditures may be made from the market development fund for official hospitality: *Provided further*, That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary: *And provided further*, That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.

Reimbursement and recovery fund.....	No limit
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Provided, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Conference registration and disbursement fund.....	No limit
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Provided, That expenditures may be made from the conference registration and disbursement fund for official hospitality.

Buffer participation incentive fund.....	No limit
Targeted watershed grants – federal fund.....	No limit
Agency motor pool fund.....	No limit
Land reclamation fee fund.....	No limit
Animal health protection fund.....	No limit
Animal donation fund.....	No limit
Livestock and pseudorabies indemnity fund.....	No limit

County option brand fee fund.....No limit
 Livestock brand emergency revolving fund.....No limit
 Livestock brand fee fund.....No limit
Provided, That expenditures from the livestock brand fee fund for official hospitality shall not exceed \$250.

Livestock market brand inspection fee fund.....No limit
 Veterinary inspection fee fund.....No limit
 Animal dealers fee fund.....No limit

Provided, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300; *Provided further*, That expenditures shall be made from the animal dealers fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets.

Animal disease control fund.....No limit
Provided, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Meat poultry egg production inspection – federal fund.....No limit
 Market protection promotion – federal fund.....No limit
 Health and human services retail food audit – federal fund.....No limit
 USDA cooperative – federal fund.....No limit
 Specialty crop block grant – federal fund.....No limit
 Publications fee fund.....No limit

Provided, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*; That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*, That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

Homeland security grant – federal fund.....No limit
 USDA national agricultural statistics services – federal fund.....No limit
 FDA food protection conference grant – federal fund.....No limit
 Retail food good manufacturing practice management – federal fund.....No limit
 Medicated feed and FDA BSE inspection – federal fund.....No limit
 National floodplain insurance assistance (CAP) – federal fund.....No limit
 Environmental quality incentive program – federal fund.....No limit
 Disease control fund – federal.....No limit

- National dam safety program – federal fund.....No limit
- Cooperating technical partners – federal fund.....No limit
- Plant and animal disease & pest control – federal fund.....No limit
- Country of origin labeling (COOL) – federal fund.....No limit
- USDA Kansas forestry service – federal fund.....No limit
- USDA pesticide recordkeeping – federal fund.....No limit
- Civil litigation fee fund.....No limit

Provided, That the above agency is authorized to make expenditures from the civil litigation fee fund for costs or other expenses associated with investigation and litigation regarding fraudulent meat sales: *Provided further*, That a portion of the moneys received by the state from fines and other moneys collected as a result of the settlement of fraudulent meat sales cases, as determined by the secretary of agriculture and the attorney general, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the civil litigation fee fund.

- Food safety fee fund.....No limit
- Gifts and donations fund.....No limit

Provided, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

- General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the secretary of agriculture is hereby authorized to fix, charge and collect fees in order to recover all or part of the costs incurred for such regulatory program activities and for official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for the regulatory program activity or official hospitality for which such fees are imposed: *And provided further*, That all amounts received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

- Lodging fee fund.....No limit
- Watershed protect approach/WTR RSRCE MGT fund.....No limit
- NRCS contribution agreement farm bill – federal fund.....No limit
- Licensing online transition fund.....No limit

Provided, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2013 the Kansas department of agriculture may prorate license fees and alter license due dates as needed in order to transition to online license applications and renewals for the fiscal year ending June 30, 2013.

- Grain warehouse inspection fund.....No limit

Provided, That during the fiscal year ending June 30, 2013, the above agency shall make every effort to ensure services performed in the grain warehouse inspection program will not be compromised by budget reductions for the fiscal year ending June 30, 2013.

- Feral swine eradication fund.....No limit

Livestock market reporting fund.....No limit
 Compliance education fee fund.....\$250,000

Provided, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2013, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided further*, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Laboratory testing services fee fund.....No limit

Provided, That all expenditures from the laboratory testing services fee fund shall be for the purposes of providing laboratory testing of samples upon request: *Provided further*, That the secretary of agriculture is hereby authorized to fix, charge and collect fees for such laboratory testing: *And provided further*, That such fees shall be fixed in order to recover all or part of the costs incurred to provide the services and any other necessary and incidental expenses incurred in conjunction with such laboratory testing: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the laboratory testing services fee fund.

Arkansas river gaging fund.....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the water plan project or projects specified, the following:

Water resources cost share.....\$2,008,700

Provided, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2013 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise and/or non-salary administration expenditures of the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0% of the budget amount for fiscal year 2012 for the water resources cost share account.

Nonpoint source pollution assistance.....\$2,008,691

Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Conservation district aid.....\$2,260,000

Provided, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Watershed dam construction.....\$625,000

Provided, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined

by the secretary of agriculture.

Lake restoration.....\$190,000
Provided, That any unencumbered balance in the lake restoration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas water quality buffer initiatives.....\$270,000
Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices: *And provided further*; That such expenditures may be made from this account from the approved budget amount for fiscal year 2013 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and wetland program.....\$165,000
Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Basin management.....\$667,551
Provided, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Water use.....\$60,000
Provided, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Interstate water issues.....\$481,511
Provided, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Water transition assistance program/conservation reserve enhancement program.....\$672,281

Provided, That any unencumbered balance in the water transition assistance program/conservation reserve enhancement program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That, in addition, fiscal year 2013 expenditures, from the water transition assistance program/conservation reserve enhancement program account, are authorized to be made by the division of conservation of the Kansas department of agriculture for the conservation reserve enhancement program: *And provided further*; That all expenditures under the water transition assistance program/conservation reserve enhancement program, referred to as CREP in this subsection, are subject to the following criteria: (1) The total number of acres enrolled in Kansas in CREP for the six fiscal years 2008, 2009, 2010, 2011, 2012, and 2013 shall not exceed 40,000 acres; (2) the number of acres eligible for enrollment in CREP in Kansas shall be limited to one-half of the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the CREP area, except that if federal law permits the land enrolled in the CREP program to be used for agricultural purposes such as planting of agricultural commodities, including, but not limited to, grains, cellulose or biomass materials, alfalfa, grasses, legumes or other cover crops then the number of acres eligible for enrollment shall be limited to the number of acres represented by contracts in the federal conservation reserve program that have expired

in the prior year in counties within the CREP area; (3) lands enrolled in the conservation reserve program as of January 1, 2008, shall not be eligible for enrollment in CREP; (4) no more than 25% of the acreage in CREP may be in any one county; (5) no water right that is owned by a governmental entity, except a groundwater management district, shall be purchased or retired by the state or federal government pursuant to CREP; and (6) only water rights in good standing are eligible for inclusion under CREP: *And provided further*, That to be a water right in good standing the following criteria must be met: (A) At least 50% of the maximum annual quantity authorized to be diverted under the water right has been used in any three years from 2001 through 2005; (B) in the years 2001 through 2005 the water rights used for the acreage in CREP shall not have exceeded the maximum annual quantity authorized to be diverted and shall not have been the subject of enforcement sanctions by the division of water resources in the last four years; and (C) the water right holder has submitted the required annual water use report required by K.S.A. 82a-732, and amendments thereto, for each of the most recent 10 years; *And provided further*, That the Kansas department of agriculture shall submit a CREP report to the senate committee on natural resources and the house committee on agriculture and natural resources at the beginning of the 2013 regular session of the legislature which shall contain a description of program activities and shall include: (i) The total water rights, measured in acre feet, retired in CREP during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and fiscal year 2013, to date, (ii) the acreage enrolled in CREP during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and in fiscal year 2013, to date, (iii) the dollar amounts received and expended for CREP during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and in fiscal year 2013, to date, (iv) the economic impact of the CREP, (v) the change in groundwater levels in the CREP area during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and fiscal year 2013, to date, (vi) the annual amount of water usage in the CREP area during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and fiscal year 2013, to date, (vii) an assessment of meeting each of the program objectives identified in the agreement with the farm service agency, and (viii) such other information as the Kansas department of agriculture shall specify.

(d) During the fiscal year ending June 30, 2013, the secretary of agriculture, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2012, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$112,234 from the state highway fund of the department of transportation to the water structures – state highway fund of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic

development initiatives fund for the fiscal year ending June 30, 2013, the following:

Agriculture marketing program.....\$627,530

Provided, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture therefor under the agricultural value added center program.

Sec. 113.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund.....No limit

Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.

State fair federal transfer fund.....No limit

State fair special cash fund.....No limit

State fair debt service special revenue fund.....No limit

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

State fair debt service.....\$854,331

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Enhanced marketing promotion.....\$25,000

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$400,000 from the state economic development initiatives fund to the state fair capital improvements fund of the state fair board.

Sec. 114.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Water resources operating expenditures.....\$1,322,371

Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: Provided, however; That expenditures from this account for official hospitality shall not exceed \$250.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Local water project match fund.....No limit

Provided, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: Provided further;

That all moneys credited to this fund shall be used to match state funds or federal funds, or both for water projects.

Water supply storage assurance fund.....No limit
Provided, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2013, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 *et seq.*, and amendments thereto, to supply water to users which is not held under contract in such reservoirs.

Water supply storage acquisition fund.....No limit
Provided, That, on July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$120 from the water supply storage acquisition fund to the state general fund.

State conservation storage water supply fund.....No limit
Water marketing fund.....No limit
EPA wetland grant – federal fund.....No limit
General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*; That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*; That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Indirect cost fund.....No limit
Motor pool vehicle replacement fund.....No limit
Reservoir storage beneficial use fund.....No limit

Provided, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

Arkansas river water conservation projects fund.....No limit
Republican river water conservation projects – Nebraska moneys fund.....No limit
Republican river water conservation projects – Colorado moneys fund.....No limit
Lower Smoky Hill water supply access fund.....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the state water plan project or projects specified, the following:

Assessment and evaluation.....\$540,000
Provided, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

GIS data base development.....\$170,000
Provided, That any unencumbered balance in the GIS data base development account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

MOU – storage operations and maintenance.....\$360,364
Provided, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Stream gaging.....\$448,663
Provided, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Suspended sediment monitoring.....\$100,000
Provided, That any unencumbered balance in the suspended sediment monitoring account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Technical assistance to water users.....\$413,000
Provided, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Water resource education.....\$40,000
Provided, That any unencumbered balance in the water resource education account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Wichita aquifer storage and recovery project.....\$500,000
Provided, That any unencumbered balance in the Wichita aquifer recovery project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Weather modification program.....\$200,000
Provided, That any unencumbered balance in the weather modification program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That any unencumbered balance in the weather modification program account in excess of \$100 as of June 30, 2011, is hereby reappropriated for fiscal year 2012: *And provided further*, That, during fiscal year 2013, the above agency shall be authorized to expend no more than \$20,000 for each county that enrolls in the weather modification program: *And provided further*, That, during fiscal year 2013, no more than ten counties may enroll in the weather modification program: *Provided, however*, That, if less than ten counties enroll in the weather modification program during fiscal year 2013, then \$20,000 for each county less than ten, is hereby lapsed.

Any unencumbered balance in each of the following accounts in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: Neosho river basin issues.

(d) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

Wichita aquifer storage and recovery project.....\$500,000
Provided, That any unencumbered balance in the Wichita aquifer recovery project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(e) During the fiscal year ending June 30, 2013, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit

a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(f) During the fiscal year ending June 30, 2013, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(g) During the fiscal year ending June 30, 2013, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(h) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2013, from the water marketing fund to the state general fund, in

accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 *et seq.*, and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(i) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general fund or from any special revenue fund or funds for fiscal year 2013, to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

Sec. 115.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) Any unencumbered balance in the state parks operating expenditures account of the state general fund in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$3,446,884

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013:

Provided, however; That expenditures from this account for official hospitality shall not exceed \$1,000; *Provided further*; That, in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account for fiscal year 2013, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2013 to include a provision on the calendar year 2013 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members: *And provided further*; That all moneys received as voluntary contributions to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating expenditures.....\$2,300,871

Provided, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Travel and tourism operating expenditures.....\$1,858,634

Provided, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Reimbursement for annual licenses issued to national guard members.....\$36,342

Provided, That all moneys in the reimbursement for annual licenses issued to national

guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2013 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses: *Provided, however,* That no other hunting or fishing licenses or permits shall be eligible to be paid from this account: *Provided further,* That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Reimbursement for annual park permits issued to national guard members.....\$17,922
Provided, That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2013 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided, however,* That not more than one annual park vehicle permit per family shall be eligible to be paid from this account: *Provided further,* That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Reimbursement for annual licenses issued to Kansas disabled veterans.....\$39,827
Provided, That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2013 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however,* That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service connected disability is equal to or greater than 30%: *Provided further,* That no other hunting or fishing licenses or permits shall be eligible to be paid from this account: *And provided further,* That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(c) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

Cabin loan payoff.....\$1,785,473

(d) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund.....\$24,676,963

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2013 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2013: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*; That expenditures from this fund for official hospitality shall not exceed \$1,000.

Parks fee fund.....\$5,645,583

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2013 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2013: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund.....\$1,061,904

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 2013 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2013: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*; That expenditures from this fund for official hospitality shall not exceed \$1,000.

Central aircraft fund.....No limit

Provided, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies, and for the purchase of state aircraft insurance: *Provided further*; That the secretary of wildlife, parks and tourism is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*; That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*; That all fees received for such services shall be credited to the central aircraft fund.

Department access roads fund.....\$1,102,436

Wildlife, parks and tourism nonrestricted fund.....No limit

Prairie spirit rails-to-trails fee fund.....No limit

Plant and animal disease and pest control fund.....No limit

Nongame wildlife improvement fund.....No limit

Wildlife conservation fund.....No limit

Federally licensed wildlife areas fund.....	No limit
State agricultural production fund.....	No limit
Land and water conservation fund – state.....	No limit
Land and water conservation fund – local.....	No limit
Development and promotions fund.....	No limit
Department of wildlife and parks private gifts and donations fund.....	No limit
Fish and wildlife restitution fund.....	No limit
Parks restitution fund.....	No limit
Nonfederal grants fund.....	No limit
Disaster grants – public assistance fund.....	No limit
Soil/water conservation fund.....	No limit
Navigation projects fund.....	No limit
Recreation resource management fund.....	No limit
Cooperative endangered species conservation fund.....	No limit
Landowner incentive program fund.....	No limit
Bulletproof vest partnership fund.....	No limit
Recreational trails program fund.....	No limit
Highway planning/construction fund.....	No limit
Plant/animal disease and pest control fund.....	No limit
Americorps – ARRA fund.....	No limit
Cooperative forestry assistance fund.....	No limit
North America wetland conservation fund.....	No limit
Wildlife services fund.....	No limit
Fish/wildlife management assistance fund.....	No limit
Fish/wildlife core act fund.....	No limit
Watershed protection/flood prevention fund.....	No limit
Suspense fund.....	No limit
Employee maintenance deduction clearing fund.....	No limit
Cabin revenue fund.....	No limit
Feed the hungry fund.....	No limit
State wildlife grants fund.....	No limit
Boating safety financial assistance fund.....	No limit
Wildlife restoration fund.....	No limit
Sport fish restoration fund.....	No limit
Outdoor recreation acquisition, development and planning fund.....	No limit
Publication and other sales fund.....	No limit

Provided, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2013, expenditures may made from such fund for the purpose of compensating federal aid program expenditures if necessary in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2013: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and legislature as appropriate: *And provided further*; That expenditures from this fund for official hospitality shall not exceed \$1,000.

Free licenses and permits fund.....	No limit
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- Enforce underage drinking law fund.....No limit
- Migratory bird monitoring.....No limit
- Voluntary public access.....No limit

(e) In addition to other purposes for which expenditures may be made by the Kansas department of wildlife, parks and tourism from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the Kansas department of wildlife, parks and tourism from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 to negotiate and enter into contracts for promotional advertising services for the performance of the powers, duties and functions of the Kansas department of wildlife, parks and tourism: *Provided*, That all such contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Sec. 116.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- State highway fund.....No limit
- Provided*, That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.
- Special city and county highway fund.....No limit
- County equalization and adjustment fund.....\$2,500,000
- Highway special permits fund.....No limit
- Highway bond debt service fund.....No limit
- Rail service improvement fund.....No limit
- Transportation revolving fund.....No limit
- Rail service assistance program loan guarantee fund.....No limit
- Railroad rehabilitation loan guarantee fundNo limit

Provided, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount which the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2013, in satisfaction of liabilities arising from the unconditional guarantee of payment which was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

- Interagency motor vehicle fuel sales fund.....No limit

Provided, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas highway patrol: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to the Kansas highway patrol: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be credited to

the interagency motor vehicle fuel sales fund.

Coordinated public transportation assistance fund.....	No limit
Public use general aviation airport development fund.....	No limit
Highway bond proceeds fund.....	No limit
Communication system revolving fund.....	No limit
Traffic records enhancement fund.....	No limit
Other federal grants fund.....	No limit
Kansas intermodal transportation revolving fund.....	No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2013, from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2013 other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Agency operations.....	\$284,549,681
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Provided, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: *Provided further*, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto: *And provided further*, That, if 2012 House Bill No. 2757 or any other legislation which provides for the naming of the SP4 Michael T. Martin and SGT Joseph A Zutterman Jr. Memorial Bridges is not passed by the legislature during the 2012 regular session and enacted into law, then on July 1, 2012 of the \$284,549,681 appropriated for the above agency for the fiscal year ending June 30, 2013 by this section from the state highway fund in the agency operations account, the sum of \$3,840 is hereby lapsed.

Conference fees.....	No limit
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Provided, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: *Provided further*, That such fees shall be deposited in the state treasury and credited to the conference fees account of the state highway fund: *And provided further*, That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance.....	No limit
Claims	No limit
Payments for city connecting links.....	\$3,360,000
Federal local aid programs.....	No limit
Bond services fees.....	No limit
Construction, remodeling and special maintenance projects for buildings.....	\$0

Provided, That expenditures may be made from the construction, remodeling and special maintenance projects for buildings account of the state highway fund of amounts in unexpended balances as of June 30, 2012, in capital improvement project accounts of projects approved for prior fiscal years: *Provided further*, That expenditures from this account of amounts in such unexpended balances shall be in addition to any expenditure limitation imposed on this account for fiscal year 2013.

Other capital improvements.....	No limit
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Provided, That the secretary of transportation is authorized to make expenditures

from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair	\$3,374,157
Buildings – reroofing.....	\$368,826
Buildings – other construction, renovation and repair.....	\$3,031,432

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2013, expenditures may be made by the above agency from the state highway fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2013 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2012, subject to the provisions of section (d): *Provided further*, That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2013.

(d) During the fiscal year ending June 30, 2013, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2013 from the state highway fund for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2013 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2013, the director of accounts and reports shall transfer from the motor pool service fund of the department of administration to the state highway fund of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2013, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund, the director of accounts and reports shall transfer from the state highway fund to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2013, from the state highway fund to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2013.

(h) For the fiscal year ending June 30, 2013, the department of transportation shall prepare and submit along with the documents required under K.S.A. 75-3717, and amendments thereto, additional documents that present the revenues, transfers, and expenditures that are considered to be in support of the transportation works for Kansas

program (T-WORKS) authorized by K.S.A. 68-2314b *et seq.*, and amendments thereto: *Provided*, That documents shall include both reportable as well as nonreportable and off-budget items that reflect the revenues, transfers and expenditures associated with the comprehensive transportation program.

(i) During the fiscal year ending June 30, 2013, no expenditures shall be made by the above agency from any moneys appropriated from the state general fund or any special revenue fund or funds for the fiscal year ending June 30, 2013, to participate in TIGER IV grant programs.

Sec. 117. *Position limitations.* (a) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2013, made in this or other appropriation act of the 2012 regular session of the legislature for the following agencies shall not exceed the following, except upon approval of the state finance council or pursuant to subsection (b):

Attorney General.....	106.50
Secretary of State.....	51.00
State Treasurer.....	46.50
Insurance Department.....	122.36

Provided, That any attorney positions established in the insurance department for the purpose of defense of the workers compensation fund shall be in addition to any limitation imposed on the full-time and regular part-time equivalent number of positions, excluding seasonal and temporary positions, paid from appropriations made for fiscal year 2013 for the department of insurance.

Department of Commerce.....	238.00
Health Care Stabilization Fund Board of Governors.....	18.00
Judicial Council.....	5.00
Kansas Human Rights Commission.....	23.00
State Corporation Commission.....	209.00
Citizens' Utility Ratepayer Board.....	6.00
Department of Administration.....	542.25
Office of Administrative Hearings.....	13.00
State Court of Tax Appeals.....	19.00
Department of Revenue.....	994.00
Kansas Lottery.....	96.00
Kansas Racing and Gaming Commission – state racing operations and expanded gaming regulation division.....	74.00
Kansas Racing and Gaming Commission – state gaming agency.....	24.00
Department of Labor.....	489.00
Kansas Commission on Veterans Affairs.....	333.00
Department of Health and Environment – Division of Health.....	536.93
Department of Health and Environment – Division of Environment.....	404.63
Kansas Department for Aging and Disability Services.....	277.25
Kansas Department for Children and Families.....	2,987.63
Kansas Neurological Institute.....	469.70
Larned State Hospital.....	889.20
Osawatomie State Hospital.....	386.40
Parsons State Hospital and Training Center.....	437.20

Rainbow Mental Health Facility.....	109.20
Kansas Guardianship Program.....	10.00
State Library	24.00
Kansas State School for the Blind.....	82.50
Kansas State School for the Deaf.....	150.50
State Historical Society.....	117.00
State Board of Regents.....	62.50
Department of Corrections.....	3,058.00

Provided, That, if 2012 Senate Bill No. 434, or any other legislation which grants the secretary of corrections the authority to purchase the St. Francis Boy's Home in Ellsworth County, Kansas, is not passed by the legislature during the 2012 regular session and enacted into law, then on July 1, 2012, the position limitation for the above agency for the fiscal year ending June 30, 2013, by this section is hereby decreased from 3,058.0 to 3,043.0.

Juvenile Justice Authority.....	468.50
Adjutant General.....	197.00
State Fire Marshal.....	48.00
Attorney General – Kansas Bureau of Investigation.....	218.00
Emergency Medical Services Board.....	14.00
Kansas Sentencing Commission.....	8.00
Kansas Commission on Peace Officers' Standards and Training.....	7.00
Kansas Department of Agriculture.....	352.49
State Fair Board.....	25.00
Kansas Water Office.....	21.00
Kansas Department of Wildlife, Parks and Tourism.....	418.50
Department of Transportation.....	2,829.50

(b) During the fiscal year ending June 30, 2013, the secretary of aging and disability services may increase the position limitation for the Kansas department for aging and disability services or for any institution or facility under the general supervision and management of the secretary of aging and disability services by making a corresponding decrease in the position limitation for either the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary of aging and disability services. The secretary of aging and disability services shall certify each such increase and corresponding decrease to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(c) During the fiscal year ending June 30, 2013, (c) the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions, for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2013 made in this or other appropriation act of the 2012 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2013 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel

services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

Sec. 118.

JUDICIAL BRANCH

(a) On and after the effective date of this act, during the fiscal year ending June 30, 2012, notwithstanding the provisions of K.S.A. 20-1a11, and amendments thereto, or any other statute, the director of accounts and reports is hereby authorized and directed to transfer \$600,000 from the judicial branch education fund to the judicial branch surcharge fund.

(b) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 20-3207, and amendments thereto, or any other statute, the state treasurer is hereby authorized and directed to transfer \$107,002 from the judicial performance fund of the judicial council to the judicial branch surcharge fund of the judicial branch.

(c) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 20-3207, and amendments thereto, or any other statute, the state treasurer is hereby authorized and directed to transfer \$600,000 from the judicial performance fund of the judicial council to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the judicial performance fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the judicial performance fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to provide such services.

(d) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Judiciary operations.....\$500,000

Sec. 119. (a) During the fiscal year ending June 30, 2013, no state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2013, from the state general fund or in any special revenue fund or funds for such state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, for acquisition of a new or used passenger car or truck as a replacement for a passenger car or truck owned by the state agency, unless:

(1) The passenger car or truck being replaced has an unadjusted odometer reading of 180,000 miles or more; or

(2) the passenger car or truck being replaced requires repairs which are estimated to cost more than the amount equal to 30.0 % of the replacement value of a new or used passenger car or truck of the same class, as the case may be, including parts and labor, in order to be safe to drive.

(b) As used in this section:

(1) "State agency" means each state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature, except that state agency shall not include the Kansas highway patrol;

(2) "passenger car" has the meaning ascribed thereto in K.S.A. 8-1445, and amendments thereto; and

(3) "truck" has the meaning ascribed thereto in K.S.A. 8-1481, and amendments thereto.

Sec. 120. (a) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2013, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2013 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a, and amendments thereto, an aggregate amount of allowance: (A) Equal to \$354.15 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2012 and for each of the 14 ensuing two-week periods thereafter; and (B) equal to \$354.15 for the two-week period which coincides with the biweekly payroll period which includes March 31, 2013, which is chargeable to fiscal year 2012 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2013, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (a) and which are chargeable to fiscal year 2013.

Sec. 121. Except as otherwise provided in this section, during one year after the date of implementation of the managed care system or any managed care oversight, no state agency named in this or any other appropriation act of the 2012 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal years 2013 and 2014 as authorized by this or any other appropriation act of the 2012 regular session of the legislature, to provide services through the home and community based waiver for individuals with developmental disabilities or targeted case management for individuals with developmental disabilities under any managed care system or any managed care oversight or any function that is determined to be a managed care oversight during fiscal year 2013 and fiscal year 2014: *Provided*, That during fiscal year 2013 and fiscal year 2014, any state agency named in this or any other appropriation act of the 2012 regular session of the legislature may expend moneys appropriated from the state general fund or any special revenue fund or funds to develop and offer pilot programs for the demonstration, testing and evaluation of the delivery of services through the home and community based waiver for individuals with developmental disabilities or targeted case management for individuals with developmental disabilities under any managed care system or any managed care oversight or any function that is determined to be a managed care oversight: *Provided further*, That, on and after such year of implementation, any state agency named in this or other appropriation act of the 2012 regular session of the legislature may expend moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year ending June

30, 2014, as authorized by this or other appropriation act of the 2012 regular session of the legislature, to provide services through the home and community based waiver for individuals with developmental disabilities or targeted case management for individuals with developmental disabilities under any managed care system or any managed care oversight or any function that is determined to be a managed care oversight during fiscal year 2014.

Sec. 122. (a) During the fiscal year ending June 30, 2012, in addition to the other purposes for which expenditures may be made by any state agency named in this or any other appropriation act of the 2012 regular session of the legislature, from moneys appropriated from the state general fund or any special revenue fund or funds for any such agency for fiscal year 2012, by chapter 118 of the 2011 Session Laws of Kansas, or by this or any other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by any such state agency from the state general fund or any special revenue fund or funds for fiscal year 2012, to increase the financial management system reimbursement rate to \$125 per individual, per month, to the service provider: *Provided*, That, such increase for the financial management system reimbursement rate to the service provider shall be in effect November 1, 2011, through June 30, 2012: *Provided further*, That, the head of any such agency shall certify the effective reimbursement rate for dates of service between November 1, 2011, through June 30, 2012, for such purposes to the director of the budget on June 30, 2012: *And provided further*, That, if such reimbursement rate certified by such agency head is less than the \$125 per individual, per month, to the service provider, as determined by the director of the budget, the director of the budget shall certify the difference and send a copy of the certification to the director of legislative research and the director of accounts and reports.

(b) On June 30, 2012, for fiscal year 2012, the director of accounts and reports upon receiving such certification of a rate difference in any account of the state general fund or any special revenue fund or funds for any such agency shall cause the additional appropriation for the increase of the financial management system reimbursement rate amount to be lapsed from the following state general fund accounts for the department on aging: the sum of \$99,634 in the LTC medicaid assistance – HCBE/FE account; and the department of social and rehabilitation services: the sum of \$91,429 in the mental health and retardation services aid and assistance account; and the sum of \$194,815 in the community based services account.

Sec. 123.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Undermarket pay adjustment fund.....\$8,534,972

Provided, That all moneys in the undermarket pay adjustment fund shall be used for the purpose of paying the proportionate share of the cost to the state general fund, state economic development initiatives fund, children's initiative fund, and state water plan fund of the salary market adjustments, including associated employer contributions, for executive branch classified employees in positions in job classifications that are reassigned under the market adjustment component during fiscal year 2013 and, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to

the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the undermarket pay adjustment fund by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with each such approval, to the proper accounts created by state general fund, state economic development initiatives fund, children's initiative fund, and state water plan fund appropriations for fiscal year 2013 for which such transfers are so approved under this section.

Medicaid management information system and data analysis.....\$1,000,000

Provided, That, during the fiscal year ending June 30, 2013, no moneys appropriated from the state general fund in the medicaid management information system and data analysis account shall be expended or transferred prior to approval of the: (1) Kansas waiver application for implementation of a global managed care system by the federal centers for medicare and medicaid services; and (2) state finance council acting on this matter which is hereby declared to be a matter of legislative delegation and subject to the guidelines prescribed by subsection (c) of K.S.A. 75-3711c, and amendments thereto: *Provided further*, That, upon such approvals, the state finance council is hereby authorized to approve the transfer of moneys from the medicaid management information system and data analysis account by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with the approval, to the medicaid management information system and data analysis fund of the department of health and environment – division of health care finance: *And provided further*, That all moneys in the medicaid management information system and data analysis account shall be used for the purpose of implementing and updating the medicaid management information system and to obtain and monitor data from contractors, upon approval of the waiver application for the purpose of implementing medicaid managed care programs under any global managed care system by the federal centers for medicare and medicaid services: *And provided further*, That such system shall enable the measurement and reporting of outcomes quality and efficiency for individuals receiving medicaid benefits.

(b) Upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve increases in expenditure limitations on special revenue funds and accounts established for the fiscal year ending June 30, 2013, by the director of accounts and reports, who is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts in accordance with such approval, for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases and other amounts specified in subsection (a) for the undermarket pay adjustment fund for the fiscal year ending June 30, 2013.

(c) The director of the budget, on behalf of the executive branch of state government, shall prepare a budget estimate based upon the most recent payroll information for the salary increases and other amounts specified in subsection (a) for the undermarket pay adjustment fund, and all amendments and revisions of such estimate, and the director of the budget shall submit a copy of such estimate, and all

amendments and revisions thereof, directly to the director of legislative research.

Sec. 124. (a) On and after July 1, 2012, notwithstanding the provisions of K.S.A. 74-4927, and amendments thereto, or any other statute, no state agency shall pay to the Kansas public employees retirement system any amounts to the group insurance reserve fund attributable to the months of April, May and June, 2013, that constitute such state agency's portion of the state's contribution to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto.

(b) (1) On July 1, 2012, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2013, by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, and that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2013, is hereby lapsed from each such account.

(2) On July 1, 2012, the amount in each account of the state economic development initiatives fund of each state agency that is appropriated for the fiscal year ending June 30, 2013, by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, and that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2013, is hereby lapsed from each such account.

(3) On July 1, 2012, the amount in each account of the state water plan fund of each state agency that is appropriated for the fiscal year ending June 30, 2013, by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, and that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2012, is hereby lapsed from each such account.

(4) On July 1, 2012, the amount in each account of the children's initiatives fund of each state agency that is appropriated for the fiscal year ending June 30, 2013, by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, and that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2012, is hereby lapsed from each such account.

(c) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2012, provided by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2013 regular session of the legislature, or by the state finance council, on each special revenue fund in the state treasury is hereby decreased for fiscal year 2013 by the amount equal to the amount that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports

for fiscal year 2013, from such special revenue fund, or account thereof.

(d) At the same time as the director of the budget transmits each certification to the director of accounts and reports pursuant to this section, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 125.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities.....\$153,737
Provided, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Judicial center rehabilitation and repair.....\$76,939
Provided, That any unencumbered balance in the judicial center rehabilitation and repair account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Replace Docking chillers.....\$483,885
National bio and agro-defense facility – debt service.....\$2,780,807
Kansas department of transportation – CTP – debt service.....\$16,150,775
Statehouse improvements – debt service.....\$13,502,124
Capitol complex repair and rehabilitation.....\$2,303,075
Restructuring debt service.....\$2,220,675

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Statehouse improvements – debt service.....\$9,261,895
Statehouse parking garage – debt service.....\$10,137,244
Judicial center improvements – debt service.....\$445,297

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund.....No limit
State facilities gift fund.....No limit
Master lease program fund.....No limit
State buildings depreciation fund.....No limit
Executive mansion gifts fund.....No limit
Topeka state hospital cemetery memorial gift fund.....No limit
Landon state office building repair expense fund.....No limit
MacVicar avenue assessment expense fund.....No limit
Capitol area plaza authority planning fund.....No limit

Provided, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the

provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- Motor pool shop – debt service.....No limit
- Paint and grounds shop – debt service.....No limit
- Parking improvements and repair.....No limit

(e) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2013, expenditures may be made by the above agency from the building and ground fund for fiscal year 2013 from any unencumbered balance as of June 30, 2012, in each of the following capital improvement accounts of the building and ground fund: Parking improvements and repair: *Provided*, That the expenditures for fiscal year 2013 from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the building and ground fund for the fiscal year 2013 from the unencumbered balance in any such account shall be in addition to any expenditure limitation imposed on the building and ground fund for the fiscal year 2013.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- State of Kansas facilities projects – debt service.....No limit
- Rehabilitation and repair.....\$400,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 2013.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2013, expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each capital improvement account of the state buildings depreciation fund for one or more projects approved for prior fiscal years: *Provided*, That expenditures from the unencumbered balance in any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from any such account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 2013.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2013 for the following

capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- Memorial hall – debt service.....No limit
- Docking cooling towers replacement – debt serviceNo limit
- Eisenhower building purchase and renovation – debt service.....No limit

(i) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- Printing plant – debt service.....No limit

(j) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service depreciation reserve fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service depreciation reserve fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- Rehabilitation and repair.....\$75,000

(k) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, to provide additional financing for the capital improvement project to construct, equip, furnish, renovate, reconstruct and repair the state capitol: *Provided*, That such capital improvement project is hereby approved for the department of administration for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the department of administration may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$24,300,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds: *And provided further*, That no such bonds shall be issued by the Kansas development finance authority unless the director of the budget has certified to the department of administration and to the Kansas development finance authority that sufficient moneys will be available to make debt service payments for such bonds.

(l) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, to provide additional financing for the capital improvement project to construct, equip, furnish, renovate, reconstruct and repair the state capitol: *Provided*, That such capital improvement project is hereby approved for the department of administration for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the department of administration may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$10,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds: *And provided further*, That no such bonds shall be issued by the Kansas development finance authority unless the director of the budget has certified to the department of administration and to the Kansas development finance authority that sufficient moneys will be available to make debt service payments for such bonds.

Sec. 126.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2013, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – 1430 Topeka facilities.....\$135,350

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services – federal fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser employment services – federal fund during the fiscal year 2013, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair.....\$80,000

Sec. 127.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Insurance department rehabilitation and repair fund.....No limit
Sec. 128.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....\$1,415,629

Provided, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2013 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*; That expenditures also may be made from this account during fiscal year 2013 for the purposes of rehabilitation and repair for facilities of the Kansas department for aging and disability services other than any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Sexual predator treatment program expansion.....\$202,000

Debt service – new state security hospital\$3,845,025

Debt service – state hospitals rehabilitation and repair.....\$2,593,300

Larned state hospital – city of Larned wastewater treatment.....\$124,827

Provided, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital's portion of the city of Larned's wastewater treatment system.

Sec. 129.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property sale fund.....No limit

Provided, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund for the unemployment insurance program: *Provided, however*; That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(b) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund for fiscal year 2013 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the department of labor for fiscal year

2013 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*; That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*; That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury to the credit of the employment security administration property sale fund of the department of labor: *And provided further*; That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature except upon approval of the state finance council.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2013, expenditures may be made by the above agency from the special employment security fund for fiscal year 2013 for the following capital improvement projects: Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the special employment security fund for fiscal year 2013 for such capital improvement purposes shall not exceed \$205,597: *Provided further*; That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitation imposed on the special employment security fund for fiscal year 2013.

Sec. 130.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and repair projects.....	\$218,279
Veterans' home rehabilitation and repair projects.....	\$1,021,505

(b) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$455,000 from the veterans cemeteries federal construction fund – federal of the Kansas commission on veterans affairs to the state institutions building fund.

Sec. 131.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$118,882
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Security system upgrade project.....	\$110,498
Facilities conservation improvement debt service.....	\$33,519
Health center roof replacement.....	\$59,120
Sec. 132.	

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$215,000
Roth building repairs.....	\$1,601,188
Facilities conservation improvement debt service.....	\$69,303
Sec. 133.	

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Rehabilitation and repair projects.....	\$250,000
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Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the national historic preservation act fund – local for fiscal year 2013, expenditures may be made by the above agency from the national historic preservation act fund – local for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the national historic preservation act fund – local: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in each account on June 30, 2012: *Provided further*; That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the national historic preservation act fund – local for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the national historic preservation act fund – local for fiscal year 2013.

(c) In addition to other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the private gifts, grants and bequests fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Grinter place exterior rest room ADA remodel	\$25,000
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the private gifts, grants and bequests fund for fiscal year 2013.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2013, expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the historic properties fee fund: *Provided*, That expenditures

from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the historic properties fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the historic properties fee fund for fiscal year 2013.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2013, expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the state historical facilities fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the state historical facilities fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the state historical facilities fund for fiscal year 2013.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2013, expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the save America's treasures fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the save America's treasures fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the save America's treasures fund for fiscal year 2013.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2013, expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the historical society capital improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the historical society capital improvement fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the historical society capital improvement fund for fiscal year 2013.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2013, expenditures may be made by the above agency from the historical preservation grant in

aid fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the historical preservation grant in aid fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the historical preservation grant in aid fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the historical preservation grant in aid fund for fiscal year 2013.

Sec. 134.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union refurbishing fund.....	No limit
Twin towers project revenue fund.....	No limit
Twin towers bond and interest sinking fund.....	No limit
Twin towers maintenance and equipment reserve fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit

(b) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund or the housing system repairs, equipment and improvement fund during the fiscal years ending June 30, 2012, or June 30, 2013, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund or the housing system repairs, equipment and improvement fund during fiscal year 2012 or fiscal year 2013 for a capital improvement project to plan, construct and remodel Singular/Trusler residence hall: *Provided, however*, That no such expenditures shall be made until the state board of regents has approved such capital improvement projects and has first advised and consulted on any such project with the joint committee on state building construction.

Sec. 135.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall

not exceed the following:

Lewis field renovation – bond and interest sinking fund.....	No limit
Lewis field renovation – revenue fund.....	No limit
Memorial union renovation debt service fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit
Soccer facility fund	No limit
Wind power generation facility fund.....	No limit
Indoor practice facility.....	No limit

(b) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

Sec. 136.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Engineering complex phase II private gift fund.....	No limit
Ackert hall addition – gifts and grants fund.....	No limit
Student life center – Salina construction debt service fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit
Child care fund.....	No limit

(b) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 as authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to redevelop, renovate and equip the Jardine apartments: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any

such bonds for such capital improvement project: *Provided, however;* That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$102,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further;* That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further;* That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the housing system operations fund or any other appropriate special revenue fund or funds of Kansas state university.

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided,* That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(d) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 to raze building no. 457 (elevator and feed mill), building no. 437 (herdsman house), building no. 10002 (art kiln), building no. 145 (vet surgical instruction), building no. 200 (vet research lab greyhound kennels), building no. 224 (food animal barn and shed) and portions of building no. 025 (seaton court).

(e) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct student housing at Salina: *Provided,* That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further;* That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement

project: *Provided however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$6,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That Kansas state university may make provisions for the maintenance of the student housing at Salina.

(f) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct the engineering building expansion: *Provided*, That such capital improvement project is hereby approved for Kansas State university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$40,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That Kansas state university may make provisions for the maintenance of the engineering building expansion.

(g) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital

improvement project to construct student housing food service centers: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$35,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That Kansas state university may make provisions for the maintenance of student housing food service centers.

Sec. 137.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 2013, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2013 for the following capital improvement project or projects:

- Equine education and research center.....No limit
- Grain science center.....No limit
- Southeast research – extension center building.....No limit

Sec. 138.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

- Armory/classroom/recreation center debt service.....\$325,199

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Horace Mann renovation revenue fund.....No limit
- Overman renovation revenue fund.....No limit
- Deferred maintenance support fund.....No limit
- Infrastructure maintenance fund.....No limit
- Student health center – private gifts fund.....No limit

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas

educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(d) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for parking improvements: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$4,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

(e) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from the state general fund or any special revenue fund or funds for Pittsburg state university for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for student housing improvements and construction: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital

improvement project shall not exceed \$22,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

(f) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from the state general fund or any special revenue fund or funds for Pittsburg state university for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for improvements and construction of the student center, physical education center, and performing arts center: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$24,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

Sec. 139.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified as follows:

School of pharmacy debt service.....	\$1,628,005
School of pharmacy debt service 2009.....	\$2,494,314

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union renovation revenue fund.....	No limit
Student health facility maintenance, repair, and equipment fee fund	No limit
Regents center revenue fund – K DFA D bonds, 1990.....	No limit

Parking facilities surplus fund – KDFA G bonds, 1993.....No limit
Provided, That the university of Kansas may transfer moneys during fiscal year 2013 from the parking facilities surplus fund – KDFA G bonds, 1993 to the restricted fees fund.

- Deferred maintenance support fund.....No limit
- Infrastructure maintenance fund.....No limit
- Child care facility operations account fund.....No limit
- Child care facility student fee account fund.....No limit
- Student recreation & fitness center revenue fund.....No limit
- Child care facility addition fund.....No limit

Provided, That the university of Kansas may transfer moneys during fiscal year 2013 from the restricted fees fund or the general fees fund to the child care facility addition fund for the capital improvement project to construct an addition to the child care facility: *Provided further*; That upon completion of the construction project, the university of Kansas may transfer unused moneys from the child care facility addition fund to the general fees fund or the restricted fees fund.

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

Sec. 140.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Parking fund – K.C. campus.....No limit
- Deferred maintenance support fund.....No limit
- Infrastructure maintenance fund.....No limit
- Construct parking facility #4 fund.....No limit

Provided, That the university of Kansas medical center may transfer moneys during fiscal year 2013 from appropriate accounts of the parking fees fund to the construct parking facility #4 fund for such capital improvement project.

(b) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular

session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

Sec. 141.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Aviation research debt service.....\$1,645,500

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- On campus parking reserve account fund – K DFA B bonds.....No limit
- Parking system project – maintenance fund, K DFA revenue bonds.....No limit
- On campus parking principal and interest fund – K DFA B bonds.....No limit
- Parking system project revenue fund – K DFA bonds.....No limit
- WSU housing system surplus fund.....No limit
- Deferred maintenance support fund.....No limit
- Infrastructure maintenance fund.....No limit

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(d) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Wichita state university from moneys appropriated from the state general fund or from the state general fund or funds or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct Rhatigan student center: *Provided*, That such capital improvement project is hereby approved for Wichita state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That Wichita state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*;

That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$33,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds, including, but not limited to, money deposited in such fund or funds, including, but not limited to, money deposited in such fund or funds from amounts derived pursuant to K.S.A. 19-5001 *et seq.*, and amendments thereto.

Sec. 142.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

PEI infrastructure – debt service.....	\$5,869,875
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Provided, That, during the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund for fiscal year 2013 in the PEI infrastructure – debt service account of the state general fund for fiscal year 2013 after the principal payment has been received for fiscal year 2013 by the state treasurer from the postsecondary institutions that were recipients of the PEI infrastructure bond proceeds, (1) the state board of regents may expend the amount of moneys appropriated for fiscal year 2013 in the PEI infrastructure – debt service account for the principal payment from the PEI infrastructure – debt service account for any other purpose for which moneys are appropriated for fiscal year 2013 from the state general fund for the state board of regents; or (2) the state board of regents may transfer such amount of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2013 to an account or accounts of the state general fund of any institution under the control and supervision of the state board of regents to be expended by the institution for a purpose for which expenditures may be made for fiscal year 2013 from such account or accounts and which is approved by the state board of regents: *Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2013: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Postsecondary educational infrastructure finance KDFA	
2008A revenue fund	No limit
Infrastructure maintenance fund.....	No limit

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

(d) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education..... \$35,000,000

Provided, That the state board of regents is hereby authorized to transfer moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects approved by the state board of regents: *Provided, however*, That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

Research bond debt service fund.....No limit
Sec. 143.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issue.....\$1,038,663
Debt service payment for the reception and diagnostic unit relocation
bond issue.....\$1,403,888

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issues.....\$500,000
Capital improvements – rehabilitation and repair of correctional
institutions.....\$4,235,214

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2013 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2013 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

Debt service payment for the prison capacity expansion projects
bond issue.....\$126,786

Sec. 144.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of juvenile correctional facilities.....\$806,836

Provided, That the commissioner of juvenile justice is hereby authorized to transfer moneys during fiscal year 2013 from the capital improvements – rehabilitation and repair of juvenile correctional facilities account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to an account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to be expended during fiscal year 2013 for capital improvement projects approved by the commissioner of juvenile justice: *Provided further*; That the commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Debt service – Topeka complex and Larned juvenile correctional facility...\$3,995,513

Sec. 145.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....\$100,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Electric panel replacement.....\$200,000

Sec. 146.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2013, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Rehabilitation and repair – training center – Salina.....\$53,110

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the highway patrol training center fund for fiscal year 2013.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2013, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service – vehicle inspection facility – Olathe.....\$60,656
Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the vehicle identification number fee fund for fiscal year 2013.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2013, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service – Topeka fleet service.....\$371,575
Scale replacement and rehabilitation and repair of buildings.....\$232,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the Kansas highway patrol operations fund for fiscal year 2013.

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$603,575 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2013 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2013 for support and maintenance of the Kansas highway patrol.

Sec. 147.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service – training center.....\$723,213
Debt service – armory/classroom/recreation center at PSU.....\$115,588
Debt service – rehabilitation and repair of the statewide armories.....\$2,757,012
Rehabilitation and repair projects.....\$173,397

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Sec. 148.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital improvements fund.....No limit
State fair fee fund.....No limit

Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.

(b) On or before the 10th of each month during the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance

of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

State fair bonded debt service.....\$11,182,256
Sec. 149.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) In addition to the other purposes for which expenditures may be made by the above agency from the state general fund for fiscal year 2013, expenditures may be made by the above agency from the state general fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the state general fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the state general fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the state general fund for fiscal year 2013.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service – Kansas City district office.....\$6,600

Provided, That any unencumbered balance in the debt service – Kansas City district office account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund.....No limit

Provided, That, in addition to other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance fund.....No limit

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,804,195 from the state highway fund of the department of transportation to the department access road fund of the Kansas department of wildlife, parks and tourism.

(e) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the Kansas department of wildlife, parks and tourism.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2013, expenditures may be made by the above agency from the following capital

improvement account or accounts of the state agricultural production fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$513,000

(g) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2013, expenditures may be made by the above agency from the parks fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the parks fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the parks fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the parks fee fund for fiscal year 2013.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Kansas City district office.....\$10,400

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 2013.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2013, expenditures may be made by the above agency from the boating fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the boating fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the boating fee fund for fiscal year 2013.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2013, expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the boating safety and financial assistance fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the boating safety and financial assistance fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the boating safety and financial assistance fund for fiscal year

2013.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Federally mandated boating access	\$1,204,000
Public lands major maintenance.....	\$35,000
Debt service – Kansas City office.....	\$43,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 2013.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife fee fund for fiscal year 2013.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife conservation fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife conservation fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife conservation fund for fiscal year 2013.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2013, expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the cabin revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the cabin revenue fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the cabin revenue fund for fiscal year 2013.

(o) In addition to the other purposes for which expenditures may be made by the

above agency from the wildlife restoration fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife restoration fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife restoration fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife restoration fund for fiscal year 2013.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition and development.....	\$450,000
Cheyenne bottoms inlet canal renovations.....	\$1,582,912

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife restoration fund for fiscal year 2013.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife restoration fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife restoration fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife restoration fund for fiscal year 2013.

(r) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....	\$600,000
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the sport fish restoration program fund for fiscal year 2013.

(s) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2013, expenditures may be made by the above agency from the sport fish restoration program

fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the sport fish restoration program fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the sport fish restoration program fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the sport fish restoration program fund for fiscal year 2013.

(t) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition.....\$150,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2013.

(u) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2013, expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the migratory waterfowl propagation and protection fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the migratory waterfowl propagation and protection fund for fiscal year 2013.

(v) In addition to the other purposes for which expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2013, expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the nongame wildlife improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the nongame wildlife improvement fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the nongame wildlife improvement fund for fiscal year 2013.

(w) In addition to the other purposes for which expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2013, expenditures may be made by the above agency from the plant and animal disease

and pest control fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the plant and animal disease and pest control fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the plant and animal disease and pest control fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the plant and animal disease and pest control fund for fiscal year 2013.

(x) In addition to the other purposes for which expenditures may be made by the above agency from the land and water conservation fund – local for fiscal year 2013, expenditures may be made by the above agency from the land and water conservation fund – local for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the land and water conservation fund – local: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the land and water conservation fund – local for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the land and water conservation fund – local for fiscal year 2013.

(y) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the outdoor recreation acquisition, development and planning fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Outdoor recreation acquisition/development/planning operations
and maintenance.....\$375,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2013.

(z) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2013, expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the outdoor recreation acquisition, development and planning fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the outdoor recreation acquisition, development and

planning fund for fiscal year 2013.

(aa) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the recreational trails program fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program.....\$400,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the recreational trails program fund for fiscal year 2013.

(bb) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2013, expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the recreational trails program fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the recreational trails program fund for fiscal year 2013.

(cc) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$124,190

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the federally licensed wildlife areas fund for fiscal year 2013.

(dd) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2013, expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the federally licensed wildlife areas fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the federally licensed wildlife areas fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the federally licensed wildlife areas fund for fiscal year 2013.

(ee) In addition to the other purposes for which expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for

fiscal year 2013, expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the department of wildlife and parks gifts and donations fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the department of wildlife and parks gifts and donations fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the department of wildlife and parks gifts and donations fund for fiscal year 2013.

(ff) In addition to the other purposes for which expenditures may be made by the above agency from the Tuttle Creek state park mitigation project fund for fiscal year 2013, expenditures may be made by the above agency from the Tuttle Creek state park mitigation project fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the Tuttle Creek state park mitigation project fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the Tuttle Creek state park mitigation project fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the Tuttle Creek state park mitigation project fund for fiscal year 2013.

(gg) In addition to the other purposes for which expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2013, expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the highway planning/construction fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the highway planning/construction fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the highway planning/construction fund for fiscal year 2013.

(hh) In addition to the other purposes for which expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2013, expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the state wildlife grants fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the state wildlife

grants fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the state wildlife grants fund for fiscal year 2013.

(ii) In addition to the other purposes for which expenditures may be made by the above agency from the disaster grants – public assistance for fiscal year 2013, expenditures may be made by the above agency from the disaster grants – public assistance for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the disaster grants – public assistance: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the disaster grants – public assistance for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the disaster grants – public assistance for fiscal year 2013.

Sec. 150.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) In addition to the purposes for which expenditures may be made by the above agency from the other state fees fund for fiscal year 2013, expenditures may be made by the above agency from the other state fees fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Area office rehabilitation and repair.....\$200,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the other state fees fund for fiscal year 2013.

Sec. 151. On July 1, 2012, K.S.A. 2011 Supp. 2-223 is hereby amended to read as follows: 2-223. (a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) On each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities, except that for the fiscal year ending June 30, ~~2012–2013~~, notwithstanding the other provisions of this section, on March 1, ~~2012–2013~~, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$350,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2012–2013~~ from state fair activities and non-fair days activities through March 1, ~~2012–2013~~, except that, subject to approval by the director of the budget prior to March 1, ~~2012–2013~~, after reviewing the amounts credited to the

state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2012-2013~~, the state fair board may certify an amount on March 1, ~~2012-2013~~, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2012-2013~~, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year ~~2012-2013~~. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

(c) On each July 1, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund, an amount equal to the amount certified by the state fair board pursuant to subsection (b), except that: (1) No transfer from the state general fund under this subsection shall exceed \$300,000 in any fiscal year; and (2) no moneys shall be transferred pursuant to this section from the state general fund to the state fair capital improvements fund during the fiscal year ending June 30, ~~2012-2013~~.

Sec. 152. On the effective date of this act, K.S.A. 2011 Supp. 12-5256 is hereby amended to read as follows: 12-5256. (a) All expenditures from the state housing trust fund made for the purposes of K.S.A. 2011 Supp. 12-5253 through 12-5255, and amendments thereto, shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the Kansas housing resources corporation.

(b) ~~On the effective date of this act and on July 1, 2008, and July 1, 2014, the director of accounts and reports shall transfer \$4,000,000 from the state general fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto. (1) On July 1, 2012, and on July 1, 2013, the director of accounts and reports shall transfer \$2,000,000 from the state economic development initiatives fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto. Notwithstanding the provisions of K.S.A. 2011 Supp. 74-8959, and amendments thereto, to the contrary of the \$2,000,000 transferred to the state housing trust fund for the fiscal year ending June 30, 2013, pursuant to this subsection, \$600,000 shall be expended to pay the bond indebtedness for the water and sewer infrastructure of the city of Harveyville, Kansas. The president of the Kansas housing resources corporation shall implement and administer the provisions of this paragraph to make such payment for such purposes.~~

(2) ~~On July 1, 2012-2014, and on July 1, 2013-2015, the director of accounts and reports shall transfer \$2,000,000 from the state general fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto.~~

(3) ~~On July 1, 2012, the director of accounts and reports shall transfer \$600,000 from the state general fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto.~~

(4) ~~Notwithstanding the provisions of K.S.A. 2011 Supp. 74-8959, and~~

amendments thereto, to the contrary, during fiscal year 2013, except as provided in subsection (b)(1), and fiscal year 2014, moneys in the state housing trust fund shall be used solely for the purpose of loans or grants to cities or counties for infrastructure or housing development in rural areas. During such fiscal years, on or before January 14, 2013, and January 13, 2014, the president of the Kansas housing resources corporation shall submit a report concerning the activities of the state housing trust fund to the house of representatives committee on appropriations and the senate committee on ways and means.

Sec. 153. On July 1, 2012, K.S.A. 2011 Supp. 55-193 is hereby amended to read as follows: 55-193. On July 15, 1996, and on the 15th day of each calendar quarter thereafter before July 1, 2016, the director of accounts and reports shall transfer \$100,000 from the state general fund, \$100,000 from the state water plan fund established by K.S.A. 82a-951, and amendments thereto, and \$100,000 from the conservation fee fund established by K.S.A. 55-143, and amendments thereto, to the abandoned oil and gas well fund established by K.S.A. 55-192, and amendments thereto, except that: (a) No transfers shall be made pursuant to this section from the state general fund to the abandoned oil and gas well fund during ~~state fiscal year 2009, state fiscal year 2010, state fiscal year 2011,~~ state fiscal year 2012 ~~or, state fiscal year 2013 or state fiscal year 2014;~~ (b) ~~the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2009 shall not exceed \$320,000;~~ (c) ~~the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2010 shall not exceed \$288,000;~~ (d) ~~the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2011 shall not exceed \$374,865;~~ and (e) ~~the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2012 shall not exceed \$400,000; and (c) the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2013 shall not exceed \$600,000 and such transfer from the state water plan fund to the abandoned oil and gas well fund shall be made on the 15th day of each calendar quarter during state fiscal year 2013 in substantially equal amounts as determined by the director of accounts and reports.~~

Sec. 154. On July 1, 2012, K.S.A. 2011 Supp. 72-8814 is hereby amended to read as follows: 72-8814. (a) There is hereby established in the state treasury the school district capital outlay state aid fund. Such fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district which levies a tax pursuant to K.S.A. 72-8801 *et seq.*, and amendments thereto, shall be entitled to receive payment from the school district capital outlay state aid fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range

upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp. 72-8814b, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district, except that the state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(5) determine the amount levied by each school district pursuant to K.S.A. 72-8801 *et seq.*, and amendments thereto;

(6) multiply the amount computed under (5), but not to exceed 8 mills, by the applicable state aid percentage factor. The product is the amount of payment the school district is entitled to receive from the school district capital outlay state aid fund in the school year.

(c) The state board shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital outlay state aid fund for distribution to school districts, except that no transfers shall be made from the state general fund to the school district capital outlay state aid fund during the fiscal years ending June 30, ~~2012~~ 2013, or June 30, ~~2013~~ 2014. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund.

(d) Payments from the school district capital outlay state aid fund shall be distributed to school districts at times determined by the state board of education. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the capital outlay fund of the school district to be used for the purposes of such fund.

(e) Amounts transferred to the capital outlay fund of a school district as authorized by K.S.A. 72-6433, and amendments thereto, shall not be included in the computation when determining the amount of state aid to which a district is entitled to receive under this section.

Sec. 155. On July 1, 2012, K.S.A. 2011 Supp. 74-50,107 is hereby amended to read as follows: 74-50,107. (a) (1) The secretary shall determine and from time to time shall redetermine the rate at which moneys shall be credited to the IMPACT program repayment fund in order to satisfy all bond repayment obligations which have been incurred to finance program costs for IMPACT programs, which shall be referred to as

the debt service rate, and the rate at which moneys shall be credited to the IMPACT program services fund in order to finance program costs that are not financed by bonds, which shall be referred to as the direct funding rate. The total of the debt service rate and the direct funding rate shall be the combined rate. Each rate so determined shall be certified to the secretary of revenue. The combined rate determined under this subsection shall not exceed 2%.

(2) Upon receipt of the rates determined and certified under subsection (a)(1), the secretary of revenue shall apply daily the combined rate to that portion of the moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 *et seq.*, and amendments thereto. The amount so determined shall be credited as follows: (A) The portion attributable to the debt service rate shall be credited to the IMPACT program repayment fund; and (B) the remaining portion shall be credited to the IMPACT program services fund.

(3) The aggregate of all amounts credited to the IMPACT program repayment fund under this section during any fiscal year to pay bond repayment obligations on bonds to finance major project investments shall not exceed the amount which results when the rate of 2% is applied to all moneys withheld from the wages of individuals and received under the Kansas withholding and declaration of estimated tax act.

(4) The provisions of this subsection shall remain in effect prior to July 1, 2012.

(b) Commencing July 1, 2012, and on the first day of each month thereafter during fiscal year 2013 and fiscal year 2014, the secretary of revenue shall apply a rate of 2% to that portion of moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 *et seq.*, and amendments thereto. The amount so determined shall be credited on a monthly basis as follows: (1) An amount necessary to meet obligations of the debt services for the IMPACT program repayment fund; and (2) an amount to the IMPACT program services fund as needed for program administration; and (3) any remaining amounts to the job creation program fund created pursuant to K.S.A. 2011 Supp. 74-50,224, and amendments thereto.

(c) Commencing July 1, ~~2012-2014~~, and on an annual basis thereafter, the secretary of revenue shall estimate the amount equal to the amount of net savings realized from the elimination, modification or limitation of any credit, deduction or program pursuant to the provisions of this act as compared to the expense deduction provided for in K.S.A. 2011 Supp. 79-32,143a, and amendments thereto. Whereupon such amount of savings in accordance with appropriation acts shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount to the credit of the job creation program fund created pursuant to K.S.A. 2011 Supp. 74-50,224, and amendments thereto. In addition, such other amount or amounts of money may be transferred from the state general fund or any other fund or funds in the state treasury to the job creation program fund in accordance with appropriation acts.

Sec. 156. On the effective date of this act, K.S.A. 2011 Supp. 74-99b34 is hereby amended to read as follows: 74-99b34. (a) The bioscience development and investment fund is hereby created. The bioscience development and investment fund shall not be a part of the state treasury and the funds in the bioscience development and investment fund shall belong exclusively to the authority.

(b) Distributions from the bioscience development and investment fund shall be for

the exclusive benefit of the authority, under the control of the board and used to fulfill the purpose, powers and duties of the authority pursuant to the provisions of K.S.A. 2011 Supp. 74-99b01 *et seq.*, and amendments thereto.

(c) The secretary of revenue and the authority shall establish the base year taxation for all bioscience companies and state universities. The secretary of revenue, the authority and the board of regents shall establish the number of bioscience employees associated with state universities and report annually and determine the increase from the taxation base annually. The secretary of revenue and the authority may consider any verifiable evidence, including, but not limited to, the NAICS code assigned or recorded by the department of labor for companies with employees in Kansas, when determining which companies should be classified as bioscience companies.

(d) (1) Except as provided in subsection (d)(2) ~~or (h), (d)(3), (h) or (i)~~, for a period of 15 years from the effective date of this act, the state treasurer shall pay annually 95% of withholding above the base, as certified by the secretary of revenue, upon Kansas wages paid by bioscience employees to the bioscience development and investment fund. ~~The state treasurer may make estimated payments to the bioscience authority more frequently based on estimates provided by the secretary of revenue and~~ During the fiscal years ending June 30, 2013, and June 30, 2014, the state treasurer shall make payments to the bioscience authority on July 15, October 15, January 15 and April 15 in equal installments, subject to the limitations established in subsection (h). If on such dates, during fiscal years 2013 and 2014, such payments can not be made in equal amounts, the state treasurer shall make the payment in the amount of moneys that is available on such date and upon the next payment date, the state treasurer shall make the payment in an amount equal to the amount that is to be paid on that date plus any additional amount that is owed from a previous date. During the fiscal years ending June 30, 2015, and following fiscal years thereafter, the state treasurer shall make payments to the bioscience authority on July 15, October 15, January 15 and April 15 based on the certification provided by the secretary of revenue. Such payments shall be reconciled annually. On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the bioscience development and investment fund interest earnings based on:

(A) The average daily balance of moneys in the bioscience development and investment fund for the preceding month; and

(B) the net earnings rate of the pooled money investment portfolio for the preceding month.

(2) (A) For fiscal year ~~2012-2013~~, the first \$1,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees, shall be transferred by the director of accounts and reports from the ~~sales tax refund state general fund of the department of revenue~~ to the following: the center of innovation for biomaterials in orthopaedic research – Wichita state university fund.

(B) There is hereby established in the state treasury the center of innovation for biomaterials in orthopaedic research – Wichita state university fund which shall be administered by Wichita state university. All moneys credited to the fund shall be used for research and development. All expenditures from the center of innovation for biomaterials in orthopaedic research – Wichita state university fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and

reports issued pursuant to expenditures approved by the president of Wichita state university or by the person or persons designated by the president of Wichita state university.

(3) (A) For fiscal year 2013, the next \$5,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees above the first \$1,000,000 certified pursuant to subsection (d)(2)(A), shall be transferred by the director of accounts and reports from the state general fund to the following: The national bio agro-defense facility fund at Kansas state university.

(B) There is hereby established in the state treasury the national bio agro-defense facility fund which shall be administered by Kansas state university in accordance with the strategic plan adopted by the governor's national bio agro-defense facility steering committee. All moneys credited to the fund shall be used in accordance with the governor's national bio agro-defense facility steering committee's plan with the approval of the president of Kansas state university. All expenditures from the national bio agro-defense facility fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the steering committee and the president of Kansas state university or by the person or persons designated by the president of Kansas state university.

(e) The cumulative amounts of funds paid by the state treasurer to the bioscience development and investment fund shall not exceed \$581,800,000.

(f) The division of post audit is hereby authorized to conduct a post audit in accordance with the provisions of the legislative post audit act, K.S.A. 46-1106 *et seq.*, and amendments thereto.

(g) At the direction of the authority, the fund may be held in the custody of and invested by the state treasurer, provided that the bioscience development and investment fund shall at all times be accounted for in a separate report from all other funds of the authority and the state.

(h) During the fiscal years ending June 30, ~~2012-2013~~, and June 30, ~~2013-2014~~, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed \$35,000,000 for each such fiscal year.

(i) During the fiscal year ending June 30, 2012, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed \$12,322,186 for such fiscal year.

Sec. 157. On July 1, 2012, K.S.A. 2011 Supp. 75-2319 is hereby amended to read as follows: 75-2319. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) Subject to the provisions of subsection (f), in each school year, each school district which is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each

school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 5% for contractual bond obligations incurred by a school district prior to the effective date of this act, and 25% for contractual bond obligations incurred by a school district on or after the effective date of this act;

(5) determine the amount of payments in the aggregate that a school district is obligated to make from its bond and interest fund and, of such amount, compute the amount attributable to contractual bond obligations incurred by the school district prior to the effective date of this act and the amount attributable to contractual bond obligations incurred by the school district on or after the effective date of this act;

(6) multiply each of the amounts computed under (5) by the applicable state aid percentage factor; and

(7) add the products obtained under (6). The amount of the sum is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, ~~2012~~ 2013, and June 30, ~~2013~~ 2014, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer

payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

(f) Amounts transferred to the capital improvements fund of a school district as authorized by K.S.A. 72-6433, and amendments thereto, shall not be included in the computation when determining the amount of state aid to which a district is entitled to receive under this section.

Sec. 158. On July 1, 2012, K.S.A. 2011 Supp. 76-775 is hereby amended to read as follows: 76-775. (a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 2011 Supp. 76-774, and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either (1) the endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution, or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsection shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, ~~2012~~ 2013, and June 30, ~~2013~~ 2014, shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund which shall be administered by the state board of regents. All moneys transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such eligible educational institutions. The state board of regents shall pay from the faculty of distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be determined by the director of accounts and reports and shall be the amount of interest earnings that the amount of the qualifying gift certified by the state board of regents would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible

educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section and amendments thereto for a fiscal year is equal to or greater than \$6,000,000 in fiscal year 2009, \$7,000,000 in fiscal year 2010 and \$8,000,000 in fiscal year 2011 and in each fiscal year thereafter.

Sec. 159. On July 1, 2012, K.S.A. 2011 Supp. 76-783 is hereby amended to read as follows: 76-783. (a) (1) The Kansas development finance authority is hereby authorized to issue from time to time bonds on behalf of the board of regents in such principal amounts as the Kansas development finance authority and the board of regents determine to be necessary to provide sufficient funds to finance scientific research and development facilities, including, but not limited to, the payment of interest on such bonds, the establishment of reserves to secure such bonds, costs of issuance, refunding any outstanding bonds, and all other expenditures of the board of regents incident to and necessary or convenient to carry out the powers and functions authorized by this act. The Kansas development finance authority shall not issue any bond or bonds on behalf of the corporation formed by the board of regents under this act. The Kansas development finance authority shall not issue bonds under this act for more than \$120,000,000, in the aggregate, plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such scientific research and development facilities and any required reserves for payment of principal and interest on any such bond.

(2) Except as may otherwise be expressly provided by the board of regents, every obligation of the board of regents with respect to such bonds shall be an obligation of the board of regents payable out of any revenues or moneys of the board of regents derived from annual appropriations of the legislature. Subject only to any agreements with holders of particular bonds pledging any particular revenues, the board of regents shall use moneys derived from scientific research and development facilities to provide funds sufficient to pay principal and interest on any bonds issued pursuant to this act commencing after the date a project is completed and has been accepted by the board of regents. Subject to the provisions of appropriation acts, payment of principal and interest on the bonds shall be made by the state board of regents from annual appropriations by the legislature from such revenues as are furnished by the board of regents, or from any other available funds, in amounts sufficient to pay principal and interest on the bonds until the bonds are finally paid.

(3) Upon acceptance by the board of regents of each project initiated and completed under this act and upon a determination by the board of regents that the period for repayment of debt for such project is to commence, the board of regents shall certify to the director of accounts and reports that principal and interest payments for such project are to commence and the dates and amounts of all principal and interest payments for such project. Pursuant to each such certification and commencing on or after July 1, 2004, the director of accounts and reports shall transfer, from the state general fund to the debt service fund or funds at a state educational institution as specified in the certification for such project, the amount certified on or before the respective payment

date therefor. Transfers shall be made under this section pursuant to any such certification on or after July 1, 2004. All such transfers during the fiscal years ending June 30, ~~2012~~ 2013, and June 30, ~~2013~~ 2014, shall be considered to be revenue transfers from the state general fund. The aggregate of all such transfers from the state general fund during any fiscal year shall not exceed \$10,000,000 and the aggregate of all such transfers from the state general fund under this section shall not exceed \$50,000,000. The Kansas development finance authority and the board of regents shall enter into contracts with respect to the scientific research and development facilities financed under this act prescribing the obligation of the board of regents and the state educational institutions to provide for repayment of amounts of bond debt service in addition to those amounts provided for by transfers under this section from the state general fund.

(b) (1) The bonds shall be authorized by a resolution adopted by the board of directors of the Kansas development finance authority.

(2) Except as otherwise provided in this act, bonds issued by the Kansas development finance authority under authority of this act shall be subject to the provisions of K.S.A. 74-8901 *et seq.*, and amendments thereto.

(c) Any resolution authorizing the board of regents to incur any obligation with respect to bonds issued by the Kansas development finance authority may contain such provisions as deemed appropriate by the board of regents for the purpose of carrying out the purposes of this act and securing such bonds, which shall be a part of the contract with the holders thereof, including, but not limited to, provisions:

(1) Pledging all or any part of the revenues of the board of regents derived from scientific research and development facilities to secure the payment of the bonds or of any issue thereof, subject to such agreements with bondholders as may then exist;

(2) the setting aside of reserves or sinking funds and the regulation and disposition thereof;

(3) limitations on the issuance of additional bonds or other obligations, the terms upon which additional bonds or obligations may be issued and secured, and the refunding of outstanding or other bonds;

(4) defining the acts or omissions to act which shall constitute a default in the obligations and duties of the board of regents to the Kansas development finance authority, the applicable bond trustee or the holders of the bonds, except that such rights and remedies shall not be inconsistent with the general laws of this state and the other provisions of this act; and

(5) any other matters, of like or different character, which in any way affect the security or protection of the holders of the notes or bonds.

(d) Any of the provisions relating to any bonds described in this section may be set forth in a trust indenture, loan agreement, lease agreement or other financing document authorized by a resolution of the board of regents or the board of directors of the Kansas development finance authority.

(e) The bonds of each issue may, in the discretion of the board of directors of the Kansas development finance authority, be made redeemable before maturity at such prices and under such terms and conditions as may be determined by the board of directors of the Kansas development finance authority. Bonds issued on behalf of the board of regents shall mature at such time, not exceeding 30 years from their date of issue, as may be determined by the board of regents and the board of directors of the Kansas development finance authority. The bonds may be issued as serial bonds

payable in annual installments or as term bonds or as a combination thereof. The bonds shall bear interest at such rate either fixed or variable, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment and at such place, and be subject to such terms of redemption as provided in the resolution of trust indenture. The bonds may be sold by the Kansas development finance authority, at public or private sale, at such price as the board of directors of the Kansas development finance authority shall determine.

(f) In case any officer of the Kansas development finance authority whose signature or a facsimile of whose signature appears on any bonds or coupons attached thereto ceases to be such officer before the delivery thereof, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

(g) Any bonds issued by the Kansas development finance authority pursuant to this section, and the income therefrom (including any profit from the sale thereof) shall at all times be free from taxation by the state or any agency, political subdivision or instrumentality of the state, including income and property taxes.

(h) Any holder of bonds issued under the provisions of this act, or any coupons appertaining thereto and the trustee under any trust agreement or resolution authorizing the issuance of such bonds, except the rights under this act may be restricted by such trust agreement or resolution, may, either at law or in equity by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the state or granted under this act or under such agreement or resolution, or under any other contract executed by the board of regents pursuant to this act, and may enforce and compel the performance of all duties required by this act or by such trust agreement or resolution to be performed by the board of regents or by an officer thereof.

(i) The bonds shall be special, limited obligations of the Kansas development finance authority and the state shall not be liable for bonds issued by the Kansas development finance authority on behalf of the board of regents, and such bonds shall not constitute a debt of the state.

(j) Neither the board of regents, the board of the Kansas development finance authority nor any authorized employee of the board of regents or the Kansas development finance authority shall be personally liable for such bonds by reason of the issuance thereof.

(k) Nothing in this act shall be construed as a restriction or limitation upon any other powers which the board of regents might otherwise have under any other law of this state, and this act is cumulative to any such powers. This act does and shall be construed to provide a complete, additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws. The issuance of bonds under the provisions of this act need not comply with the requirements of any other state law applicable to the issuance of bonds. No proceedings, notice or approval shall be required for the issuance of any bonds or any instrument as security therefor, except as is provided in this act.

(l) Any of the provisions relating to bonds described in this section may be included in any contracts between the board of regents and the Kansas development finance authority relating to obligations of the Kansas development finance authority issued on behalf of the board of regents.

Sec. 160. On July 1, 2012, K.S.A. 2011 Supp. 76-7,107 is hereby amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon thereafter as sufficient moneys are available, \$7,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto.

(2) ~~No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto, during the fiscal year ending June 30, 2010, pursuant to this section.~~

(3) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto, during the fiscal year ending June 30, ~~2012~~ 2013, pursuant to this section.

(4)~~(3)~~ No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto, during the fiscal year ending June 30, ~~2013~~ 2014, pursuant to this section.

(b) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

(c) All moneys credited to the infrastructure maintenance fund shall be expended or transferred only for the purpose of paying the cost of projects approved by the state board pursuant to the state educational institution long-term infrastructure maintenance program.

Sec. 161. On July 1, 2012, K.S.A. 2011 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts which in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and ~~acts amendatory thereof and supplemental amendments~~ thereto, during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal years ~~2012~~ 2013 and ~~2013~~ 2014. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 162. On July 1, 2012, K.S.A. 2011 Supp. 79-2978 is hereby amended to read as follows: 79-2978. (a) There is hereby established in the state treasury the business machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the business machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying *ad valorem* taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this

purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2007 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2008, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (e).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2008 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On March 2, 2009, subject to the provisions of subsection (d) and subsection (g), the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (e).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2009 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference for distribution as provided in subsection (e).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2010 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (e).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and

industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2011 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2012, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (e).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) The calculations required by subsection (b) shall be based upon a certification made by the county clerk on or before November 15 of the tax year and submitted to the director of property valuation. Such certification shall be in a format devised and prescribed by the director of property valuation. Such certification shall report the total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment. The county clerk shall provide a copy of such certification to the county treasurer for the purpose of determining the distribution of moneys pursuant to the provisions of subsection (e)(2) paid to the county pursuant to subsection (b) by the state treasurer.

(d) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(e) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the business machinery and equipment tax reduction assistance fund, except that (A) the aggregate amount of moneys transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2009, pursuant to this section shall not exceed the maximum amount determined pursuant to subsection (g), (B) an amount equal to 50% of the maximum amount determined pursuant to subsection (g) shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund on March 2, 2009, (C) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2010, pursuant to this section, (D) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2011, pursuant to this section, ~~and~~ (E) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2012, pursuant to this section, (F) no moneys shall be transferred

from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2013, pursuant to this section, and (G) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2014, pursuant to this section.

(2) The state treasurer shall apportion and distribute the moneys credited to the business machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the *ad valorem* taxing subdivisions imposing *ad valorem* taxes on commercial and industrial machinery and equipment in an amount equal to the difference between the total *ad valorem* taxes on commercial and industrial machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year 2005 and the total *ad valorem* taxes on commercial and industrial machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(f) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of *ad valorem* taxes on commercial and industrial machinery and equipment not included in the total *ad valorem* taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and such abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

(g) (1) The maximum amount that may be transferred during the fiscal year ending June 30, 2009, from the state general fund to the business machinery and equipment tax reduction assistance fund pursuant to this section shall be equal to (A) the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2979, and amendments thereto, multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2979, and amendments thereto.

(2) If a maximum amount is imposed under this subsection and the aggregate amount transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during state fiscal year 2009 pursuant to this section is reduced, then the amount allocated to each county by the state treasurer under subsection (b)(2) shall be reduced proportionately with respect to aggregate reduction in

the amount of such transfer from the state general fund to the business machinery and equipment tax reduction assistance fund during state fiscal year 2009.

Sec. 163. On July 1, 2012, K.S.A. 2011 Supp. 79-2979 is hereby amended to read as follows: 79-2979. (a) There is hereby established in the state treasury the telecommunications and railroad machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the telecommunications and railroad machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying *ad valorem* taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2007 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2008, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (d).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2008 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On March 2, 2009, subject to the provisions of subsection (c) and subsection (f), the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (d).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2009 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference

for distribution as provided in subsection (d).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2010 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (d).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2011 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2012, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (d).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(d) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund, except that (A) the aggregate amount of moneys transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2009, pursuant to this section shall not exceed the maximum amount determined pursuant to subsection (f), (B) an amount equal to 50% of the maximum amount determined pursuant to subsection (f) shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund on March 2, 2009, (C) no moneys shall be transferred from the state general fund

to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2010, pursuant to this section, (D) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2011, pursuant to this section, ~~and (E) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2012, pursuant to this section, (F) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2013, pursuant to this section, and (G) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2014, pursuant to this section.~~

(2) The state treasurer shall apportion and distribute the moneys credited to the telecommunications and railroad machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the *ad valorem* taxing subdivisions imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment in an amount equal to the difference between the total *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year 2005 and the total *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(e) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment not included in the total of *ad valorem* taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and the abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

(f) (1) The maximum amount that may be transferred during the fiscal year ending June 30, 2009, from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund pursuant to this section shall be equal to (A) the amount equal to 93.5% of the aggregate amount determined under

subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2978, and amendments thereto, multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2978, and amendments thereto.

(2) If a maximum amount is imposed under this subsection and the aggregate amount transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during state fiscal year 2009 pursuant to this section is reduced, then the amount allocated to each county by the state treasurer under subsection (b)(2) shall be reduced proportionately with respect to aggregate reduction in the amount of such transfer from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during state fiscal year 2009.

Sec. 164. On July 1, 2012, K.S.A. 2011 Supp. 79-3425i, as amended by section 10 of 2012 House Bill No. 2557, is hereby amended to read as follows: 79-3425i. (a) On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and annual commercial vehicle fees collected pursuant to section 1 of 2012 House Bill No. 2557, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; (2) no moneys shall be transferred from the state general fund to the special city and county highway fund during ~~state fiscal year 2010, state fiscal year 2011,~~ state fiscal year ~~2012~~ 2013 or state fiscal year ~~2013~~ 2014; (3) all transfers under this section shall be considered to be demand transfers from the state general fund; and (4) (A) on each January 14, April 14, July 14 and October 14 of state fiscal years 2012, 2013, 2014, 2015 and 2016 the state treasurer shall determine the amount of money to be paid the counties and cities on such dates of such year, pursuant to K.S.A. 79-3425c, and amendments thereto, and make the following adjustments prior to the apportionment and payment specified in K.S.A. 79-3425c, and amendments thereto: (i) The following amounts shall be added to the apportionment and payment to be paid to the following counties: Barton county, \$7,984.99; Butler county, \$96,937.27; Douglas county, \$128,245.99; Leavenworth county, \$55,766.22; Shawnee county, \$267,356.20; and (ii) the following amounts shall be deducted from the apportionment and payment to the following counties: Allen county, \$3,839.12; Anderson county, \$2,957.98; Atchison county, \$4,345.79; Barber county, \$1,813.76; Bourbon county, \$2,945.98; Brown county, \$1,590.14; Chase county, \$1,364.54; Chautauqua county, \$539.42; Cherokee county, \$5,874.25; Cheyenne county, \$1,317.84; Clark county, \$757.32; Clay county, \$968.54; Cloud county, \$2,774.68; Coffey county, \$2,894.76; Comanche county, \$446.63; Cowley county, \$2,116.31; Crawford county, \$5,558.19; Decatur county, \$1,615.15; Dickinson county, \$6,024.00; Doniphan county, \$2,626.24; Edwards county, \$1,580.33; Elk county, \$525.08; Ellis county, \$8,774.46; Ellsworth county, \$2,334.37; Finney county, \$5,837.57; Ford county, \$7,048.03; Franklin county, \$6,898.28; Geary county, \$976.57;

Gove county, \$1,058.76; Graham county, \$1,409.48; Grant county, \$1,936.03; Gray county, \$2,355.25; Greeley county, \$941.53; Greenwood county, \$2,701.29; Hamilton county, \$1,060.71; Harper county, \$1,466.35; Harvey county, \$7,863.46; Haskell county, \$1,335.39; Hodgeman county, \$959.20; Jackson county, \$4,647.68; Jefferson county, \$6,701.43; Jewell county, \$1,211.66; Johnson county, \$115,947.72; Kearny county, \$1,160.82; Kingman county, \$2,801.87; Kiowa county, \$1,441.36; Labette county, \$5,563.25; Lane county, \$652.48; Lincoln county, \$1,203.05; Linn county, \$3,772.22; Logan county, \$1,169.58; Lyon county, \$8,236.73; Marion county, \$3,681.52; Marshall county, \$3,878.17; McPherson county, \$8,652.66; Meade county, \$1,048.56; Miami county, \$10,701.45; Mitchell county, \$3,466.79; Montgomery county, \$8,377.29; Morris county, \$1,955.91; Morton county, \$1,200.61; Nemaha county, \$3,774.74; Neosho county, \$5,507.28; Ness county, \$991.77; Norton county, \$1,800.14; Osage county, \$2,327.93; Osborne county, \$1,882.73; Ottawa county, \$2,063.91; Pawnee county, \$1,802.09; Phillips county, \$2,622.20; Pottawatomie county, \$6,512.08; Pratt county, \$2,187.16; Rawlins county, \$1,119.60; Reno county, \$12,935.71; Republic county, \$2,272.31; Rice county, \$1,722.51; Riley county, \$11,149.53; Rooks county, \$2,252.51; Rush county, \$1,235.76; Russell county, \$577.59; Saline county, \$14,049.86; Scott county, \$1,340.37; Sedgwick county, \$117,126.91; Seward county, \$4,488.67; Sheridan county, \$1,786.11; Sherman county, \$194.37; Smith county, \$1,993.99; Stafford county, \$2,029.27; Stanton county, \$991.97; Stevens county, \$638.08; Sumner county, \$5,908.68; Thomas county, \$3,388.44; Trego county, \$1,781.87; Wabaunsee county, \$2,354.10; Wallace county, \$994.33; Washington county, \$2,554.75; Wichita county, \$1,333.92; Wilson county, \$3,659.10; Woodson county, \$1,214.90; Wyandotte county, \$16,818.00; (B) after determining and including such additions and deductions, the resulting apportionment and payment shall be paid by the state treasurer to the counties and cities prescribed therefor, notwithstanding the provisions of K.S.A. 79-3425c, and amendments thereto, or any other statute, each January 14, April 14, July 14 and October 14 of state fiscal years 2012, 2013, 2014, 2015 and 2016, with the requirement that the additional moneys received by each such county shall be deposited and administered in accordance with K.S.A. 79-3425c, and amendments thereto, including any redistributions provided for by that statute, except that the state treasurer shall calculate the annual equalization payment to each county without considering the deductions or additions to quarterly distributions required by subsection (a)(4)(A); and (C) acceptance of the payments made pursuant to this subsection (a)(4) shall be deemed as payment in full and a release of any liability from the county to the state treasurer for payments from the special city and county highway fund for state fiscal years 2000 through 2009.

(b) During the state fiscal year ending June 30, 2010, on July 15, 2009, and January 15, 2010, the director of accounts and reports shall transfer \$2,515,916 from the state highway fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto.

Sec. 165. On July 1, 2012, K.S.A. 2011 Supp. 79-34,156 is hereby amended to read as follows: 79-34,156. ~~On April 1, 2007, the director of accounts and reports shall transfer \$437,500 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund. If sufficient moneys are not available in the state economic development initiatives fund for such transfer on April 1, 2007, then the director of accounts and reports shall transfer on such date the amount~~

available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund. On July 1, 2007, and quarterly thereafter, the director of accounts and reports shall transfer \$875,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund, except: (a) That, during the fiscal year ending June 30, ~~2012~~ 2013, on July 1, ~~2011~~ 2012, October 1, ~~2011~~ 2012, and January 1, ~~2012~~ 2013, and April 1, ~~2012~~ 2013, the director of accounts and reports shall transfer \$50,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund, and (b) that, if sufficient moneys are not available in the state economic development initiatives fund for any such transfer during the fiscal year ending June 30, ~~2012~~ 2013, then the director of accounts and reports shall transfer the amount available in the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund on the date specified in the fiscal year ending June 30, ~~2012~~ 2013. If sufficient moneys are not available in the state economic development initiatives fund for such transfer on July 1, ~~2012~~ 2013, and on the first day of any calendar quarter thereafter, in any such fiscal year, then the director of accounts and reports shall transfer on such date the amount available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund; except that no moneys shall be transferred from the state general fund to the Kansas biodiesel fuel producer fund during the fiscal year ending June 30, ~~2011~~ 2012, or the fiscal year ending June 30, ~~2012~~ 2013.

Sec. 166. On July 1, 2012, K.S.A. 2011 Supp. 79-34,171 is hereby amended to read as follows: 79-34,171. (a) On January 1, 2009, and quarterly thereafter, the director of accounts and reports shall transfer \$400,000 from the state general fund to the Kansas retail dealer incentive fund, except that ~~(1)~~ no moneys shall be transferred pursuant to this section from the state general fund to the Kansas retail dealer incentive fund during the fiscal years ending ~~June 30, 2010, June 30, 2011, June 30, 2012~~ 2013, or June 30, ~~2013~~, and ~~(2) any transfers of moneys from the state general fund to the Kansas retail dealer incentive fund during the state fiscal year ending June 30, 2010, under this or any other statute that have been made prior to the effective date of this act shall be reversed by the director of accounts and reports and reversing entries shall be entered upon the accounting records of the state treasurer therefor 2014.~~ On and after July 1, 2009, the unobligated balance in the Kansas retail dealer incentive fund shall not exceed \$1.5 million. If the unobligated balance of the fund exceeds \$1.1 million at the time of a quarterly transfer, the transfer shall be limited to the amount necessary for the fund to reach a total of \$1.5 million.

(b) There is hereby created in the state treasury the Kansas retail dealer incentive fund. All moneys in the Kansas retail dealer incentive fund shall be expended by the secretary of the department of revenue for the payment of incentives to Kansas retail dealers who sell and dispense renewable fuels or biodiesel through a motor fuel pump in accordance with the provisions of K.S.A. 2011 Supp. 79-34,170 through 79-34,175, and amendments thereto.

(c) All moneys remaining in the Kansas retail dealer incentive fund upon the

expiration of K.S.A. 2011 Supp. 79-34,170 through 79-34,175, and amendments thereto, shall be credited by the state treasurer to the state general fund.

Sec. 167. On July 1, 2012, K.S.A. 2011 Supp. 79-4227 is hereby amended to read as follows: 79-4227. (a) All revenue collected or received by the director from the tax imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. The state treasurer shall first credit such amount as the director shall order to the mineral production tax refund fund created under subsection (b) of this section. Except as otherwise provided by this section, the state treasurer shall credit the remainder of such amounts as follows: (1) Seven percent to the special county mineral production tax fund created under subsection (c) of this section; and (2) the remainder shall be credited to the state general fund. On and after July 1, 2008 2012, and thereafter, except as otherwise provided by this section, the state treasurer shall credit the remainder of such amounts for oil and gas for any county which in fiscal year 2005 or any fiscal year thereafter had \$100,000 or more in receipts of the excise tax upon the severance and production of oil and gas as follows: (1) Seven percent to the special county mineral production tax fund created under subsection (c); (2) 4.96% from July 1, 2008, through June 30, 2009, to the oil and gas valuation depletion trust fund; 7.44% from July 1, 2009, through June 30, 2010, to the oil and gas valuation depletion trust fund; 9.93% from July 1, 2010, to June 30, 2011, to the oil and gas valuation depletion trust fund; and 12.41% from July 1, 2011, and thereafter, to the oil and gas valuation depletion trust fund; and (3) the remainder shall be credited to the state general fund. During fiscal year 2013, the state treasurer shall credit the remainder of such amounts as follows: (1) As otherwise provided in this section; and (2) on the 15th day of each month, the state treasurer shall determine the amount of revenue collected or received by the director from the tax imposed by this act during the preceding month which exceeds the consensus revenue estimate for such preceding month. If such amount of revenue collected or received for such preceding month is greater than the estimated amount of revenue for such preceding month, then the state treasurer shall credit 14.63% of the difference between the actual amount collected or received and the estimated amount of revenue to the incentive for technical education fund, and 85.37% of the difference between the actual amount collected or received and the estimated amount of revenue to the tuition for technical education fund. During fiscal year 2013, the amount credited to the incentive for technical education fund shall not exceed \$1,500,000, and the amount credited to the tuition for technical education fund shall not exceed \$8,750,000. The incentive for technical education fund and the tuition for technical education fund are hereby created in the state treasury.

(b) A refund fund designated as "mineral production tax refund fund" not to exceed \$50,000 is hereby created for the prompt payment of all tax refunds. The mineral production tax refund fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) There is hereby created a special county mineral production tax fund. On December 1, 1983, and quarterly thereafter, the director of taxation shall distribute all moneys credited to such fund to the county treasurers of all counties in which taxes were levied under K.S.A. 79-4217, and amendments thereto, for the severing and

producing of coal, oil or gas from property within the county, in the proportion that the taxes levied upon production in each county bears to the total of all of such taxes levied in all of such counties. Such distribution shall be based on returns filed, with any adjustments or corrections thereto made by the director of taxation.

(d) The secretary of revenue shall make provision for the determination of the counties within which taxes are levied under K.S.A. 79-4217, and amendments thereto, for the severance of coal, oil or gas and shall certify the same to the director of accounts and reports.

(e) The director of accounts and reports shall draw warrants on the state treasurer payable to the county treasurer of each county entitled to payment from the special county mineral production tax fund upon vouchers approved by the director of taxation. Upon receipt of such warrant, each county treasurer shall credit 50% of the amount thereof to the county general fund and shall distribute the remaining 50% thereof to the treasurer of each school district all or any portion of which is located within the county in the proportion that the assessed value of coal, oil and gas properties within each district bears to the total of the assessed value of all coal, oil and gas properties within the county. Such assessed valuation shall be determined upon the basis of the most recent November 1 tax roll. The treasurer of each school district shall credit the entire amount of the moneys so received to the general fund of the school district.

Sec. 168. On July 1, 2012, K.S.A. 2011 Supp. 82a-953a is hereby amended to read as follows: 82a-953a. During each fiscal year, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, one-half of such amount to be transferred on July 15 and one-half to be transferred on January 15, except that ~~(1) such transfers during each fiscal year commencing after June 30, 2008, are subject to reduction under K.S.A. 75-6704, and amendments thereto, (2) the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2009, shall not exceed \$2,000,000, (3) the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2010, shall not exceed \$3,295,432, (4) the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2011, shall not exceed \$1,348,245, and (5) no moneys shall be transferred from the state general fund to the state water plan fund during the fiscal years year ending June 30, 2012, or June 30, 2013. On the effective date of this act, the director of accounts and reports shall transfer the amount in excess of \$2,000,000 which was transferred from the state general fund to the state water plan fund prior to the effective date of this act during the fiscal year ending June 30, 2009, as certified by the director of the budget to the director of accounts and reports to the state general fund. All transfers under this section shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, 2010, and June 30, 2011, shall be considered revenue transfers from the state general fund.~~

Sec. 169. On the effective date of this act, K.S.A. 2011 Supp. 12-5256 and 74-99b34 are hereby repealed.

Sec. 170. On July 1, 2012, K.S.A. 2011 Supp. 2-223, 55-193, 72-8814, 74-50,107, 75-2319, 76-775, 76-783, 76-7,107, 79-2964, 79-2978, 79-2979, 79-3425i, as amended by section 10 of 2012 House Bill No. 2557, 79-34,156, 79-34,171, 79-4227 and 82a-953a are hereby repealed.

Sec. 171. (a) Except as provided in subsection (b), except to the extent required by federal law, during the fiscal year ending June 30, 2013, no state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2013, from the state general fund or in any special revenue fund or funds for such state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, for health care services provided by any such state agency, or any employee of such state agency while acting within the scope of such employee's employment, which include abortion: *Provided, however*, That the provisions of this section shall not apply to an abortion which is necessary to preserve the life of the pregnant woman.

(b) Nothing in this section shall be construed to prevent a physician enrolled in a residency program and employed by the university of Kansas medical center from receiving experience with induced abortions, conducted at facilities other than those owned, leased or operated by the university of Kansas hospital authority or any other state entity: *Provided, however*, That for purposes of this section only, such physicians shall be considered acting outside the scope of such physician's official employment in such actions.

(c) As used in this section "abortion" means an abortion as defined by K.S.A. 65-6701, and amendments thereto.

Sec. 172. *Severability*. If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 173. *Appeals to exceed position limitations*. (a) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2012, made in chapter 118 of the 2011 Session Laws of Kansas or in this act or in any other appropriation act of the 2012 regular session of the legislature may be exceeded upon approval of the state finance council.

(b) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2013, made in chapter 118 of the 2011 Session Laws of Kansas or in this act or in any other appropriation act of the 2012 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 174. *Appeals to exceed expenditure limitations*. (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiative fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any such funds.

Sec. 175. *Savings*. (a) Any unencumbered balance as of June 30, 2012, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited by this or other appropriation act of

the 2012 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2013, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2012, in any special revenue fund, or account thereof, of any state agency named in section 79 of chapter 118 of the 2011 Session Laws of Kansas which is not otherwise specifically appropriated or limited for fiscal year 2013 by chapter 118 of the 2011 Session Laws of Kansas or by this act or any other appropriation act of the 2012 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2013, for the same use and purpose as the same was heretofore appropriated.

(c) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund, or the correctional institutions building fund, or to any account of any of such funds.

Sec. 176. During the fiscal year ending June 30, 2013, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by this or other appropriation act of the 2012 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2013, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority, for the payment of debt service for bonds issued by the Kansas development finance authority, or for any related purpose in accordance with applicable bond covenants.

Sec. 177. *Federal grants.* (a) During the fiscal year ending June 30, 2013, each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated to that state agency by this or other appropriation act of the 2012 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2013, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(b) During the fiscal year ending June 30, 2013, each federal grant or other federal receipt which is received by a state agency named in section 79 of chapter 118 of the 2011 Session Laws of Kansas and which is not otherwise appropriated to that state agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, is hereby appropriated for fiscal year 2013 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, for fiscal year 2013, until the governor has authorized the state agency to make expenditures from such federal grant or other

federal receipt for fiscal year 2013.

(c) In addition to the other purposes for which expenditures may be made by any state agency which is named in this act and which is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2013 by chapter 118 of the 2011 Session Laws of Kansas or by this act or any other appropriation act of the 2012 regular session of the legislature to apply for and receive federal grants during fiscal year 2013, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 178. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2012 regular session of the legislature, and having an unencumbered balance as of June 30, 2012, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2013, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2011.

Sec. 179. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2012 regular session of the legislature and having an unencumbered balance as of June 30, 2012, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2013, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2011.

Sec. 180. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2012 regular session of the legislature and having an unencumbered balance as of June 30, 2012, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2013, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2011.

Sec. 181. Any transfers of money during the fiscal year ending June 30, 2013, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2013.

Sec. 182. This act shall take effect and be in force from and after its publication in the Kansas register.":

On page 1, in the title, in line 2, by striking "and"; also in line 2, after "2015," by

inserting "and June 30, 2016,"; in line 9, by striking "79-2959,"; also in line 9, after "79-3425i," by inserting "as amended by section 10 of 2012 House Bill No. 2557,"; in line 10, following "79-34,171" by inserting ", 79-4227";

And your committee on conference recommends the adoption of this report.

MARC RHOADES

KASHA KELLY

BILL FEUERBORN

Conferees on part of House

CAROLYN MCGINN

JOHN VRATIL

LAURA KELLY

Conferees on part of Senate

Senator McGinn moved the Senate adopt the Conference Committee Report on **H Sub for SB 294**.

On roll call, the vote was: Yeas 22; Nays 13; Present and Passing 0; Absent or Not Voting 5.

Yeas: Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil.

Nays: Apple, Bruce, King, Love, Lynn, Masterson, Merrick, Olson, Ostmeier, Petersen, Pilcher-Cook, Pyle, Wagle.

Absent or Not Voting: Abrams, Donovan, Emler, Kelsey, Steineger.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote Aye on **House Substitute for SB 294** (budget bill) but with some reservations. In light of our State General Fund positive ending balance, we could have provided more adequate funding to education (both higher and K-12), mental health, aging programs, developmental and physical disability programs, property tax relief, and others that are important to our citizens, communities, and institutions.

Last session I voted against the final budget because it had extensive cuts to K-12 education. It suspended the legislature's commitment to fund years 4 and 5 of "under market pay", and it didn't address waiting lists for developmental and physical disabilities.

This year, our conference committee has negotiated for us a budget with additional funding for K-12 education (although at a reduced amount), continuation of "under market pay" for state employees currently ranked 48th in the nation for pay, and has designated some funding for developmental and physical disability waiting lists. I would also like to thank our conferees for providing additional funding for children's programs, aging programs, and mental health. Our quality of life and community vibrancy are dependent on adequate funding to these and other programs. Thank-you, Mr. President. — ALLEN C. SCHMIDT

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator McGinn moved the Senate concur in House amendments to **H Sub for SB 434**.

H Sub for SB 434, AN ACT concerning real estate; concerning the proceeds from the sale of surplus real estate, relating to the selling and purchasing of land; amending K.S.A. 2011 Supp. 75-6609 and repealing the existing section; also repealing K.S.A. 2011 Supp. 75-6609, as amended by section 65 of 2012 Substitute for Senate Bill No. 397.

On roll call, the vote was: Yeas 35; Nays 0; Present and Passing 0; Absent or Not Voting 5.

Yeas: Apple, Bruce, Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Abrams, Donovan, Emler, Kelsey, Steineger.

The Senate concurred.

ORIGINAL MOTION

Senator V. Schmidt moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **H Sub for SB 40**, **H Sub for SB 114**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **H Sub for SB 40** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 40, as follows:

On page 1, by striking all in lines 6 through 36;

By striking all on pages 2 through 4;

On page 5, by striking all in lines 1 through 17 and inserting:

"Section 1. K.S.A. 2011 Supp. 75-4209 is hereby amended to read as follows: 75-4209. (a) The director of investments may invest and reinvest state moneys eligible for investment which are not invested in accordance with K.S.A. 75-4237, and amendments thereto, in the following investments:

(1) Direct obligations of, or obligations that are insured as to principal and interest by, the United States of America or any agency thereof and obligations and securities of the United States sponsored enterprises which under federal law may be accepted as security for public funds, on and after the effective date of this act moneys available for investment under this subsection shall not be invested in mortgage-backed securities of such enterprises and of the government national mortgage association, except that any such mortgage-backed securities held prior to the effective date of this act may be held to maturity;

(2) repurchase agreements with a bank or a primary government securities dealer which reports to the market reports division of the federal reserve bank of New York for direct obligations of, or obligations that are insured as to principal and interest by, the

United States government or any agency thereof and obligations and securities of United States government sponsored enterprises which under federal law may be accepted as security for public funds;

(3) commercial paper that does not exceed 270 days to maturity and which has received one of the two highest commercial paper credit ratings by a nationally recognized investment rating firm; and

(4) corporate bonds which have received one of the two highest ratings by a nationally recognized investment rating firm.

(b) When moneys are available for deposit or investments, the director of investments may invest in SKILL act projects and bonds pursuant to K.S.A. 74-8920, and amendments thereto, and in state agency bonds and bond projects.

(c) When moneys are available for deposits or investments, the director of investments may invest in preferred stock of Kansas venture capital, inc., under terms and conditions prescribed by K.S.A. 74-8203, and amendments thereto, but such investments shall not in the aggregate exceed a total amount of \$10,000,000.

(d) When moneys are available for deposits or investments, the director of investments may invest in loans pursuant to legislative mandates, except that not more than the greater of 10% or \$140,000,000 of the state moneys shall be invested.

(e) Interest on investment accounts in banks is to be paid at maturity, but not less than annually.

(f) Investments made by the director of investments under the provisions of this section shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

(g) Investments under subsection (a) or (b) or under K.S.A. 75-4237, and amendments thereto, shall be for a period not to exceed four years, except that linked deposits authorized under the provisions of K.S.A. 2-3703 through 2-3707, and amendments thereto, shall not exceed a period of 10 years; agricultural production loan deposits authorized under the provisions of K.S.A. 2011 Supp. 75-4268 through 75-4274, and amendments thereto, shall not exceed a period of eight years and housing loan deposits authorized under K.S.A. 2011 Supp. 75-4276 through 75-4282, and amendments thereto, shall not exceed a period of five years or 20 years, as applicable pursuant to K.S.A. 2011 Supp. 75-4279, and amendments thereto.

(h) Investments in securities under paragraph (1) of subsection (a) shall be limited to securities which do not have any more interest rate risk than do direct United States government obligations of similar maturities. For purposes of this subsection, "interest rate risk" means market value changes due to changes in current interest rates.

(i) The director of investments shall not invest state moneys eligible for investment under subsection (a), in the municipal investment pool fund, created under K.S.A. 12-1677a, and amendments thereto.

(j) The director of investments shall not invest moneys in the pooled money investment portfolio in derivatives. As used in this subsection, "derivatives" means a financial contract whose value depends on the value of an underlying asset or index of asset values.

(k) Moneys and investments in the pooled money investment portfolio shall be invested and reinvested by the director of investments in accordance with investment policies developed, approved, published and updated on an annual basis by the board. Such investment policies shall include at a minimum guidelines which identify credit standards, eligible instruments, allowable maturity ranges, methods for valuing the portfolio, calculating earnings and yields and limits on portfolio concentration for each type of investment. Any changes in such investment policies shall be approved by the pooled money investment board. Such investment policies may specify the contents of reports, methods of crediting funds and accounts and other operating procedures.

(l) The board shall adopt rules and regulations to establish an overall percentage limitation on the investment of moneys in investments authorized under paragraph (3) of subsection (a), and within such authorized investment, the board shall establish a percentage limitation on the investment in any single business entity.

Sec. 2. K.S.A. 2011 Supp. 75-4277 is hereby amended to read as follows: 75-4277. As used in K.S.A. 2011 Supp. 75-4276 through 75-4282, and amendments thereto:

(a) "Housing loan deposit" means an investment account placed by the director of investments under the provisions of article 42 of chapter 75 of the Kansas Statutes Annotated with an eligible lending institution for the purpose of carrying out the intent of this act;

(b) "housing loan deposit loan package" means the forms provided by the state treasurer for the purpose of applying for a housing loan deposit;

(c) "eligible lending institution" means a depository bank, as defined under K.S.A. 75-4201, and amendments thereto, that agrees to participate in the Kansas housing loan deposit program and is eligible to be a depository of state funds;

(d) "eligible developer borrower" means any person, firm or corporation building new houses or not-for-profit adult care homes or rehabilitating existing houses; ~~and or not-for-profit adult care homes;~~

(e) "house" means a single-family or multi-family dwelling that initially sells or is appraised at or below the average area purchase price safe harbor for the state of Kansas as established by the state treasurer through rules and regulations based on the requirements of section 143(e) of the internal revenue code of 1986 for homes that are eligible for mortgage revenue bonds; and

(f) "adult care home" means the same as in K.S.A. 39-923, and amendments thereto.

Sec. 3. K.S.A. 2011 Supp. 75-4278 is hereby amended to read as follows: 75-4278.

(a) The state treasurer is hereby authorized to administer the Kansas housing loan deposit program. Such program shall be for the purpose of providing incentives for the making of housing and adult care homes construction development loans. The state treasurer shall promulgate rules and regulations to carry out the provisions of K.S.A. 2011 Supp. 75-4276 through 75-4282, and amendments thereto.

(b) The state treasurer shall submit an annual report outlining the status of the program to the governor and the legislature.

Sec. 4. K.S.A. 2011 Supp. 75-4279 is hereby amended to read as follows: 75-4279.

(a) The state treasurer is hereby authorized to disseminate information and to provide housing loan deposit loan packages to the lending institutions eligible for participation in this act.

(b) The housing loan deposit loan package shall be completed by the borrower before being forwarded to the lending institution for consideration.

(c) (1) An eligible lending institution that agrees to receive a housing loan deposit shall accept and review applications for loans from eligible developer borrowers. The lending institution shall apply all usual lending standards to determine the credit worthiness of eligible developer borrowers. The total aggregate amount of housing loan deposit loans under this program shall not exceed \$60,000,000 of unencumbered funds pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(2) No more than \$2,000,000 shall be outstanding at any one time to any developer borrower.

(3) No loan for a house shall be amortized for a period of more than five years.

(4) No loan for an adult care home shall be amortized for a period of more than 20 years.

(5) Loans for adult care homes shall not exceed 40% of the aggregate amount available under subsection (c)(1), except such limitation shall not apply to loans for assisted living, residential health care or home plus facilities. Loans for assisted living, residential health care, home plus facilities and other adult care homes shall not exceed 90% of the aggregate amount available.

(d) An eligible developer borrower shall certify on its loan application that the reduced rate loan will be used exclusively for the expenses involved in building houses.

(e) The eligible lending institution may approve or reject a housing loan deposit loan package based on the lending institution's evaluation of the eligible developer borrowers included in the package, the amount of the individual loan in the package and other appropriate considerations.

(f) The eligible lending institution shall forward to the state treasurer, an approved housing loan deposit loan package, in the form and manner prescribed and approved by the state treasurer. The package shall include information regarding the amount of the loan requested by each eligible developer borrower and such other information regarding each eligible developer borrower the state treasurer requires, including a certification by the applicant that such applicant is an eligible developer borrower.

(g) From July 1, 2008, through December 31, 2010, 50% of the total aggregate amount available under subsection (c)(1), shall be made available for housing loans to eligible developer borrowers building houses in the city of Chanute, Coffeyville, Erie, Fredonia, Greensburg, Independence, Iola, Neodesha, or Osawatomie, Kansas, or within one mile of the city limits of any such city.

Sec. 5. K.S.A. 2011 Supp. 75-4209, 75-4277, 75-4278 and 75-4279 are hereby repealed.";

By renumbering the remaining sections accordingly;

On page 1, in the title, in line 1, by striking all following "concerning"; by striking all in lines 2 and 3 and inserting "the Kansas housing loan deposit program; relating to the building or rehabilitation of adult care homes; amending K.S.A. 2011 Supp. 75-4209, 75-4277, 75-4278 and 75-4279 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

MARC RHOADES

KASHA KELLY

BILL FEUERBORN

Conferees on part of House

CAROLYN MCGINN

JOHN VRATIL

LAURA KELLY

Conferees on part of Senate

Senator McGinn moved the Senate adopt the Conference Committee Report on **H Sub for SB 40**.

On roll call, the vote was: Yeas 35; Nays 0; Present and Passing 0; Absent or Not Voting 5.

Yeas: Apple, Bruce, Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Abrams, Donovan, Emler, Kelsey, Steineger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORTS

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **H Sub for SB 114** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, in the title, in line 1, after "concerning" by inserting "cities and"; also in line 1, by striking "certain"; also in line 1, by striking "disposal"; in line 2, by striking "areas";

And your committee on conference recommends the adoption of this report.

STEVE HUEBERT

JOE SEIWERT

ANN E. MAH

Conferees on part of House

ROGER P. REITZ

DICK KELSEY

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

Senator Pilcher-Cook, moved the conference committee report on **H Sub for SB 114** be adopted.

Senator Reitz made a Substitute motion to not adopt the Conference Committee Report.

On roll call, the vote was: Yeas 21; Nays 14; Present and Passing 0; Absent or Not Voting 5.

Yeas: Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil.

Nays: Apple, Bruce, King, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Taddiken, Wagle.

Absent or Not Voting: Abrams, Donovan, Emler, Kelsey, Steineger.

The Conference Committee was adopted.

CONFERENCE COMMITTEE REPORTS

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 416** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 14 through 36;

By striking all on pages 2 through 36;

On page 37, by striking all in lines 1 through 10 and inserting the following:

"New Section 1. (a) Subject to the provisions of subsection (b), an arrangement, contract, agreement, trust, understanding or combination is a reasonable restraint of trade or commerce if such restraint is reasonable in view of all of the facts and circumstances of the particular case and does not contravene public welfare.

(b) The legislature hereby finds and declares that prior to the Supreme Court of Kansas decision entered May 4, 2012, in the case of *O'Brien v. Leegin Creative Leather Products, Inc.*, No. 101,000, 2012 WL 1563976, the Supreme Court of Kansas had accurately interpreted the Kansas restraint of trade act, K.S.A. 50-101 through 50-162, and amendments thereto, and such interpretations have been consistent with the intent of the Kansas Legislature in enacting the Kansas restraint of trade act, K.S.A. 50-101 through 50-162, and amendments thereto, and such interpretations made prior to May 4, 2012, should continue to be considered viable precedent in the state of Kansas.

(c) If any provision of this section or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.

(d) This section shall be a part of and supplemental to the Kansas restraint of trade act, K.S.A. 50-101 through 50-162, and amendments thereto.

(e) The provisions of this section shall expire on June 30, 2013.

Sec. 2. K.S.A. 50-101 is hereby amended to read as follows: 50-101. Except as provided in section 1, and amendments thereto, a trust is a combination of capital, skill, or acts, by two or more persons, for either, any or all of the following purposes:

First. To create or carry out restrictions in trade or commerce, or aids to commerce, or to carry out restrictions in the full and free pursuit of any business authorized or permitted by the laws of this state.

Second. To increase or reduce the price of merchandise, produce or commodities, or to control the cost or rates of insurance.

Third. To prevent competition in the manufacture, making, transportation, sale or

purchase of merchandise, produce or commodities, or to prevent competition in aids to commerce.

Fourth. To fix any standard or figure, whereby such person's price to the public shall be, in any manner, controlled or established, any article or commodity of merchandise, produce or commerce intended for sale, use or consumption in this state.

Fifth. To make or enter into, or execute or carry out, any contract, obligation or agreement of any kind or description by which such person shall: (a) Bind or have to bind themselves not to sell, manufacture, dispose of or transport any article or commodity, or article of trade, use, merchandise, commerce or consumption below a common standard figure;

(b) agree in any manner to keep the price of such article, commodity or transportation at a fixed or graded figure;

(c) in any manner establish or settle the price of any article or commodity or transportation between them or themselves and others to preclude a free and unrestricted competition among themselves or others in transportation, sale or manufacture of any such article or commodity; or

(d) agree to pool, combine or unite any interest they may have in connection with the manufacture, sale or transportation of any such article or commodity, that such person's price in any manner is affected. Any such combinations are hereby declared to be against public policy, unlawful and void.

Sec. 3. K.S.A. 50-112 is hereby amended to read as follows: 50-112. Except as provided in section 1, and amendments thereto, all arrangements, contracts, agreements, trusts, or combinations between persons made with a view or which tend to prevent full and free competition in the importation, transportation or sale of articles imported into this state, or in the product, manufacture or sale of articles of domestic growth or product of domestic raw material, or for the loan or use of money, or to fix attorney or doctor fees, and all arrangements, contracts, agreements, trusts or combinations between persons, designed or which tend to advance, reduce or control the price or the cost to the producer or to the consumer of any such products or articles, or to control the cost or rate of insurance, or which tend to advance or control the rate of interest for the loan or use of moneys to the borrower, or any other services, are hereby declared to be against public policy, unlawful and void.

Sec. 4. K.S.A. 50-101 and 50-112 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.;

Also on page 1, in the title, by striking all in lines 1 through 11 and inserting "AN ACT concerning the Kansas restraint of trade act; amending K.S.A. 50-101 and 50-112 and repealing the existing sections.;

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

SUSAN WAGLE

JULIA LYNN

Conferees on part of Senate

On roll call, a call of the Senate was requested by five Senators.

Senator Wagle moved to adopt the conference committee report on **H Sub for SB 416**.

On roll call, the vote was: Yeas 19; Nays 16; Present and Passing 0; Absent or Not Voting 5.

Yeas: Apple, Bruce, King, Longbine, Love, Lynn, Masterson, McGinn, Morris, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, A. Schmidt, Taddiken, Teichman, Umbarger, Wagle.

Nays: Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Marshall, Merrick, Owens, Reitz, V. Schmidt, Schodorf, Vratil.

Absent or Not Voting: Abrams, Donovan, Emler, Kelsey, Steineger.

The call of the Senate was lifted.

The Conference Committee Report was not adopted.

EXPLANATION OF VOTE

MR. PRESIDENT: **H Sub for SB 416** is a necessary interim step to address the abolition of the “Rule of Reason” for vertical price-fixing cases under the Kansas Restraint of Trade Act following the May 4, 2012 decision of the Kansas Supreme Court in the O'Brien case. I vote for this bill, however, with the understanding that its provisions are not retroactive. I also vote for this bill with the understanding that it does not address horizontal price-fixing cases except to the extent, if any, that such cases were addressed in the O'Brien opinion. – JEFF KING

Senators Apple, Lynn, Masterson, Olson, Ostmeyer, Petersen, Pilcher-Cook and Taddiken request the record to show they concur with the “Explanation of Vote” offered by Senator King on **H Sub for SB 416**.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote no because we were not given an opportunity or the time to read or study the actual bill or conference committee report before voting on the measure. I support ag business, but pushing a bill through without being able to read it is bad public policy. – JEAN SCHODORF

Senators Francisco, Kelly and Kultala request the record to show they concur with the “Explanation of Vote” offered by Senator Schodorf on **H Sub for SB 416**.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote aye on this bill because it incorporates a one-year sunset clause and will have close scrutiny during this one year period, but I do so with grave concerns on several issues:

First; we need to take the longer view on **H Sub for SB 416** and its potential impacts. This 11th hour bill short circuits the responsible process of passing legislation that is well-vetted, reliable, and devoid of serious unintended consequences. The proper vetting has not occurred as demonstrated by the same-type industry groups lobbying on opposite sides of the issue.

Secondly; this case isn't even past the deadline for a request for rehearing, and is

currently headed back to District Court for more evidence. It may even head back into the Supreme Court after that. We have interrupted an unfinished judicial process by passing an 11th hour law that may be unnecessary.

Thirdly; I am told by several attorneys that although there are federal antitrust statutes, antitrust law has traditionally been primarily within the realm of the states. This law actually flies in the face of the rights of the state of Kansas. – ALLEN C. SCHMIDT

PROTEST

Senate Bill 291, Senate Bill 416 and violations of the Joint Rules

Pursuant to the provisions of Article 2, Section 10 of the Kansas Constitution, we make formal written protest regarding the passage of **SB 291**, the conference committee report on **SB 416** and violations of the Joint Rules of the Senate and House of Representatives 2011-2012.

One. The House of Representatives repeatedly violated Joint Rule 4(f) by considering **SB 291**, a non-exempt bill, after the second house bill consideration deadline.

The schedule of deadlines for consideration of bills under Joint Rule 4 is mandatory, not discretionary. Under Joint Rule 4, “[t]he senate and house of representatives *shall observe* [emphasis added] the following schedule of deadlines in making request for drafting and in the introduction and *consideration of bills* [emphasis added].

Joint Rule 4(f) provides that “no bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered by either house, not the house of origin of such bill, after the hour of adjournment on March 21, 2012, during the 2012 Regular Session.”

SB 291 is subject to the second house bill consideration deadline because it is not an exempt bill. **SB 291** was introduced in the Senate Judiciary Committee. Upon passage of the Senate, it was introduced in the House Judiciary Committee. It was not “sponsored by, referred to or acted upon” by any exempt committee.

On May 16, 2012, after the March 21, 2012 deadline for consideration for non-exempt bills, the House Judiciary Committee violated Joint Rule 4(f) by considering **SB 291** and recommending **SB 291** be passed. **SB 291** was dead as of March 21, 2012.

On May 18, 2012, the House of Representatives violated Joint Rule 4(f) on three occasions. The House Committee of the Whole amended **SB 291** by adopting amendments offered by Rep. Suellentrop and Rep. Brookings and by rejecting a motion to refer it to the Judiciary Committee by Rep. Burroughs. **SB 291** was dead as of March 21, 2012.

On May 19, 2012, the House of Representatives violated Joint Rule 4(f) by passing **SB 291** as amended on Final Action, 96-18. **SB 291** was dead as of March 21, 2012.

Two. The House of Representatives was in violation of Joint Rule 4(g) by failing to pass by an affirmative vote of not less than a majority of the members of the House a resolution creating a specific exception to the limitation of Joint Rule 4(f) for the purposes of considering **SB 291** in both the House Judiciary Committee and in the House Committee of the Whole.

Three. On May 18, 2012, the House of Representatives could neither waive the bill

consideration deadlines under Rule 4(k) nor vote to suspend the bill consideration deadlines under Rule 4(k) in order for the House Committee of the Whole to consider **SB 291**. **SB 291** was dead as of March 21, 2012 and Rule 4(k) has no effect.

Four. The House of Representatives and Senate are in violation of Joint Rule 3(f) by including in the conference report on **SB 416** subject matters that were not included in **SB 416**, were not included in any conference committee, and which had not been passed or adopted in either one or both houses during the current biennium of the legislature.

SB 416 was introduced by the Senate Commerce Committee. As introduced, the bill related to the state workplace health and safety program and amended K.S.A. 2011 Supp. 44-575. Upon passage by the Senate, the House Committee on Commerce and Economic Development substantially amended the bill. All amended statutory provisions were in chapter 44, and the bill's additional provisions concerned the powers and duties of the secretary of labor, workplace inspections, and employment security law. Upon return of the bill, the Senate requested a conference committee.

It is not disputed that a conference committee on **SB 416** was appropriately requested and convened. However, **SB 416** was entirely gutted and its provisions replaced with those of **SB 291**. **SB 416** dealt with chapter 44 and the powers and duties of the secretary of labor, while **SB 291** amends chapter 50 and the Restraint of Trade Act. The secretary has no regulatory authority under chapter 50-101 et seq.; instead, the Attorney General enforces the Act, or private litigants may bring action. **SB 416** concerns workforce matters, while **SB 291** concerns trade and recent Supreme Court decisions. The subject matter of **SB 291** was never previously contained in **SB 416**. Consequently, the conference report on **SB 416** includes subject matters that were not included in **SB 416** in violation of Joint Rule 3(f).

The House and Senate also violated Joint Rule 3(f) by including in the conference report on **SB 416** subject matters that had not been passed or adopted in either one or both houses, and also by including subject matters that were not in any conference committee. As outlined above, the House passed **SB 291**, a non-exempt bill, in violation of Joint Rule 4(f), after the second house bill consideration deadline. Further, the House failed to pass the necessary resolution suspending the rules as required by Joint Rule 4(g) so that it could consider **SB 291**. Since the House failed to pass **SB 291** or its subject matter, the subject matter of **SB 291** was not properly included in the conference report of **SB 416**.

The subject matter of **SB 291** were not passed, heard, or even introduced in the Senate, since the House's action in the Judiciary Committee was to gut **SB 291** and insert the subject matter of **HB 2797**. Since the subject matter had not been passed or adopted in either one or both houses of the legislature during the biennium, it was not proper to include it in the conference report on **SB 416**, and the conference committee report violated Joint Rule 3(f).

Five. The Revisor Emeritus agrees that **SB 291** was subject to Joint Rule 4(f), was a non-exempt bill, and was dead as of March 21, 2012. The Revisor Emeritus further agrees that Joint Rule 4(k) does not apply to bills that have not met the deadline for consideration for non-exempt bills and does not provide an exception for such bills. In a memo to the Secretary to the Kansas Senate, the Revisor Emeritus states the following:

**“To: Pat Saville Concerning the Status of H Sub for SB 291
From: Norm Furse, Revisor Emeritus**

The question has arisen concerning House amendments to **SB 291**. **SB 291** was introduced by the Senate Committee on Judiciary on 1-18-2012 and was referred to the Judiciary Committee. After a hearing the committee recommended the bill be passed as amended on 1-25-2012. The bill passed the Senate by a vote of 39-0 on 2-2-2012.

In the House the bill was referred to the Committee on Judiciary on 2-7-2012. A hearing on the bill was held by the committee on March 13, 2012, but no action was taken on the bill until May of 2012. On May 16, 2012, a committee report recommending a substitute bill be passed was filed with the House. The House waived Joint Rule 4 (k) for the substitute bill on May 18, 2012, and passed the bill 96 to 18 on May 19, 2012.

The rules problem which you inquired about is this: This bill was introduced by the Senate Judiciary Committee in the Senate, was referred to and worked by the Senate Judiciary Committee and upon receipt of the bill by the House was referred to and worked by the House Committee on Judiciary. The bill has never touched an exempt committee. Because of this the bill is subject to the deadline requirement of subsection (f) of Joint Rule 4 which provides that no bill, except those that have touched an exempt committee, “shall be considered by either house, not the house of origin of such bill” after March 21, 2012. **H Sub for SB 291** is subject to this prohibition of subsection (f) of Joint Rule 4 having never touched an exempt committee and having been considered after March 21, 2012, by the “second” house.

To answer your question specifically: It is my opinion that this bill under the Joint rules is “dead” because it has not touched an exempt committee and it was not considered by the “second” house until long after the March 21, 2012, consideration deadline.

In addition, the waiving of subsection (k) of Joint Rule 4 has no effect on this bill, because it was already “dead” under subsection (f). If subsection (k) is construed to revive bills that have not met the deadlines and are not otherwise exempt, then, in effect, there would be no deadlines in the rules and that is not what the Joint rules say.”

Anthony Hensley
John Vratil
Thomas C. (Tim) Owens

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 425** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, in line 7, by striking "On and after January 1, 2008, through December 31,"; by striking all in line 8; in line 9, by striking "shall be numbered one to 13." and inserting "Subject to appropriations therefor,"; also in line 9, by striking "2018" and inserting "2013";

And your committee on conference recommends the adoption of this report.

MARC RHOADES

KASHA KELLY

BILL FEUERBORN

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

Senator Owens moved the Senate adopt the Conference Committee Report on **H Sub for SB 425**.

On roll call, the vote was: Yeas 35; Nays 0; Present and Passing 0; Absent or Not Voting 5.

Yeas: Apple, Bruce, Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle.

Absent or Not Voting: Abrams, Donovan, Emler, Kelsey, Steineger.

The Conference Committee Report was adopted.

REPORT ON ENGROSSED BILLS

SB 314 reported correctly engrossed May 18, 2012.

SB 11; H Sub for SB 60 reported correctly engrossed May 19, 2012.

SB 307 reported correctly engrossed May 20, 2012.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

SENATE CONCURRENT RESOLUTION No. 1620—

By Senators Morris, Emler and Hensley

A CONCURRENT RESOLUTION relating to the adjournment of the Senate and House of Representatives for a period during the 2012 regular session of the legislature.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on May 20, 2012, and shall reconvene at 10:00 a.m. on June 1, 2012, at which time the legislature shall reconvene and shall continue in session until *sine die* adjournment at the close of business on June 1, 2012; and

Be it further resolved: That the chief clerk of the House of Representatives and the secretary of the Senate and employees specified by the Director of Legislative Administrative Services for such purpose shall attend their duties each day during such period of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the *per diem* compensation and subsistence allowances provided for in subsections (a) and (b) of K.S.A. 46-137a, and amendments thereto, for any day within a period in which both

houses of the legislature are adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the Legislative Coordinating Council or by the President of the Senate or the Speaker of the House of Representatives during the period of adjournment for which members are not authorized *per diem* compensation and subsistence allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

On motion of Senator V. Schmidt **SCR 1620** was adopted by voice vote.

On motion of Senator V. Schmidt and in compliance with **SCR 1620**, the Senate adjourned until Sine Die at 10:00 a.m., Friday, June 1, 2012.

Journal of the Senate

SEVENTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, June 1, 2012, 10:00 a.m.

As provided by **SCR 1620**, the Sine Die Session of the regular 2012 Kansas Senate was called to order by President Stephen Morris.

The roll was called with thirty-seven senators present.

Senators Kelsey, Longbine and Steineger were excused.

The President introduced Senator Steve Abrams who delivered the invocation.

The Pledge of Allegiance was led by President Stephen Morris.

REPORT ON ENGROSSED BILLS

SB 11; H Sub for SB 60; reported correctly engrossed May 19, 2012.

H Sub for SB 40; SB 155; H Sub for SB 294, H Sub for SB 434 reported correctly engrossed May 21, 2012.

Also, **H Sub for SB 425** correctly re-engrossed May 21, 2012.

REPORT ON ENROLLED BILLS

SB 11; H Sub for SB 40; SB 155, SB 250, SB 273; Sub SB 283; H Sub for SB 287; SB 304; Sub SB 307; SB 314; H Sub for SB 425 reported correctly enrolled, properly signed and presented to the governor on May 22, 2012.

H Sub for SB 60, H Sub for SB 294, H Sub for SB 434 reported correctly enrolled, properly signed and presented to the governor on May 25, 2012.

SCR 1620 reported correctly enrolled, properly signed and presented to the Secretary of State on May 25, 2012.

MESSAGE FROM THE GOVERNOR

House Substitute for SB 79; SB 83; House Substitute for Substitute SB 148; House Substitute for SB 160; SB 300, SB 306, SB 334 approved May 21, 2012,

SB 11; House Substitute for SB 40; SB 155, SB 250, SB 273; Substitute for SB 283; House Substitute for SB 287; SB 304; Substitute for SB 307; SB 314; House Substitute for SB 425 approved on May 25, 2012.

House Substitute for SB 434 approved May 31, 2012.

MESSAGE FROM THE HOUSE

Announcing the adoption of **SCR 1620**.

The House concurs in Senate amendments to **Senate Substitute for HB 2382**.

The House adopts the Conference Committee report on **Senate Substitute for HB 2597**.

The House announces the failure of a motion to concur in Senate amendments to **Senate Substitute for HB 2619** and requests return of the bill.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Hensley and Morris introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1885—

A RESOLUTION congratulating and commending First Assistant Revisor
James Arthur Wilson III on his retirement.

WHEREAS, James Arthur Wilson III (Jim) retired from the Revisor of Statutes office this year after 40 years of service with the legislature; and

WHEREAS, Jim is a lifelong Kansan, growing up in Iola, and then living in Manhattan, Lawrence and Topeka; and

WHEREAS, Jim served in the United States Army National Guard for 6 years; and

WHEREAS, Jim earned his Bachelor of Science degree in political science from Kansas State University and his Juris Doctor degree from the University of Kansas; and

WHEREAS, Jim married his wife, Grace, in 1970. They have a son, Matt Wilson, married to Melanie, and two grandchildren, Alex and Vivian; and

WHEREAS, Jim started working for the Revisor of Statutes office in 1972. In 1974 he was promoted to Assistant Revisor, in 1977 he was promoted to Senior Assistant Revisor, and in 1996 he was promoted to First Assistant Revisor; and

WHEREAS, Throughout his career, Jim was an incredible source of information and knowledge to the Revisor's office and the legislature about the history of the legislature and Kansas government. He mentored many young attorneys in the Revisor's office; and

WHEREAS, Jim staffed many different committees over his career in serving the legislature, but was best known for his work with the budget committees. Over his career he drafted hundreds of budget bills and countless provisos; and

WHEREAS, Jim is known for his good natured humor, patience and grace in working long nights on producing the budget bills every session and for his ability to work with legislators in drafting complicated budget bills in a manner that accomplishes their goals. Jim closed every email he sent with a hearty "*Ad astra*": Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we commend, congratulate and thank James Arthur Wilson III for his long and successful career serving the legislature with the Revisor of Statutes office; and

Be it further resolved: That the Secretary of the Senate shall send three enrolled copies of this resolution to James Arthur Wilson III.

On emergency motion of Senator Hensley **SR 1885** was adopted unanimously.

Senator Hensley introduced and congratulated James Wilson III upon his retirement from the Revisor of Statutes office after 40 years of service with the legislature. His wife, Mary was also introduced. The Senate acknowledged his achievement with a standing ovation.

MESSAGE FROM THE GOVERNOR

May 31, 2012

Message to the Senate of the State of Kansas:

I want to thank all Kansas legislators and particularly, the members of the House Appropriations Committee and the Senate Ways and Means Committee, for producing a budget that for the first time in many years meets the statutory requirement of maintaining a 7.5% ending balance. Our state has gone through an incredible transition in just two years: from a projected \$500 million deficit to putting nearly half a billion dollars in the bank. A \$1 billion swing can only occur when we commit ourselves to shrinking the footprint of state government and pursuing policies that grow the economy. I look forward to continuing this prosperous path in the fiscal years to come.

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return House Substitute for Senate Bill No. 294 with my signature approving the bill, except for the items enumerated below.

Behavioral Sciences Regulatory Board

Limitation on Expenditures

That portion of Section 12(a) that reads as follows has been line-item vetoed:
“*Provided, however,* That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2012, for leased office space shall not exceed \$14.00 per square foot.”

That portion of Section 12(b) that reads as follows has been line-item vetoed:
“*Provided, however,* That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2013, for leased office space shall not exceed \$14.00 per square foot.”

Oversight of leased office space is the domain of the Department of Administration. To the extent that we can centrally manage leased space, we can manage our operating costs. These provisions would arbitrarily provide an exception not afforded other agencies and supersede the management function properly placed in the executive branch so I find it necessary to veto them both.

Department of Health & Environment—Environment

Local Environmental Protection Programs

That portion of Section 84(c) that reads as follows has been line-item vetoed:
“Local environmental protection program.....\$800,000

Provided, That any unencumbered balance in the local environmental protection program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.”

The appropriation of \$800,000 from the State Water Plan Fund (SWPF) for the Local Environmental Protection Programs would increase funding beyond my budget recommendations for FY 2013. Funding for this program was not recommended by the Kansas Water Authority nor the Department of Health and Environment, and was not included in my budget. The program was started in the early 1990s for the purpose of providing local governments with technical assistance and grant funds in order to establish environmental programs specifically suited for local priorities. Once the programs were established, the intent was to discontinue the state funding. The addition of \$800,000 in expenditures from the SWPF for FY 2013 would result in a negative balance of approximately \$565,000 in this state fund. Therefore, I hereby line-item veto this provision.

Department of Education

Uniform Accounting Act for Schools

That portion of Section 42(a) that reads as follows has been line-item vetoed:
“Operating expenditures (including official hospitality).....\$50,000”

The 2011 Legislature enacted the Uniform Financial Accounting and Reporting Act for school districts to report expenditures to the Department of Education. This funding was not originally included in my FY 2012 budget recommendations and I believe the agency can develop and maintain this system which is similar to current procedures within current resources. I find it necessary to veto this appropriation.

Department of Revenue

Fee Sweeps

Sections 75(h) and 75(i) have been line-item vetoed in their entirety.

At the direction of the Legislature, the Department of Revenue is now more heavily dependent on fee income for its operations and two of the three fee sweeps included in the appropriations bill are insupportable. For these two, the cash on hand on the date specified will not be sufficient to make such sizable transfers and the agency would not be left with enough funds to function. I am leaving one of the sweeps the agency can manage. The other two sweeps go too far, and I therefore must veto them.

Department of Education

Mentor Teacher Bonuses

That portion of Section 88(a) that reads as follows has been line-item vetoed:
“Mentor teacher program grants.....\$484,337”

I proposed educator quality and mentoring reforms as part of my overall education policy reform for consideration this session, however, the Legislature did not adopt most of these initiatives. For a mentoring bonus program to work properly, it must be done in concert with education reform policy. Without those reforms we fail our educators and their students. Therefore I find it necessary to veto this appropriation and look forward to discussing with the Legislature next session how we can improve teacher performance through mentoring.

Kansas Water Office

Water Resource Education

That portion of Section 114(c) that reads as follows has been line-item vetoed:
“Water resource education..... \$40,000
Provided, That any unencumbered balance in the water resource education account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.”

The appropriation of \$40,000 from the State Water Plan Fund for the Water Resource Education program would increase funding beyond my budget recommendations for FY 2013 and would also contribute to a negative balance of approximately \$565,000 in the State Water Plan Fund. Funding for this program was not recommended in my budget. Therefore, I hereby line-item veto this provision.

Wichita Aquifer Storage

Section 114(d) has been line-item vetoed in its entirety.

The additional appropriation of \$500,000 from the Expanded Lottery Act Revenues Fund (ELARF) for the Wichita Aquifer Recharge Project would increase funding beyond my budget recommendations for FY 2013. My FY 2013 budget recommendations included a \$500,000 appropriation from the State Water Plan Fund for the project that demonstrates an effective method to provide for long-term planning related to future water supplies. Furthermore, the use of the ELARF will have to be leveraged as part of a specific debt reduction and budget balancing strategy. Therefore, I hereby line-item veto this provision.

State Fair Board

Enhanced Marketing

Section 113(c) has been line-item vetoed in its entirety.

I included funds in the Department of Commerce budget for a study to examine the feasibility of changing the dates when our State Fair is held. Rather than finance this study, the money was shifted to the Fair for promotion. With the projected negative balance in the Economic Development Initiatives Fund and this change in plan, I veto

the funds. While it does not bring the EDIF into the black, it will be much closer.

Department of Social & Rehabilitation Services and Department on Aging

FMS Fee for HCBS Providers

Section 35(b) has been line-item vetoed in its entirety.

That portion of Section 35(l) that reads as follows has been line-item vetoed:
“Mental health and retardation services aid and assistance.....\$91,429”

That portion of Section 36(a) that reads as follows has been line-item vetoed:
“LTC — medicaid assistance — HCBS/FE.....\$99,634”

Section 122 has been line-item vetoed in its entirety.

The Financial Management System for Medicaid Home and Community Based Services providers was implemented in FY 2012 as required by the Center for Medicare & Medicaid Services. The system pays a \$115 per consumer per month fee to providers for administrative services. The 2012 Legislature appropriated a total of \$385,878 from the State General Fund in the above referenced sections to increase the fee to \$125 for the months from November 2012 to June 2012. This would require retroactive payments that would strain agency resources. No additional funding was approved to continue the increased rate in FY 2013. The agencies set the \$115 fee using a range derived from a study performed by an impartial contractor and by using comparisons with rates paid by other states. The rate is well above the national average and in my opinion is fair payment for services provided. I therefore find it necessary to veto these supplemental appropriations for FY 2012.

Motor Vehicles

Limitations on Acquisitions

Section 119 is vetoed in its entirety.

Agencies purchase vehicles for a variety of reasons and we have a process in place to ensure new purchases are not made unnecessarily. To ensure that agencies have the resources they need to get their work done, I veto this section of the bill.

Kansas Bioscience Authority

Timing of Transfers from the State General Fund

That portion of Section 156(d)(1) that reads as follows has been line-item vetoed:

“During the fiscal years ending June 30, 2013, and June 30, 2014, the state treasurer shall make payments to the bioscience authority on July 15, October 15, January 15 and April 15 in equal installments, subject to the limitations established in subsection (h). If on such dates, during fiscal years 2013 and 2014,

such payments can not be made in equal amounts, the state treasurer shall make the payment in the amount of moneys that is available on such date and upon the next payment date, the state treasurer shall make the payment in an amount equal to the amount that is to be paid on that date plus any additional amount that is owed from a previous date. During the fiscal years ending June 30, 2015, and following fiscal years thereafter, the state treasurer shall make payments to the bioscience authority on July 15, October 15, January 15 and April 15 based on the certification provided by the secretary of revenue.”

In recent years the state has had to delay its quarterly transfers to the Kansas Bioscience Authority from time to time, particularly the November amount, when the State General Fund was low on cash. This was done in cooperation with staff at the Bioscience Authority and was not done in a manner that was intended as punitive or harmful. Because we need to maintain our flexibility in managing the State General Fund cashflow, I veto this provision to require transfers on certain dates. This has the effect of leaving processes as they have been handled up to this point.

Moving Forward

The needs are great, and the people of Kansas, particularly our children, depend on us to put our state on a path of economic growth and prosperity. We took a giant step in the right direction this year. I look forward to continuing to work with the Kansas Legislature to review areas where we can reduce the reach of state government, streamline agencies and programs and focus funding on the state's core responsibilities.

Again, I commend the Legislature for its work during the 2012 session, and I look forward to working with all of you in the coming months and years as we get our state's budget and economy back on track.

Sam Brownback, Governor

VETO SUSTAINED

President Morris announced the time had arrived for reconsideration of the line item vetoes on **H Sub for SB 294**, An act making and concerning appropriations for fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, June 30, 2015, and June 30, 2016, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2011 Supp. 2-223, 12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 76-775, 76-783, 76-7,107, 79-2964, 79-2978, 79-2979, 79-3425i, as amended by section 10 of 2012 House Bill No. 2557, 79-34,156, 79-34,171, 79-4227 and 82a-953a and repealing the existing sections.

No motion having been offered to reconsider, President Morris announced the Governor's line items vetoes on **H Sub for SB 294** were declared sustained.

As provided by **SCR 1620**, Senator Emler moved the Senate adjourn Sine Die. The motion prevailed.

President Morris thereupon announced: "By virtue of the authority vested in me as president of the Senate, I now declare the 2012 Session of the Kansas Senate adjourned Sine Die."

MESSAGE FROM THE GOVERNOR

House Substitute for Senate Bill No. 60 approved June 1, 2012.

MESSAGE FROM THE HOUSE

Announcing the following bills are hereby transmitted to the Senate with final disposition:

Senate Bills died in House Committees: **SB 5, SB 8, SB 13, House Substitute SB 35, SB 41, House Substitute SB 45, SB 51, SB 52, SB 58, Substitute SB 64, SB 69, Substitute SB 71, Substitute SB 81, SB 90, Substitute SB 92, SB 100, SB 108, SB 116, SB 126, SB 128, SB 133, SB 135, Substitute SB 138, SB 139, SB 182, SB 201, SB 223, Substitute SB 234, SB 267, SB 271, SB 276, SB 279, SB 281, SB 292, SB 293, SB 297, SB 302, SB 305, SB 324, SB 326, Substitute SB 327, SB 331, SB 335, SB 342, SB 348, SB 357, SB 358, SB 369, SB 371, SB 372, SB 375, SB 386, SB 395, SB 400, SB 404, SB 407, Substitute SB 412, SB 415, SB 419, SB 427, SB 431, Substitute SB 433, SB 436, SB 447, Substitute SB 449, SB 453, Substitute SB 459.**

Senate Concurrent Resolutions died in House Committees: **SCR 1606, SCR 1608.**

Senate Bills died on the Calendar: **House Substitute SB 46, House Substitute SB 104, SB 120, House Substitute SB 216, SB 261, SB 269, SB 274, House Substitute SB 275, SB 277, SB 288, SB 299, House Substitute SB 311, SB 379, SB 390, SB 438.**

Senate Bills died in Conference Committee: **House Substitute SB 28, House Substitute for Substitute SB 39, House Substitute SB 142, House Substitute SB 177, SB 257, SB 258, House Substitute SB 259, House Substitute SB 341, SB 394.**

HELEN MORELAND, ROSE MARIE GLATT, SHIRLEY LAMOTT, *Journal Clerks.*

PAT SAVILLE, *Secretary of the Senate.*



SHORT TITLE AND HISTORY
OF
SENATE BILLS,
SENATE RESOLUTIONS,
AND
EXECUTIVE REORGANIZATION ORDERS

(SJ & HJ Nos. refer to 2011 and 2012 Senate and House Journals)
(3541)

TITLE AND HISTORY OF SENATE BILLS
CARRIED OVER FROM 2011 SESSION

- S 1** Bill by Senator Haley
House Substitute for SB 1 by Committee on Taxation -- Reduction to state income tax rates based on selected actual state general fund receipts computations.
 12/10/2010 Senate—Prefiled for Introduction
 01/10/2011 Senate—Introduced—SJ 7
 01/11/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 20
 02/21/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 218
 02/24/2011 Senate—Committee of the Whole - Be passed as amended—SJ 261
 02/24/2011 Senate—Motion to Reconsider Adopted—SJ 262
 02/24/2011 Senate—Committee of the Whole - Be passed as further amended—SJ 266
 02/24/2011 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 266
 02/25/2011 House—Received and Introduced—HJ 411
 03/02/2011 House—Referred to Committee on Taxation—HJ 415
 03/15/2011 House—Committee Report recommending substitute bill be passed by Committee on Taxation—HJ 506
 03/17/2011 House—Committee of the Whole - Motion to recommend favorably for passage failed Yea: 56 Nay: 61—HJ 540
 03/18/2011 House—Committee of the Whole - Substitute bill be passed as amended—HJ 567
 03/18/2011 House—Emergency Final Action - Passed as amended; Yea: 73 Nay: 47—HJ 584
 03/21/2011 Senate—Ruled materially changed and referred to Committee on Assessment and Taxation—SJ 404
 06/01/2012 Senate—Died in Committee
- S 2** Bill by Legislative Post Audit Committee
Requiring bidders on state contracts to sign a statement they will not hire former state employees that participated in awarding the contract unless otherwise allowed by law.
 12/10/2010 Senate—Prefiled for Introduction
 01/10/2011 Senate—Introduced—SJ 7
 01/11/2011 Senate—Referred to Committee on Ways and Means—SJ 20
 06/01/2012 Senate—Died in Committee
- S 3** Bill by Legislative Post Audit Committee
Concerning water; establishing the Kansas natural resources subcabinet.
 01/04/2011 Senate—Prefiled for Introduction
 01/10/2011 Senate—Introduced—SJ 7
 01/11/2011 Senate—Referred to Committee on Ways and Means—SJ 20
 06/01/2012 Senate—Died in Committee
- S 4** Bill by Senator Kelsey
Board of healing arts; licensure and education of perfusionists.
 01/07/2011 Senate—Prefiled for Introduction
 01/10/2011 Senate—Introduced—SJ 7

- 01/11/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 20
 06/01/2012 Senate—Died in Committee
- S 5**
 Bill by Senator Kelsey
Board of healing arts; licensure and education of perfusionists.
 01/11/2011 Senate—Introduced—SJ 20
 01/12/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 23
 02/07/2011 Senate—Committee Report recommending bill be passed as amended
 by Committee on Public Health and Welfare—SJ 119
 02/14/2011 Senate—Committee of the Whole - Be passed as amended—SJ 191
 02/15/2011 Senate—Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 195
 02/16/2011 House—Received and Introduced—HJ 265
 02/17/2011 House—Referred to Committee on Health and Human Services—HJ
 276
 02/22/2012 House—Hearing: Thursday, March 01, 2012, 1:30 PM Room 784
 Docking
 06/01/2012 House—Died in House Committee
- S 7**
 Bill by Judiciary
Substitute for SB 7 by Committee on Judiciary -- Driving under the influence.
 01/13/2011 Senate—Introduced—SJ 26
 01/14/2011 Senate—Referred to Committee on Judiciary—SJ 30
 02/24/2011 Senate—Withdrawn from Committee on Judiciary; Referred to
 Committee on Ways and Means—SJ 249
 02/25/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Judiciary—SJ 271
 03/18/2011 Senate—Committee Report recommending substitute bill be passed by
 Committee on Judiciary—SJ 386
 05/12/2011 Senate—Withdrawn from Calendar, Rereferred to Committee on
 Judiciary—SJ 1296
 06/01/2012 Senate—Died in Committee
- S 8**
 Bill by Legislative Educational Planning Committee
**Defining information technology project for state universities under the control
 of the state board of regents.**
 01/13/2011 Senate—Introduced—SJ 26
 01/14/2011 Senate—Referred to Committee on Education—SJ 30
 02/07/2011 Senate—Committee Report recommending bill be passed by Committee
 on Education—SJ 119
 02/21/2011 Senate—Committee of the Whole - Be passed as amended—SJ 221
 02/22/2011 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 227
 02/23/2011 House—Received and Introduced—HJ 328
 02/24/2011 House—Referred to Committee on Education Budget—HJ 348
 06/01/2012 House—Died in House Committee
- S 11**
 Bill by Ways and Means
**School finance; special education state aid; transportation of pupils; local
 option budget calculation; use of unencumbered funds.**
 01/13/2011 Senate—Introduced—SJ 26
 01/14/2011 Senate—Referred to Committee on Education—SJ 30
 01/31/2011 Senate—Committee Report recommending bill be passed by Committee
 on Education—SJ 86
 02/08/2011 Senate—Committee of the Whole - Be passed—SJ 137
 02/09/2011 Senate—Final Action - Passed; Yea: 38 Nay: 0—SJ 145

- 02/09/2011 House—Received and Introduced—HJ 218
 02/10/2011 House—Referred to Committee on Education—HJ 220
 03/22/2011 House—Committee of the Whole - Be passed as amended—HJ 671
 03/23/2011 House—Final Action - Passed as amended; Yea: 112 Nay: 12—HJ 677
 03/28/2011 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Schodorf, Senator Vratil and Senator Hensley as conferees—SJ 513
 03/29/2011 House—Motion to accede adopted; Representative Aurand, Representative Huebert and Representative Ward appointed as conferees—HJ 788
 05/18/2012 House—Conference Committee Report was adopted; Yea: 100 Nay: 12—HJ 2917
 05/19/2012 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 0—SJ 3248
 05/22/2012 Senate—Enrolled and presented to Governor on Tuesday, May 22, 2012—SJ 3531
 05/29/2012 Senate—Approved by Governor on Friday, 25 May 2012—SJ 3531
- S 13**
 Bill by Legislative Educational Planning Committee
Career and technical education; amendments.
 01/13/2011 Senate—Introduced—SJ 26
 01/14/2011 Senate—Referred to Committee on Education—SJ 30
 01/31/2011 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 86
 02/03/2011 Senate—Committee of the Whole - Be passed—SJ 99
 02/03/2011 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 0—SJ 99
 02/04/2011 House—Received and Introduced—HJ 160
 02/07/2011 House—Referred to Committee on Education—HJ 171
 06/01/2012 House—Died in House Committee
- S 14**
 Bill by Financial Institutions and Insurance
Creating the Kansas newborn screening fund.
 01/14/2011 Senate—Introduced—SJ 29
 01/18/2011 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 32
 01/26/2011 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 69
 02/03/2011 Senate—Committee of the Whole - Be passed—SJ 99
 02/03/2011 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 0—SJ 100
 02/04/2011 House—Received and Introduced—HJ 160
 02/07/2011 House—Referred to Committee on Health and Human Services—HJ 171
 03/17/2011 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 551
 03/21/2011 House—Committee of the Whole - Be passed as amended—HJ 600
 03/22/2011 House—Final Action - Passed as amended; Yea: 108 Nay: 15—HJ 635
 03/23/2011 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Teichman, Senator Masterson and Senator A. Schmidt as conferees—SJ 483
 03/23/2011 House—Motion to accede adopted; Representative Landwehr, Representative Donohoe and Representative Flaharty appointed as conferees—HJ 715

- 05/02/2012 House—Conference Committee Report was adopted; Yea: 115 Nay: 2—HJ 2397
- 05/03/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2557
- 05/08/2012 Senate—Enrolled and presented to Governor on Tuesday, May 08, 2012—SJ 2600
- 05/15/2012 Senate—Approved by Governor on Monday, 14 May 2012—SJ 2838
- S 16** Bill by Ways and Means
Supplemental appropriations for FY 2011 for various state agencies.
 01/14/2011 Senate—Introduced—SJ 29
 01/18/2011 Senate—Referred to Committee on Ways and Means—SJ 32
 06/01/2012 Senate—Died in Committee
- S 17** Bill by Education
House Substitute SB 17 by Committee on Elections -- Relating to voter identification requirements.
 01/14/2011 Senate—Introduced—SJ 30
 01/18/2011 Senate—Referred to Committee on Ethics and Elections—SJ 32
 01/26/2011 Senate—Committee Report recommending bill be passed by Committee on Ethics and Elections—SJ 69
 02/03/2011 Senate—Committee of the Whole - Be passed—SJ 99
 02/03/2011 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 0—SJ 100
 02/04/2011 House—Received and Introduced—HJ 160
 02/07/2011 House—Referred to Committee on Elections—HJ 171
 03/15/2012 House—Committee Report recommending substitute bill be passed by Committee on Elections—HJ 2098
 03/20/2012 House—Withdrawn from Calendar, Rereferred to Committee on Elections—HJ 2213
 03/21/2012 House—Withdrawn from Committee on Elections; Referred to Committee on Appropriations—HJ 2264
 05/03/2012 House—Withdrawn from Committee on Appropriations and re-referred to Committee of the Whole—HJ 2402
 05/08/2012 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2471
 05/09/2012 House—Final Action - Substitute passed as amended; Yea: 72 Nay: 51—HJ 2494
 05/10/2012 Senate—Ruled materially changed and referred to Committee on Federal and State Affairs—SJ 2637
 06/01/2012 Senate—Died in Committee
- S 18** Bill by Special Committee on Education
School districts; finance; at-risk funds; limits on use.
 01/14/2011 Senate—Introduced—SJ 30
 01/18/2011 Senate—Referred to Committee on Education—SJ 32
 02/24/2011 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 249
 02/25/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Education—SJ 271
 06/01/2012 Senate—Died in Committee
- S 19** Bill by Legislative Educational Planning Committee
School districts; finance; KPERs weighting.
 01/14/2011 Senate—Introduced—SJ 30

- 01/18/2011 Senate—Referred to Committee on Education—SJ 32
 02/23/2011 Senate—Withdrawn from Committee on Education; Referred to
 Committee on Ways and Means—SJ 246
 02/24/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Education—SJ 249
 06/01/2012 Senate—Died in Committee
- S 20**
 Bill by Special Committee on Education
School districts; at-risk pupils; age limit.
 01/14/2011 Senate—Introduced—SJ 30
 01/18/2011 Senate—Referred to Committee on Education—SJ 32
 02/24/2011 Senate—Withdrawn from Committee on Education; Referred to
 Committee on Ways and Means—SJ 249
 02/25/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Education—SJ 271
 06/01/2012 Senate—Died in Committee
- S 22**
 Bill by Special Committee on Education
School districts; finance; transportation state aid.
 01/14/2011 Senate—Introduced—SJ 30
 01/18/2011 Senate—Referred to Committee on Education—SJ 32
 06/01/2012 Senate—Died in Committee
- S 25**
 Bill by Federal and State Affairs
**House Substitute for SB 25 by Committee on Federal and State Affairs --
 Community defense act; sexually oriented businesses regulations.**
 01/18/2011 Senate—Introduced—SJ 32
 01/19/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 38
 01/27/2011 Senate—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—SJ 79
 02/03/2011 Senate—Committee of the Whole - Be passed as further amended—SJ
 99
 02/03/2011 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0
 —SJ 100
 02/08/2011 House—Received and Introduced—HJ 211
 02/09/2011 House—Referred to Committee on Federal and State Affairs—HJ 213
 03/30/2011 House—Committee Report recommending substitute bill be passed by
 Committee on Federal and State Affairs—HJ 833
 04/28/2011 House—Committee of the Whole - Substitute bill be passed—HJ 932
 04/29/2011 House—Final Action - Substitute passed; Yea: 96 Nay: 23—HJ 937
 05/03/2011 Senate—Ruled materially changed and referred to Committee on
 Federal and State Affairs—SJ 660
 05/04/2011 Senate—Motion to withdraw from Committee on Federal and State
 Affairs not adopted; Yea: 17 Nay: 22—SJ 667
 06/01/2012 Senate—Died in Committee
- S 26**
 Bill by Legislative Post Audit Committee
**Concerning the state lottery; relating to security audits; background
 investigation requirements.**
 01/18/2011 Senate—Introduced—SJ 32
 01/19/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 38
 01/27/2011 Senate—Committee Report recommending bill be passed by Committee
 on Federal and State Affairs—SJ 79
 02/03/2011 Senate—Withdrawn from Calendar, Rereferred to Committee on

- Federal and State Affairs—SJ 89
06/01/2012 Senate—Died in Committee
- S 27** Bill by Education
School districts; finance; bilingual weighting based on program enrollment.
01/18/2011 Senate—Introduced—SJ 32
01/19/2011 Senate—Referred to Committee on Education—SJ 38
06/01/2012 Senate—Died in Committee
- S 28** Bill by Legislative Educational Planning Committee
House Substitute for SB 28 by Education Budget Committee -- Adequacy of state provision for finance of educational interests of the state.
01/18/2011 Senate—Introduced—SJ 32
01/19/2011 Senate—Referred to Committee on Education—SJ 38
02/10/2011 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 151
02/21/2011 Senate—Committee of the Whole - Be passed—SJ 221
02/22/2011 Senate—Final Action - Passed; Yea: 38 Nay: 1—SJ 228
02/23/2011 House—Received and Introduced—HJ 328
02/24/2011 House—Referred to Committee on Education Budget—HJ 348
03/15/2012 House—Committee Report recommending substitute bill be passed by Committee on Education Budget—HJ 2102
03/20/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2205
03/21/2012 House—Final Action - Substitute passed; Yea: 77 Nay: 46—HJ 2221
03/21/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Schodorf, Senator Vratil and Senator Hensley as conferees—SJ 2060
03/26/2012 House—Motion to accede adopted; Representative Aurand, Representative Huebert and Representative Ward appointed as conferees—HJ 2268
05/17/2012 House—Representative Winn replaces Representative Ward on the Conference Committee—HJ 2901
05/17/2012 House—Representative O'Neal replaces Representative Aurand on the Conference Committee—HJ 2901
05/18/2012 House—Representative Aurand replaces Representative O'Neal on the Conference Committee—HJ 2903
06/01/2012 Senate—Died in Conference
- S 29** Bill by Public Health and Welfare
Amending the drug schedule by adding additional unlawful substances.
01/18/2011 Senate—Introduced—SJ 32
01/19/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 38
06/01/2012 Senate—Died in Committee
- S 30** Bill by Utilities
Concerning 911 emergency services; prepaid wireless fees, collection and distribution.
01/18/2011 Senate—Introduced—SJ 32
01/19/2011 Senate—Referred to Committee on Utilities—SJ 38
02/25/2011 Senate—Withdrawn from Committee on Utilities; Referred to Committee on Ways and Means—SJ 271
03/02/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Utilities—SJ 273
06/01/2012 Senate—Died in Committee

- S 31** Bill by Ethics and Elections
Campaign finance; electioneering communications; reporting.
 01/19/2011 Senate—Introduced—SJ 38
 01/20/2011 Senate—Referred to Committee on Ethics and Elections—SJ 50
 02/22/2011 Senate—Withdrawn from Committee on Ethics and Elections; Referred to Committee on Ways and Means—SJ 224
 02/23/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Ethics and Elections—SJ 237
 06/01/2012 Senate—Died in Committee
- S 32** Bill by Special Committee on Education
School districts; finance; at-risk weighting calculated on FTE basis.
 01/19/2011 Senate—Introduced—SJ 38
 01/20/2011 Senate—Referred to Committee on Education—SJ 50
 06/01/2012 Senate—Died in Committee
- S 34** Bill by Judiciary
House Substitute for SB 34 by Committee on Federal and State Affairs --Amending statutes regulating late-term and partial birth abortion.
 01/19/2011 Senate—Introduced—SJ 38
 01/20/2011 Senate—Referred to Committee on Judiciary—SJ 50
 02/09/2011 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 146
 02/14/2011 Senate—Committee of the Whole - Be passed—SJ 191
 02/15/2011 Senate—Final Action - Passed; Yea: 34 Nay: 4—SJ 196
 02/16/2011 House—Received and Introduced—HJ 265
 02/17/2011 House—Referred to Committee on Judiciary—HJ 276
 03/21/2011 House—Withdrawn from Committee on Judiciary; Referred to Committee on Federal and State Affairs—HJ 632
 03/23/2011 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 714
 01/26/2012 House—Stricken from the Calendar (House Rule 2307)
- S 35** Bill by Judiciary
House Substitute for SB 35 by Committee on Federal and State Affairs -- Abortion regulation based on capacity of unborn child to feel pain.
 01/19/2011 Senate—Introduced—SJ 38
 01/20/2011 Senate—Referred to Committee on Judiciary—SJ 50
 02/03/2011 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 99
 02/08/2011 Senate—Committee of the Whole - Be passed—SJ 137
 02/09/2011 Senate—Final Action - Passed; Yea: 38 Nay: 0—SJ 145
 02/09/2011 House—Received and Introduced—HJ 218
 02/10/2011 House—Referred to Committee on Judiciary—HJ 220
 03/21/2011 House—Withdrawn from Committee on Judiciary; Referred to Committee on Federal and State Affairs—HJ 632
 03/23/2011 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 695
 03/29/2011 House—Withdrawn from Calendar, Rereferred to Committee on Federal and State Affairs—HJ 819
 06/01/2012 House—Died in House Committee
- S 39** Bill by Senator Olson
House Substitute for Substitute for SB 39 by Committee on Appropriations --

State surplus real estate, proceeds 20% to agency and 80% to the KPERS unfunded liability; allowing DOC to sell real estate by the Hutchinson correctional facility in Reno County to Reno County for law enforcement purposes.

- 01/20/2011 Senate—Introduced—SJ 50
 01/21/2011 Senate—Referred to Committee on Judiciary—SJ 52
 02/24/2011 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 249
 02/25/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Judiciary—SJ 271
 02/06/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 1455
 02/23/2012 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1592
 02/23/2012 Senate—Emergency Final Action - Substitute passed as amended; Yea: 40 Nay: 0—SJ 1598
 02/29/2012 House—Received and Introduced—HJ 1973
 03/01/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1978
 03/02/2012 House—Hearing: Thursday, March 08, 2012, 1:30 PM Room 144-S
 03/28/2012 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Appropriations—HJ 2304
 04/27/2012 House—Committee Report recommending substitute bill be passed by Committee on Appropriations—HJ 2376
 05/08/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2472
 05/09/2012 House—Final Action - Substitute passed; Yea: 122 Nay: 1—HJ 2495
 05/10/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Owens, Senator King and Senator Haley as conferees—SJ 2637
 05/10/2012 House—Motion to accede adopted; Representative Rhoades, Representative Kelley and Representative Feuerborn appointed as conferees—HJ 2563
 06/01/2012 Senate—Died in Conference

S 40

Bill by Senator Reitz

House Substitute for SB 40 by Committee on Appropriations -- Kansas housing loan deposit program; expanding the program to include the building or rehabilitation of adult care homes.

- 01/21/2011 Senate—Introduced—SJ 51
 01/24/2011 Senate—Referred to Committee on Local Government—SJ 54
 01/25/2011 Senate—Committee Report recommending bill be passed by Committee on Local Government—SJ 65
 02/03/2011 Senate—Committee of the Whole - Be passed—SJ 99
 02/03/2011 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 0—SJ 101
 02/04/2011 House—Received and Introduced—HJ 160
 02/07/2011 House—Referred to Committee on Local Government—HJ 171
 03/18/2011 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 582
 03/23/2011 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 697
 03/19/2012 House—Committee Report recommending substitute bill be passed by

(SJ & HJ Nos. refer to 2011 and 2012 Senate and House Journals)

- Committee on Appropriations—HJ 2179
- 03/29/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2311
- 03/30/2012 House—Final Action - Substitute passed; Yea: 123 Nay: 0—HJ 2318
- 03/30/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator McGinn, Senator Vratil and Senator Kelly as conferees—SJ 2160
- 04/25/2012 House—Motion to accede adopted; Representative Rhoades, Representative Kelley and Representative Feuerborn appointed as conferees—HJ 2362
- 05/20/2012 House—Conference Committee Report was adopted; Yea: 87 Nay: 24—HJ 3197
- 05/20/2012 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 0—SJ 3522
- 05/22/2012 Senate—Enrolled and presented to Governor on Tuesday, May 22, 2012—SJ 3531
- 05/29/2012 Senate—Approved by Governor on Friday, 25 May 2012—SJ 3531
- S 41** Bill by Legislative Educational Planning Committee
Private and out of state postsecondary educational institution act; fees.
- 01/21/2011 Senate—Introduced—SJ 52
- 01/24/2011 Senate—Referred to Committee on Education—SJ 54
- 02/10/2011 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 151
- 02/21/2011 Senate—Committee of the Whole - Be passed—SJ 221
- 02/22/2011 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 228
- 02/23/2011 House—Received and Introduced—HJ 328
- 02/24/2011 House—Referred to Committee on Education Budget—HJ 348
- 03/10/2011 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 452
- 03/18/2011 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 583
- 03/21/2011 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education Budget—HJ 632
- S 42** 06/01/2012 House—Died in House Committee
 Bill by Commerce
Abolishing KTEC: transferring duties to department of commerce and board of regents.
- 01/21/2011 Senate—Introduced—SJ 52
- 01/24/2011 Senate—Referred separately to Committee on Commerce and Committee on Ways and Means—SJ 54
- 01/26/2011 Senate—Withdrawn from Committee on Ways and Means; Referred Separately to Committee on Commerce and Committee on Ways and Means—SJ 67
- 06/01/2012 Senate—Died in Committee
- S 43** Bill by Ethics and Elections
Campaign finance; transfer of campaign money to another candidacy.
- 01/21/2011 Senate—Introduced—SJ 52
- 01/24/2011 Senate—Referred to Committee on Ethics and Elections—SJ 54
- 02/17/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Ethics and Elections—SJ 207
- 05/12/2011 Senate—Withdrawn from Calendar, Rereferred to Committee on Ethics

- and Elections—SJ 1296
06/01/2012 Senate—Died in Committee
- S 44** Bill by Judiciary
Removing the gifts from a spouse exception from marital property in a divorce.
01/24/2011 Senate—Introduced—SJ 53
01/25/2011 Senate—Referred to Committee on Judiciary—SJ 60
06/01/2012 Senate—Died in Committee
- S 45** Bill by Judiciary
**House Substitute for SB 45 by Committee on Federal and State Affairs --
Abortion; late-term, partial birth, fetal pain; abortion facility
licensure; other.**
01/24/2011 Senate—Introduced—SJ 53
01/25/2011 Senate—Referred to Committee on Judiciary—SJ 60
02/10/2011 Senate—Committee Report recommending bill be passed by Committee
on Judiciary—SJ 151
02/15/2011 Senate—Committee of the Whole - Be passed—SJ 198
02/15/2011 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 0—SJ 199
02/16/2011 House—Received and Introduced—HJ 265
02/17/2011 House—Referred to Committee on Judiciary—HJ 276
03/21/2011 House—Withdrawn from Committee on Judiciary; Referred to
Committee on Federal and State Affairs—HJ 632
03/28/2011 House—Committee Report recommending substitute bill be passed by
Committee on Federal and State Affairs—HJ 726
03/30/2011 House—Withdrawn from Calendar; Referred to Committee on
Insurance—HJ 821
06/01/2012 House—Died in House Committee
- S 46** Bill by Judiciary
**House Substitute for SB 46 by Committee on Corrections and Juvenile Justice
-- Human trafficking; crimes of commercial sexual exploitation of a
child, selling sexual relations, promoting the sale of sexual relations
and buying sexual relations.**
01/24/2011 Senate—Introduced—SJ 53
01/25/2011 Senate—Referred to Committee on Judiciary—SJ 60
02/14/2011 Senate—Committee Report recommending bill be passed by Committee
on Judiciary—SJ 190
02/21/2011 Senate—Committee of the Whole - Be passed—SJ 221
02/22/2011 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 229
02/23/2011 House—Received and Introduced—HJ 328
02/24/2011 House—Referred to Committee on Judiciary—HJ 348
03/13/2012 House—Withdrawn from Committee on Judiciary; Referred to
Committee on Corrections and Juvenile Justice—HJ 2036
03/20/2012 House—Withdrawn from Committee on Corrections and Juvenile
Justice; Referred to Committee on Appropriations—HJ 2214
03/26/2012 House—Withdrawn from Committee on Appropriations; Rereferred to
Committee on Corrections and Juvenile Justice—HJ 2268
03/27/2012 House—Committee Report recommending substitute bill be passed by
Committee on Corrections and Juvenile Justice—HJ 2285
06/01/2012 House—Died on House Calendar
- S 47** Bill by Judiciary
Amendments to the uniform trust code.

- 01/24/2011 Senate—Introduced—SJ 54
 01/25/2011 Senate—Referred to Committee on Judiciary—SJ 60
 06/01/2012 Senate—Died in Committee
- S 48** Bill by Judiciary
Amendments to the probate code.
 01/24/2011 Senate—Introduced—SJ 54
 01/25/2011 Senate—Referred to Committee on Judiciary—SJ 60
 06/01/2012 Senate—Died in Committee
- S 49** Bill by Joint Pensions, Investments, and Benefits
Increased employee and employer contribution rates and benefit formula multiplier.
 01/24/2011 Senate—Introduced—SJ 54
 01/25/2011 Senate—Referred to Committee on KPERS Select—SJ 60
 02/24/2011 Senate—Withdrawn from Committee on KPERS Select; Referred to Committee on Ways and Means—SJ 249
 02/25/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on KPERS Select—SJ 271
 06/01/2012 Senate—Died in Committee
- S 51** Bill by Senator Faust-Goudeau
School districts; requiring only parental consent to dispense over-the-counter medication to students.
 01/25/2011 Senate—Introduced—SJ 59
 01/26/2011 Senate—Referred to Committee on Education—SJ 67
 02/24/2011 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 249
 02/25/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Education—SJ 271
 03/09/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 301
 03/15/2011 Senate—Committee of the Whole - Be passed as amended—SJ 357
 03/15/2011 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 1—SJ 358
 03/17/2011 House—Received and Introduced—HJ 536
 03/18/2011 House—Referred to Committee on Education—HJ 564
 06/01/2012 House—Died in House Committee
- S 52** Bill by Federal and State Affairs
Concerning grandparent's custody of children.
 01/25/2011 Senate—Introduced—SJ 59
 01/26/2011 Senate—Referred to Committee on Judiciary—SJ 67
 02/14/2011 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 190
 02/21/2011 Senate—Committee of the Whole - Be passed—SJ 221
 02/22/2011 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 229
 02/23/2011 House—Received and Introduced—HJ 328
 02/24/2011 House—Referred to Committee on Judiciary—HJ 348
 06/01/2012 House—Died in House Committee
- S 53** Bill by Federal and State Affairs
Inclusion of sexual orientation and gender identity in Kansas act against discrimination.
 01/25/2011 Senate—Introduced—SJ 60

- 01/26/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 67
 06/01/2012 Senate—Died in Committee
- S 54** Bill by Federal and State Affairs
Creating classes of license to sell alcoholic beverages at retail; fees, term and eligibility.
 01/25/2011 Senate—Introduced—SJ 60
 01/26/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 67
 02/24/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 256
 05/12/2011 Senate—Withdrawn from Calendar, Rereferred to Committee on Federal and State Affairs—SJ 1296
 06/01/2012 Senate—Died in Committee
- S 56** Bill by Judiciary
Amending the crime of criminal sodomy.
 01/25/2011 Senate—Introduced—SJ 60
 01/26/2011 Senate—Referred to Committee on Judiciary—SJ 67
 02/14/2011 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 190
 05/12/2011 Senate—Withdrawn from Calendar, Rereferred to Committee on Judiciary—SJ 1296
 06/01/2012 Senate—Died in Committee
- S 57** Bill by Ways and Means
School districts; amendments to base state aid per pupil for local option budget purposes.
 01/25/2011 Senate—Introduced—SJ 60
 01/26/2011 Senate—Referred to Committee on Education—SJ 67
 06/01/2012 Senate—Died in Committee
- S 58** Bill by Transportation
Designating the US-24 and KS-7 highway the Representative Margaret Long interchange.
 01/25/2011 Senate—Introduced—SJ 60
 01/26/2011 Senate—Referred to Committee on Transportation—SJ 67
 02/09/2011 Senate—Committee Report recommending bill be passed by Committee on Transportation—SJ 146
 02/15/2011 Senate—Committee of the Whole - Be passed—SJ 198
 02/15/2011 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 0—SJ 199
 02/16/2011 House—Received and Introduced—HJ 265
 02/17/2011 House—Referred to Committee on Transportation—HJ 276
 06/01/2012 House—Died in House Committee
- S 59** Bill by Assessment and Taxation
House Substitute for SB 59 by Committee on Taxation -- Classification of certain property for purposes of exemption from property taxation; commercial and industrial machinery and equipment; bed and breakfast homes.
 01/26/2011 Senate—Introduced—SJ 67
 01/27/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 71
 02/21/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 218
 02/23/2011 Senate—Committee of the Whole - Be passed as amended—SJ 245
 02/24/2011 Senate—Final Action - Passed as amended; Yea: 27 Nay: 12—SJ 250

02/24/2011 House—Received and Introduced—HJ 360
 02/25/2011 House—Referred to Committee on Taxation—HJ 394
 05/04/2012 House—Committee Report recommending substitute bill be passed by
 Committee on Taxation—HJ 2452
 05/09/2012 House—Committee of the Whole - Substitute bill be passed as amended
 —HJ 2527
 05/10/2012 House—Final Action - Substitute passed as amended; Yea: 103 Nay: 21
 —HJ 2529
 05/10/2012 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration
 adopted;—SJ 2690
 05/10/2012 Senate—Ruled materially changed and referred to Committee on Local
 Government—SJ 2690
 06/01/2012 Senate—Died in Committee
 Bill by Judiciary

S 60

**House Substitute for SB 60 by Committee on Corrections and Juvenile Justice
 -- Relating to house arrest as a sanction for certain crimes,
 expungement of certain criminal records, authorizing grand jury
 petitions, eliminating automatic supreme court appeals for certain
 crimes and amending community corrections success and funding
 provisions.**

01/26/2011 Senate—Introduced—SJ 67
 01/27/2011 Senate—Referred to Committee on Judiciary—SJ 71
 02/10/2011 Senate—Committee Report recommending bill be passed by Committee
 on Judiciary—SJ 151
 02/15/2011 Senate—Committee of the Whole - Be passed—SJ 198
 02/15/2011 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 0—SJ 200
 02/16/2011 House—Received and Introduced—HJ 265
 02/17/2011 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 276
 03/17/2011 House—Committee Report recommending substitute bill be passed by
 Committee on Corrections and Juvenile Justice—HJ 562
 03/23/2011 House—Committee of the Whole - Substitute bill be passed as amended
 —HJ 695
 03/23/2011 House—Emergency Final Action - Substitute passed as amended; Yea:
 122 Nay: 1—HJ 708
 03/28/2011 Senate—Nonconcurrent with amendments; Conference Committee
 requested; appointed Senator Owens, Senator King and Senator Haley as
 conferees—SJ 519
 03/29/2011 House—Motion to accede adopted; Representative Colloton,
 Representative Kinzer and Representative McCray-Miller appointed as
 conferees—HJ 782
 05/17/2012 House—Conference Committee Report was adopted; Yea: 103 Nay: 13
 —HJ 2880
 05/18/2012 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0—
 SJ 3216
 05/25/2012 Senate—Enrolled and presented to Governor on Friday, May 25, 2012
 —SJ 3531
 06/01/2012 Senate—Approved by Governor on Friday, 01 June 2012—SJ 3538
 Bill by Judiciary

S 62

House Substitute for SB 62 by Committee on Judiciary -- Concerning medical

care facilities; relating to abortion; sterilization.

- 01/26/2011 Senate—Introduced—SJ 67
 01/27/2011 Senate—Referred to Committee on Judiciary—SJ 71
 02/10/2011 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 151
 02/15/2011 Senate—Committee of the Whole - Be passed—SJ 198
 02/15/2011 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 0—SJ 200
 02/16/2011 House—Received and Introduced—HJ 265
 02/17/2011 House—Referred to Committee on Judiciary—HJ 276
 03/16/2012 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 2142
 03/28/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2303
 03/29/2012 House—Final Action - Substitute passed; Yea: 95 Nay: 29—HJ 2308
 03/30/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Brungardt, Senator Reitz and Senator Faust-Goudeau as conferees—SJ 2160
 04/25/2012 House—Motion to accede adopted; Representative Kinzer, Representative Patton and Representative Pauls appointed as conferees—HJ 2362
 05/02/2012 Senate—Concurred with amendments in conference; Yea: 23 Nay: 16—SJ 2542
 05/04/2012 Senate—Enrolled and presented to Governor on Friday, May 04, 2012—SJ 2585
 05/11/2012 Senate—Approved by Governor on Thursday, 10 May 2012—SJ 2693
- S 64** Bill by Financial Institutions and Insurance
Substitute for SB 64 by Committee on Financial Institutions and Insurance -- Banking; criminal record history information, fingerprints.
 01/27/2011 Senate—Introduced—SJ 71
 01/28/2011 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 82
 02/03/2012 Senate—Hearing: Wednesday, February 08, 2012, 9:30 AM Room 152-S
 02/10/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Financial Institutions and Insurance—SJ 1486
 02/23/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 1586
 02/23/2012 Senate—Emergency Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 1598
 02/29/2012 House—Received and Introduced—HJ 1973
 03/01/2012 House—Referred to Committee on Financial Institutions—HJ 1978
 03/01/2012 House—Hearing: Tuesday, March 06, 2012, 3:30 PM Room 152-S
 03/02/2012 House—Hearing: Tuesday, March 06, 2012, 3:30 PM Room 152-S
 06/01/2012 House—Died in House Committee
- S 66** Bill by Ethics and Elections
Elections; campaign finance; public service advertisements near elections; civil fine.
 01/27/2011 Senate—Introduced—SJ 71
 01/28/2011 Senate—Referred to Committee on Ethics and Elections—SJ 82
 06/01/2012 Senate—Died in Committee
- S 68** Bill by Education
Creating the Kansas healthy youth act.

- 01/27/2011 Senate—Introduced—SJ 71
 01/28/2011 Senate—Referred to Committee on Education—SJ 82
 06/01/2012 Senate—Died in Committee
- S 69**
 Bill by Education
Requiring school districts to adopt policies against dating violence.
 01/27/2011 Senate—Introduced—SJ 71
 01/28/2011 Senate—Referred to Committee on Education—SJ 82
 02/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 1519
 02/22/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1574
 02/23/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1579
 02/29/2012 House—Received and Introduced—HJ 1973
 03/01/2012 House—Referred to Committee on Education—HJ 1978
 06/01/2012 House—Died in House Committee
- S 70**
 Bill by Ways and Means
Limitation on entitlement to capital improvement state aid.
 01/27/2011 Senate—Introduced—SJ 71
 01/28/2011 Senate—Referred to Committee on Education—SJ 82
 02/23/2011 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 246
 02/24/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Education—SJ 249
 06/01/2012 Senate—Died in Committee
- S 71**
 Bill by Financial Institutions and Insurance
Substitute for SB 71 by Committee on Financial Institutions and Insurance -- Lines of insurance; reporting requirements; fingerprinting and criminal history checks required for certain insurance agents and public adjusters.
 01/27/2011 Senate—Introduced—SJ 71
 01/28/2011 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 82
 02/22/2011 Senate—Withdrawn from Committee on Financial Institutions and Insurance; Referred to Committee on Ways and Means—SJ 224
 02/23/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Financial Institutions and Insurance—SJ 237
 01/18/2012 Senate—Hearing: Thursday, January 26, 2012, 9:30 AM Room 152-S
 02/15/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Financial Institutions and Insurance—SJ 1519
 02/23/2012 Senate—Withdrawn from Calendar, Rereferred to Committee on Financial Institutions and Insurance—SJ 1595
 03/06/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 1630
 03/07/2012 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1638
 03/07/2012 Senate—Emergency Final Action - Substitute passed as amended; Yea: 40 Nay: 0—SJ 1638
 03/09/2012 House—Received and Introduced—HJ 2010
 03/12/2012 House—Referred to Committee on Insurance—HJ 2029
 03/12/2012 House—Hearing: Wednesday, March 14, 2012, 3:30 PM Room 152-S—HJ 2032

- 06/01/2012 House—Died in House Committee
S 73 Bill by Judiciary
Amending criminal discovery statute to prohibit release of child pornography evidence to the defense.
 01/31/2011 Senate—Introduced—SJ 85
 02/03/2011 Senate—Referred to Committee on Judiciary—SJ 89
 06/01/2012 Senate—Died in Committee
S 74 Bill by Judiciary
House Substitute for SB 74 by Committee on Judiciary -- Exhaustion of administrative remedies for patients in the custody of the secretary of social and rehabilitation services.
 01/31/2011 Senate—Introduced—SJ 85
 02/03/2011 Senate—Referred to Committee on Judiciary—SJ 89
 02/21/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 219
 02/23/2011 Senate—Committee of the Whole - Be passed as amended—SJ 245
 02/24/2011 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 250
 02/24/2011 House—Received and Introduced—HJ 360
 02/25/2011 House—Referred to Committee on Judiciary—HJ 394
 03/19/2012 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 2182
 03/21/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2233
 03/21/2012 House—Emergency Final Action - Substitute passed; Yea: 122 Nay: 0—HJ 2259
 03/28/2012 Senate—Concurred with amendments; Yea: 40 Nay: 0—SJ 2091
 04/03/2012 Senate—Enrolled and presented to Governor on Tuesday, April 03, 2012—SJ 2290
 04/09/2012 Senate—Approved by Governor on Friday, 06 April 2012—SJ 2163
S 75 Bill by Education
Dyslexia and other reading problems; requiring certain testing.
 01/31/2011 Senate—Introduced—SJ 85
 02/03/2011 Senate—Referred to Committee on Education—SJ 89
 02/24/2011 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 249
 02/25/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Education—SJ 271
 06/01/2012 Senate—Died in Committee
S 78 Bill by Commerce
Transferring KTEC appointment authority to Governor.
 01/31/2011 Senate—Introduced—SJ 85
 02/03/2011 Senate—Referred to Committee on Commerce—SJ 89
 02/22/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce—SJ 231
 02/24/2011 Senate—Committee of the Whole - Referred to Committee on Ways and Means—SJ 265
 04/27/2011 Senate—Committee of the Whole - Rereferred to Committee on Ways and Means—SJ 615
 06/01/2012 Senate—Died in Committee
S 79 Bill by Judiciary
House Substitute for SB 79 by Committee on Judiciary -- Concerning the

protection of rights granted under the constitution.

- 01/31/2011 Senate—Introduced—SJ 85
 - 02/03/2011 Senate—Referred to Committee on Judiciary—SJ 89
 - 02/21/2011 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 219
 - 02/23/2011 Senate—Committee of the Whole - Be passed—SJ 245
 - 02/24/2011 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 251
 - 02/24/2011 House—Received and Introduced—HJ 360
 - 02/25/2011 House—Referred to Committee on Judiciary—HJ 394
 - 03/07/2012 House—Hearing: Monday, March 12, 2012, 3:30 PM Room 346-S
 - 03/19/2012 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 2174
 - 03/21/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2234
 - 03/21/2012 House—Emergency Final Action - Substitute passed; Yea: 122 Nay: 0—HJ 2259
 - 03/27/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Owens, Senator King and Senator Haley as conferees—SJ 2084
 - 03/28/2012 House—Motion to accede adopted; Representative Kinzer, Representative Patton and Representative Pauls appointed as conferees—HJ 2292
 - 05/07/2012 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—HJ 2462
 - 05/11/2012 Senate—Motion to adopt Conference Committee Report.—SJ 2699
 - 05/11/2012 Senate—Substitute motion to not adopt the Conference Committee Report and appoint a new Conference Committee; Motion not adopted.—SJ 2699
 - 05/11/2012 Senate—Substitute motion to lay on the table - motion to adopt Conference Committee Report; Motion not adopted. Yea: 9 Nay: 28—SJ 2699
 - 05/11/2012 Senate—Conference Committee Report was adopted; Yea: 33 Nay: 3—SJ 2699
 - 05/15/2012 Senate—Enrolled and presented to Governor on Tuesday, May 15, 2012—SJ 2862
 - 05/25/2012 Senate—Approved by Governor on Monday, 21 May 2012—SJ 3531
- S 81** Bill by Federal and State Affairs
- Substitute for SB 81 by Committee on Judiciary -- Children and minors; temporary custody; permanency planning; adoption.**
- 02/03/2011 Senate—Introduced—SJ 88
 - 02/04/2011 Senate—Referred to Committee on Judiciary—SJ 104
 - 03/09/2011 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 301
 - 03/15/2011 Senate—Committee of the Whole - Substitute bill be passed—SJ 357
 - 03/15/2011 Senate—Emergency Final Action - Substitute passed; Yea: 39 Nay: 0—SJ 359
 - 03/17/2011 House—Received and Introduced—HJ 536
 - 03/18/2011 House—Referred to Committee on Judiciary—HJ 564
 - 06/01/2012 House—Died in House Committee
- S 82** Bill by Federal and State Affairs

Amendments to laws regarding racial profiling.

- 02/03/2011 Senate—Introduced—SJ 88
 02/04/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 104
 06/01/2012 Senate—Died in Committee
- S 83**
 Bill by Judiciary
Kansas product liability act; product liability claim arising from an alleged defect in a used product.
 02/03/2011 Senate—Introduced—SJ 88
 02/04/2011 Senate—Referred to Committee on Judiciary—SJ 104
 02/21/2011 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 219
 02/23/2011 Senate—Committee of the Whole - Be passed—SJ 245
 02/24/2011 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 251
 02/24/2011 House—Received and Introduced—HJ 360
 02/25/2011 House—Referred to Committee on Judiciary—HJ 394
 03/21/2011 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 597
 03/23/2011 House—Committee of the Whole - Be passed as amended—HJ 700
 03/23/2011 House—Emergency Final Action - Passed as amended; Yea: 66 Nay: 57—HJ 710
 03/28/2011 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Owens, Senator King and Senator Haley as conferees—SJ 519
 03/29/2011 House—Motion to accede adopted; Representative Kinzer, Representative Patton and Representative Pauls appointed as conferees—HJ 782
 02/23/2012 Senate—Motion to concur with amendments in conference failed; Yea: 17 Nay: 22 (Remains in Conference)—SJ 1595
 05/08/2012 House—Conference Committee Report was adopted; Yea: 121 Nay: 0—HJ 2467
 05/09/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2607
 05/15/2012 Senate—Enrolled and presented to Governor on Tuesday, May 15, 2012—SJ 2862
 05/22/2012 Senate—Approved by Governor on Monday, 21 May 2012—SJ 3531
- S 84**
 Bill by Federal and State Affairs
Relating to permanency planning.
 02/03/2011 Senate—Introduced—SJ 88
 02/04/2011 Senate—Referred to Committee on Judiciary—SJ 104
 06/01/2012 Senate—Died in Committee
- S 86**
 Bill by Assessment and Taxation
5 year phase out of capital gains tax.
 02/03/2011 Senate—Introduced—SJ 88
 02/04/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 104
 02/25/2011 Senate—Withdrawn from Committee on Assessment and Taxation; Referred to Committee on Ways and Means—SJ 271
 03/02/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Assessment and Taxation—SJ 273
 06/01/2012 Senate—Died in Committee
- S 87**
 Bill by Assessment and Taxation
Property exempt from taxation; community service organizations providing

humanitarian services.

02/03/2011 Senate—Introduced—SJ 88
 02/04/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 104
 02/25/2011 Senate—Withdrawn from Committee on Assessment and Taxation;
 Referred to Committee on Ways and Means—SJ 271
 03/02/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Assessment and Taxation—SJ 273

06/01/2012 Senate—Died in Committee

S 88 Bill by Public Health and Welfare

Naturopathic medicine; prescription, recommendation or administration of natural medicines.

02/03/2011 Senate—Introduced—SJ 88
 02/04/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 104
 06/01/2012 Senate—Died in Committee

S 89 Bill by Public Health and Welfare

Local health departments; funding reduction.

02/03/2011 Senate—Introduced—SJ 88
 02/04/2011 Senate—Referred to Committee on Ways and Means—SJ 104
 06/01/2012 Senate—Died in Committee

S 90 Bill by Public Health and Welfare

Behavioral sciences regulatory board; licensure.

02/03/2011 Senate—Introduced—SJ 88
 02/04/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 104
 02/10/2011 Senate—Committee Report recommending bill be passed as amended
 by Committee on Public Health and Welfare—SJ 151
 02/21/2011 Senate—Committee of the Whole - Be passed as further amended—SJ
 221

02/22/2011 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 230

02/23/2011 House—Received and Introduced—HJ 328

02/24/2011 House—Referred to Committee on Health and Human Services—HJ
 348

06/01/2012 House—Died in House Committee

S 91 Bill by Public Health and Welfare

Public health care; sexual assault survivors right to emergency contraception information.

02/03/2011 Senate—Introduced—SJ 88
 02/04/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 104
 01/30/2012 Senate—Withdrawn from Committee on Public Health and Welfare;
 Referred to Committee on Judiciary—SJ 1398
 02/01/2012 Senate—Hearing: Tuesday, February 07, 2012, 9:30 AM Room 548-S
 06/01/2012 Senate—Died in Committee

S 92 Bill by Public Health and Welfare

Substitute for SB 92 by Committee on Public Health and Welfare -- Board of cosmetology licensing requirements.

02/03/2011 Senate—Introduced—SJ 88
 02/04/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 104
 02/22/2011 Senate—Withdrawn from Committee on Public Health and Welfare;
 Referred to Committee on Ways and Means—SJ 224
 02/23/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Public Health and Welfare—SJ 237

- 03/07/2011 Senate—Committee Report recommending substitute bill be passed by Committee on Public Health and Welfare—SJ 294
- 03/15/2011 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 358
- 03/15/2011 Senate—Emergency Final Action - Substitute passed as amended; Yeas 35 Nays: 4—SJ 359
- 03/17/2011 House—Received and Introduced—HJ 536
- 03/18/2011 House—Referred to Committee on Health and Human Services—HJ 564
- 06/01/2012 House—Died in House Committee
- S 94** Bill by Federal and State Affairs
Notification of parties of a temporary hearing.
 02/03/2011 Senate—Introduced—SJ 88
 02/04/2011 Senate—Referred to Committee on Judiciary—SJ 104
 06/01/2012 Senate—Died in Committee
- S 95** Bill by Assessment and Taxation
Substitute for SB 95 by Committee on Assessment and Taxation -- Reduction to state income tax rates based on selected actual state general fund receipts computations, and sales tax rates and distribution.
 02/03/2011 Senate—Introduced—SJ 89
 02/04/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 104
 02/25/2011 Senate—Withdrawn from Committee on Assessment and Taxation; Referred to Committee on Ways and Means—SJ 271
 03/02/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Assessment and Taxation—SJ 273
 03/09/2011 Senate—Committee Report, be amended without recommendation by Committee on Assessment and Taxation—SJ 301
 03/09/2011 Senate—Withdrawn from Calendar; Referred to Committee on Assessment and Taxation—SJ 302
 06/01/2012 Senate—Died in Committee
- S 96** Bill by Judiciary
Business entities; certificate of good standing; resident agents; reinstatement of articles of organization.
 02/03/2011 Senate—Introduced—SJ 89
 02/04/2011 Senate—Referred to Committee on Judiciary—SJ 104
 06/01/2012 Senate—Died in Committee
- S 98** Bill by Assessment and Taxation
Elimination of certain sales tax exemptions, imposition of sales tax on certain services, provision of sales tax exemption for certain purchases of food, and reduction of sales tax and certain income tax rates.
 02/03/2011 Senate—Introduced—SJ 89
 02/04/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 104
 02/25/2011 Senate—Withdrawn from Committee on Assessment and Taxation; Referred to Committee on Ways and Means—SJ 271
 03/02/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Assessment and Taxation—SJ 273
 06/01/2012 Senate—Died in Committee
- S 99** Bill by Public Health and Welfare
Electronic transmission of prescription order.
 02/03/2011 Senate—Introduced—SJ 89

- 02/04/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 104
 06/01/2012 Senate—Died in Committee
- S 100** Bill by Public Health and Welfare
Addictions counselor licensure act.
 02/04/2011 Senate—Introduced—SJ 103
 02/07/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 111
 02/18/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 214
 02/22/2011 Senate—Committee of the Whole - Be passed as amended—SJ 234
 02/23/2011 Senate—Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 239
 02/24/2011 House—Received and Introduced—HJ 348
 02/25/2011 House—Referred to Committee on Health and Human Services—HJ 394
- 06/01/2012 House—Died in House Committee
- S 102** Bill by Ethics and Elections
House Substitute for SB 102 by Committee on Redistricting -- Redistricting; State legislative and board of education member districts.
 02/04/2011 Senate—Introduced—SJ 103
 02/07/2011 Senate—Referred to Committee on Ethics and Elections—SJ 111
 02/11/2011 Senate—Committee Report recommending bill be passed by Committee on Ethics and Elections—SJ 158
 02/22/2011 Senate—Committee of the Whole - Referred to Committee on Ways and Means—SJ 224
 03/29/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Ethics and Elections—SJ 522
 01/23/2012 Senate—Hearing: Thursday, January 26, 2012, 9:30 AM Room 159-S
 01/25/2012 Senate—Hearing: Wednesday, February 01, 2012, 9:30 AM Room 159-S
 02/06/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Ethics and Elections—SJ 1451
 02/15/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1527
 02/16/2012 Senate—Final Action - Passed as amended; Yea: 32 Nay: 8—SJ 1531
 02/20/2012 House—Received and Introduced—HJ 1876
 02/21/2012 House—Referred to Committee on Elections—HJ 1887
 03/07/2012 House—Hearing: Wednesday, March 14, 2012, 9:00 AM Room 546-S
 03/16/2012 House—Withdrawn from Committee on Elections; Referred to Committee on Appropriations—HJ 2147
 03/19/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Elections—HJ 2175
 03/20/2012 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 2210
 03/30/2012 House—Withdrawn from Calendar; Referred to Committee on Redistricting—HJ 2330
 05/08/2012 House—Committee Report recommending substitute bill be passed by Committee on Redistricting—HJ 2489
 05/10/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2562
 05/10/2012 House—Emergency Final Action - Substitute passed; Yea: 67 Nay: 50—HJ 2564
 05/11/2012 Senate—Ruled materially changed and referred to Committee on

- Reapportionment—SJ 2693
 06/01/2012 Senate—Died in Committee
- S 104** Bill by Judiciary
**House Substitute for SB 104 by Committee on Corrections and Juvenile Justice
 -- Driving under the influence; creating the crime of test refusal;
 motorized bicycle licenses.**
 02/07/2011 Senate—Introduced—SJ 106
 02/08/2011 Senate—Referred to Committee on Judiciary—SJ 123
 02/21/2011 Senate—Committee Report recommending bill be passed by Committee
 on Judiciary—SJ 219
 02/23/2011 Senate—Committee of the Whole - Be passed—SJ 246
 02/24/2011 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 252
 02/24/2011 House—Received and Introduced—HJ 360
 02/25/2011 House—Referred to Committee on Judiciary—HJ 394
 03/13/2012 House—Withdrawn from Committee on Judiciary; Referred to
 Committee on Corrections and Juvenile Justice—HJ 2036
 03/20/2012 House—Committee Report recommending substitute bill be passed by
 Committee on Corrections and Juvenile Justice—HJ 2210
 03/21/2012 House—Withdrawn from Calendar; Referred to Committee on
 Appropriations—HJ 2264
 03/26/2012 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Corrections and Juvenile Justice—HJ 2268
 03/27/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Corrections and Juvenile Justice—HJ 2285
 06/01/2012 House—Died on House Calendar
- S 105** Bill by Judiciary
Interest on judgments in civil actions.
 02/07/2011 Senate—Introduced—SJ 106
 02/08/2011 Senate—Referred to Committee on Judiciary—SJ 123
 06/01/2012 Senate—Died in Committee
- S 106** Bill by Judiciary
Amending the consumer protection act.
 02/07/2011 Senate—Introduced—SJ 106
 02/08/2011 Senate—Referred to Committee on Judiciary—SJ 123
 06/01/2012 Senate—Died in Committee
- S 107** Bill by Judiciary
Medical expenses; persons in custody of law enforcement, cities and counties.
 02/07/2011 Senate—Introduced—SJ 106
 02/08/2011 Senate—Referred to Committee on Judiciary—SJ 123
 06/01/2012 Senate—Died in Committee
- S 108** Bill by Assessment and Taxation
Recording of plats; payment of taxes and assessments.
 02/07/2011 Senate—Introduced—SJ 106
 02/08/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 123
 02/15/2011 Senate—Committee Report recommending bill be passed as amended
 by Committee on Assessment and Taxation—SJ 197
 02/21/2011 Senate—Committee of the Whole - Be passed as amended—SJ 221
 02/22/2011 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 230
 02/23/2011 House—Received and Introduced—HJ 328
 02/24/2011 House—Referred to Committee on Taxation—HJ 348

- 06/01/2012 House—Died in House Committee
S 109 Bill by Assessment and Taxation
Tax credit for costs of installing electrical charging stations.
 02/07/2011 Senate—Introduced—SJ 106
 02/08/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 123
 02/25/2011 Senate—Withdrawn from Committee on Assessment and Taxation;
 Referred to Committee on Ways and Means—SJ 271
 03/02/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Assessment and Taxation—SJ 273
 06/01/2012 Senate—Died in Committee
- S 110** Bill by Commerce
Transferring KTEC appointment authority to governor.
 02/07/2011 Senate—Introduced—SJ 106
 02/08/2011 Senate—Referred to Committee on Commerce—SJ 123
 06/01/2012 Senate—Died in Committee
- S 113** Bill by Senator Steineger
**Selling KU hospital for not less than \$600 million and depositing the proceeds
 into the Kansas public employees retirement fund.**
 02/07/2011 Senate—Introduced—SJ 106
 02/08/2011 Senate—Referred to Committee on Ways and Means—SJ 123
 06/01/2012 Senate—Died in Committee
- S 114** Bill by Ways and Means
**House Substitute for SB 114 by Committee on Local Government -- Solid waste
 disposal areas.**
 02/07/2011 Senate—Introduced—SJ 106
 02/08/2011 Senate—Referred to Committee on Local Government—SJ 123
 02/24/2011 Senate—Committee Report recommending bill be passed as amended
 by Committee on Local Government—SJ 260
 03/03/2011 Senate—Committee of the Whole - Be passed as further amended—SJ
 285
 03/03/2011 Senate—Emergency Final Action - Passed as amended; Yea: 36 Nay: 3
 —SJ 285
 03/08/2011 House—Received and Introduced—HJ 431
 03/09/2011 House—Referred to Committee on Local Government—HJ 437
 01/12/2012 House—Hearing: Tuesday, January 17, 2012, 3:30 PM Room 144-S
 03/16/2012 House—Committee Report recommending substitute bill be passed by
 Committee on Local Government—HJ 2144
 03/20/2012 House—Committee of the Whole - Substitute bill be passed as amended
 —HJ 2198
 03/21/2012 House—Final Action - Substitute passed as amended; Yea: 104 Nay: 19
 —HJ 2222
 03/27/2012 Senate—Nonconcurrent with amendments; Conference Committee
 requested; appointed Senator Reitz, Senator Kelsey and Senator Faust-
 Goudeau as conferees—SJ 2081
 03/28/2012 House—Motion to accede adopted; Representative Huebert,
 Representative Seiwert and Representative Mah appointed as conferees—
 HJ 2292
 05/02/2012 House—Conference Committee Report was adopted; Yea: 95 Nay: 27—
 HJ 2397
 05/20/2012 Senate—Motion to adopt Conference Committee Report—SJ 3522

- 05/20/2012 Senate—Substitute motion to not adopt Conference Committee Report
Yea: 21 Nay: 14—SJ 3522
- S 116** Bill by Ways and Means
Unclaimed property; disclosure of tax information to the state treasurer.
02/07/2011 Senate—Introduced—SJ 106
02/08/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 123
02/22/2011 Senate—Committee Report recommending bill be passed by Committee
on Assessment and Taxation—SJ 231
02/24/2011 Senate—Committee of the Whole - Be passed—SJ 261
02/24/2011 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 267
02/25/2011 House—Received and Introduced—HJ 411
03/02/2011 House—Referred to Committee on Taxation—HJ 415
03/29/2011 House—Withdrawn from Committee on Taxation; Referred to
Committee on Government Efficiency—HJ 791
06/01/2012 House—Died in House Committee
- S 117** Bill by Ways and Means
Drug utilization review program; subject to KOMA; rules and regulations.
02/07/2011 Senate—Introduced—SJ 107
02/08/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 123
06/01/2012 Senate—Died in Committee
- S 118** Bill by Ways and Means
**House Substitute for SB 118 by Committee on Calendar and Printing --
Legislative page compensation; remuneration of not less than \$5
value.**
02/07/2011 Senate—Introduced—SJ 107
02/08/2011 Senate—Referred to Committee on Ways and Means—SJ 123
03/09/2011 Senate—Committee Report recommending bill be passed as amended
by Committee on Ways and Means—SJ 302
03/15/2011 Senate—Committee of the Whole - Be passed as amended—SJ 357
03/15/2011 Senate—Emergency Final Action - Passed as amended; Yea: 34 Nay: 5
—SJ 359
03/17/2011 House—Received and Introduced—HJ 536
03/18/2011 House—Referred to Committee on Appropriations—HJ 563
02/13/2012 House—Withdrawn from Committee on Appropriations; Referred to
Committee on Calendar and Printing—HJ 1829
02/15/2012 House—Committee Report recommending substitute bill be passed by
Committee on Calendar and Printing—HJ 1851
02/17/2012 House—Committee of the Whole - Substitute bill be passed as amended
—HJ 1869
02/17/2012 House—Emergency Final Action - Substitute passed as amended; Yea:
109 Nay: 2—HJ 1869
02/23/2012 Senate—Concurred with amendments; Yea: 40 Nay: 0—SJ 1577
02/29/2012 Senate—Enrolled and presented to Governor on Wednesday, February
29, 2012—SJ 1612
03/02/2012 Senate—Approved by Governor on Friday, 02 March 2012—SJ 1622
- S 120** Bill by Ways and Means
Vessel titling act.
02/07/2011 Senate—Introduced—SJ 107
02/08/2011 Senate—Referred to Committee on Transportation—SJ 123
02/17/2011 Senate—Committee Report recommending bill be passed as amended

- by Committee on Transportation—SJ 210
 02/22/2011 Senate—Committee of the Whole - Be passed as amended—SJ 234
 02/23/2011 Senate—Final Action - Passed as amended; Yea: 33 Nay: 5—SJ 240
 02/24/2011 House—Received and Introduced—HJ 348
 02/25/2011 House—Referred to Committee on Transportation—HJ 394
 03/09/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Transportation—HJ 2024
 03/19/2012 House—Committee of the Whole - Motion to recommend favorably for
 passage failed—HJ 2150
 06/01/2012 House—Died on House Calendar
- S 121** Bill by Ways and Means
Increasing licensing fees for real estate salespersons and brokers.
 02/07/2011 Senate—Introduced—SJ 107
 02/08/2011 Senate—Referred to Committee on Ways and Means—SJ 123
 02/09/2011 Senate—Withdrawn from Committee on Ways and Means; Referred to
 Committee on Federal and State Affairs—SJ 143
 06/01/2012 Senate—Died in Committee
- S 126** Bill by Ethics and Elections
Elections; campaign finance; public service ads by candidates restricted.
 02/07/2011 Senate—Introduced—SJ 107
 02/08/2011 Senate—Referred to Committee on Ethics and Elections—SJ 123
 02/14/2011 Senate—Committee Report recommending bill be passed as amended
 by Committee on Ethics and Elections—SJ 190
 02/22/2011 Senate—Committee of the Whole - Be passed as amended—SJ 234
 02/23/2011 Senate—Final Action - Passed as amended; Yea: 37 Nay: 1—SJ 240
 02/24/2011 House—Received and Introduced—HJ 348
 02/25/2011 House—Referred to Committee on Elections—HJ 393
 06/01/2012 House—Died in House Committee
- S 128** Bill by Ethics and Elections
Presidential preference primary election; date delayed.
 02/07/2011 Senate—Introduced—SJ 107
 02/08/2011 Senate—Referred to Committee on Ethics and Elections—SJ 123
 02/21/2011 Senate—Committee Report recommending bill be passed by Committee
 on Ethics and Elections—SJ 219
 02/22/2011 Senate—Committee of the Whole - Be passed—SJ 234
 02/23/2011 Senate—Final Action - Passed; Yea: 25 Nay: 13—SJ 241
 02/23/2011 House—Received and Introduced—HJ 340
 02/24/2011 House—Referred to Committee on Elections—HJ 348
 06/01/2012 House—Died in House Committee
- S 129** Bill by Ethics and Elections
**House Substitute for SB 129 by Committee on Elections -- Elections; voter
 photographic identification requirements; election date changes; voter
 registration records.**
 02/07/2011 Senate—Introduced—SJ 107
 02/08/2011 Senate—Referred to Committee on Ethics and Elections—SJ 123
 02/21/2011 Senate—Committee Report recommending bill be passed by Committee
 on Ethics and Elections—SJ 219
 02/23/2011 Senate—Committee of the Whole - Be passed—SJ 245
 02/24/2011 Senate—Final Action - Passed; Yea: 30 Nay: 9—SJ 252
 02/24/2011 House—Received and Introduced—HJ 360

- 02/25/2011 House—Referred to Committee on Elections—HJ 393
- 03/18/2011 House—Committee Report recommending substitute bill be passed by Committee on Elections—HJ 570
- 03/22/2011 House—Committee of the Whole - Substitute bill be passed as amended—HJ 666
- 03/23/2011 House—Final Action - Substitute passed as amended; Yea: 87 Nay: 37—HJ 681
- 03/23/2011 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Huntington, Senator V. Schmidt and Senator Kultala as conferees—SJ 508
- 03/28/2011 House—Motion to accede adopted; Representative Schwab, Representative Goico and Representative Mah appointed as conferees—HJ 720
- 05/11/2011 Senate—Motion to concur with amendments in conference failed; Yea: 15 Nay: 23 (Remains in Conference)—SJ 804
- 04/27/2012 Senate—Senator Faust-Goudeau replaces Senator Kultala on the Conference Committee—SJ 2298
- 05/03/2012 House—Conference Committee Report was adopted; Yea: 121 Nay: 0—HJ 2410
- 05/08/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2598
- 05/14/2012 Senate—Enrolled and presented to Governor on Monday, May 14, 2012—SJ 2765
- 05/19/2012 Senate—Approved by Governor on Thursday, 17 May 2012—SJ 3235
- S 130** Bill by Ethics and Elections
Elections; candidate filing deadlines; other.
- 02/07/2011 Senate—Introduced—SJ 107
- 02/08/2011 Senate—Referred to Committee on Ethics and Elections—SJ 123
- 02/18/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Ethics and Elections—SJ 212
- 02/22/2011 Senate—Committee of the Whole - Rereferred to Committee on Ethics and Elections—SJ 224
- S 131** 06/01/2012 Senate—Died in Committee
 Bill by Public Health and Welfare
Making methamphetamine precursors schedule III prescription drugs.
- 02/07/2011 Senate—Introduced—SJ 107
- 02/08/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 123
- 02/09/2011 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Local Government—SJ 146
- 02/25/2011 Senate—Withdrawn from Committee on Local Government; Referred to Committee on Ways and Means—SJ 271
- 03/02/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Local Government—SJ 273
- S 132** 06/01/2012 Senate—Died in Committee
 Bill by Public Health and Welfare
Dental care; increasing availability and access to dental care.
- 02/07/2011 Senate—Introduced—SJ 108
- 02/08/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 123
- 02/22/2011 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 224

- 02/23/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 237
- S 133** 06/01/2012 Senate—Died in Committee
 Bill by Public Health and Welfare
Health information; technology and exchange of health information.
 02/07/2011 Senate—Introduced—SJ 108
 02/08/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 123
 02/21/2011 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 220
 02/23/2011 Senate—Committee of the Whole - Be passed—SJ 245
 02/24/2011 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 253
 02/24/2011 House—Received and Introduced—HJ 360
 02/25/2011 House—Referred to Committee on Health and Human Services—HJ 394
- S 134** 06/01/2012 House—Died in House Committee
 Bill by Public Health and Welfare
Creating the licensure role of advanced practice registered nurse.
 02/07/2011 Senate—Introduced—SJ 108
 02/08/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 123
 02/15/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 198
 02/21/2011 Senate—Committee of the Whole - Be passed as further amended—SJ 222
 02/22/2011 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 231
 02/23/2011 House—Received and Introduced—HJ 328
 02/24/2011 House—Referred to Committee on Health and Human Services—HJ 348
 03/18/2011 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 582
 03/22/2011 House—Committee of the Whole - Be passed as amended—HJ 669
 03/23/2011 House—Final Action - Passed as amended; Yea: 117 Nay: 7—HJ 682
 03/23/2011 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator V. Schmidt, Senator Brungardt and Senator Kelly as conferees—SJ 508
 03/28/2011 House—Motion to accede adopted; Representative Landwehr, Representative Donohoe and Representative Flaharty appointed as conferees—HJ 720
 03/30/2012 House—Conference Committee Report was adopted; Yea: 101 Nay: 16—HJ 2357
 04/25/2012 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 2290
 05/01/2012 Senate—Enrolled and presented to Governor on Tuesday, May 01, 2012—SJ 2537
- S 135** 05/07/2012 Senate—Approved by Governor on Friday, 04 May 2012—SJ 2584
 Bill by Senators Petersen, Schodorf
Enacting the Kansas racketeer influenced and corrupt organization act (Kansas RICO act).
 02/08/2011 Senate—Introduced—SJ 122
 02/09/2011 Senate—Referred to Committee on Judiciary—SJ 143
 02/22/2011 Senate—Committee Report recommending bill be passed as amended

- by Committee on Judiciary—SJ 233
 02/23/2011 Senate—Committee of the Whole - Be passed as amended—SJ 246
 02/24/2011 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 253
 02/24/2011 House—Received and Introduced—HJ 360
 02/25/2011 House—Referred to Committee on Judiciary—HJ 394
 06/01/2012 House—Died in House Committee
- S 137** Bill by Utilities
Employment security law; benefits for school bus drivers.
 02/08/2011 Senate—Introduced—SJ 122
 02/09/2011 Senate—Referred to Committee on Commerce—SJ 143
 02/22/2011 Senate—Committee Report recommending bill be passed as amended
 by Committee on Commerce—SJ 232
 02/24/2011 Senate—Committee of the Whole - Referred to Committee on Ways and
 Means—SJ 265
 02/25/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Commerce—SJ 271
 06/01/2012 Senate—Died in Committee
- S 138** Bill by Public Health and Welfare
**Substitute for SB 138 by Committee on Public Health and Welfare --
 Pharmacy; creating the pharmacy audit integrity act.**
 02/08/2011 Senate—Introduced—SJ 122
 02/09/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 143
 02/22/2011 Senate—Withdrawn from Committee on Public Health and Welfare;
 Referred to Committee on Ways and Means—SJ 224
 02/23/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Public Health and Welfare—SJ 237
 03/11/2011 Senate—Committee Report recommending substitute bill be passed by
 Committee on Public Health and Welfare—SJ 311
 03/15/2011 Senate—Committee of the Whole - Substitute bill be passed—SJ 357
 03/15/2011 Senate—Emergency Final Action - Substitute passed; Yea: 34 Nay: 5—
 SJ 359
 03/17/2011 House—Received and Introduced—HJ 536
 03/18/2011 House—Referred to Committee on Insurance—HJ 564
 06/01/2012 House—Died in House Committee
- S 139** Bill by Senator V. Schmidt
Members of regional trauma councils and advisory committee on trauma.
 02/08/2011 Senate—Introduced—SJ 122
 02/09/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 143
 02/21/2011 Senate—Committee Report recommending bill be passed by Committee
 on Public Health and Welfare—SJ 220
 02/23/2011 Senate—Committee of the Whole - Be passed—SJ 245
 02/24/2011 Senate—Final Action - Passed; Yea: 28 Nay: 11—SJ 253
 02/24/2011 House—Received and Introduced—HJ 360
 02/25/2011 House—Referred to Committee on Health and Human Services—HJ
 394
 06/01/2012 House—Died in House Committee
- S 140** Bill by Commerce
Kansas small and disadvantaged business development program act.
 02/08/2011 Senate—Introduced—SJ 122
 02/09/2011 Senate—Referred to Committee on Commerce—SJ 143

- 06/01/2012 Senate—Died in Committee
- S 141** Bill by Public Health and Welfare
School-located influenza vaccination programs.
 02/08/2011 Senate—Introduced—SJ 122
 02/09/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 143
 06/01/2012 Senate—Died in Committee
- S 142** Bill by
House Substitute SB 142 by Committee on Judiciary -- Kansas preservation of religious freedom act.
 02/08/2011 Senate—Introduced—SJ 122
 02/09/2011 Senate—Referred to Committee on Judiciary—SJ 143
 02/24/2011 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 249
 02/25/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Judiciary—SJ 271
 03/21/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 397
 03/23/2011 Senate—Committee of the Whole - Be passed as amended—SJ 481
 03/23/2011 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 502
 03/28/2011 House—Received and Introduced—HJ 719
 03/29/2011 House—Referred to Committee on Judiciary—HJ 782
 03/16/2012 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 2142
 03/28/2012 House—Committee of the Whole - Handwritten Motion to Amend - Offered by Representative Carlin—HJ 2302
 03/28/2012 House—Committee of the Whole - Substitute bill be passed as amended Yea: 89 Nay: 27—HJ 2302
 03/29/2012 House—Final Action - Substitute passed as amended; Yea: 91 Nay: 33—HJ 2309
 03/30/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Brungardt, Senator Reitz and Senator Faust-Goudeau as conferees—SJ 2160
 04/25/2012 House—Motion to accede adopted; Representative Kinzer, Representative Patton and Representative Pauls appointed as conferees—HJ 2362
- 06/01/2012 Senate—Died in Conference
- S 144** Bill by Education
Providing bus transportation for school children subjected to hazardous walking conditions.
 02/08/2011 Senate—Introduced—SJ 122
 02/09/2011 Senate—Referred to Committee on Education—SJ 143
 06/01/2012 Senate—Died in Committee
- S 145** Bill by Ethics and Elections
House Substitute for House Substitute for SB 145 by Committee on Redistricting -- Congressional redistricting.
 02/08/2011 Senate—Introduced—SJ 122
 02/09/2011 Senate—Referred to Committee on Ethics and Elections—SJ 143
 02/21/2011 Senate—Committee Report recommending bill be passed by Committee on Ethics and Elections—SJ 219

- 02/23/2011 Senate—Committee of the Whole - Be passed as amended—SJ 246
 02/24/2011 Senate—Final Action - Passed as amended; Yea: 32 Nay: 7—SJ 254
 02/24/2011 House—Received and Introduced—HJ 360
 02/25/2011 House—Referred to Committee on Elections—HJ 393
 03/16/2012 House—Withdrawn from Committee on Elections; Referred to Committee on Appropriations—HJ 2147
 03/19/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Elections—HJ 2175
 03/20/2012 House—Committee Report recommending substitute bill be passed by Committee on Elections—HJ 2213
 05/17/2012 House—Withdrawn from Calendar; Referred to Committee on Redistricting—HJ 2806
 05/17/2012 House—Committee Report recommending substitute bill be passed by Committee on Redistricting—HJ 2806
 05/18/2012 House—Committee of the Whole - Substitute bill be passed Yea: 56 Nay: 54—HJ 2903
 05/19/2012 House—Final Action - Substitute passed; Yea: 64 Nay: 51—HJ 2921
 06/01/2012 Senate—Died on Calendar
- S 146** Bill by Senators Taddiken, Abrams, Apple, Bruce, Kelsey, Love, Lynn, Marshall, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pilcher-Cook, Pyle, Umbarger, Wagle
Amending statutes regulating late-term and partial birth abortion.
 02/08/2011 Senate—Introduced—SJ 122
 02/09/2011 Senate—Referred to Committee on Judiciary—SJ 143
 02/24/2011 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 249
 02/25/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Judiciary—SJ 271
 06/01/2012 Senate—Died in Committee
- S 147** Bill by Agriculture
Substitute for SB 147 by Committee on Agriculture -- Funds related to interstate water litigation.
 02/08/2011 Senate—Introduced—SJ 122
 02/09/2011 Senate—Referred to Committee on Ways and Means—SJ 143
 02/09/2011 Senate—Withdrawn from Committee on Ways and Means; Referred to Committee on Agriculture—SJ 146
 02/23/2011 Senate—Committee Report recommending substitute bill be passed by Committee on Agriculture—SJ 242
 02/24/2011 Senate—Committee of the Whole - Referred to Committee on Ways and Means—SJ 265
 06/01/2012 Senate—Died in Committee
- S 148** Bill by Agriculture
House Substitute for Substitute SB 148 by Committee on Agriculture and Natural Resources -- Division of water rights and permits for gravel and sand operations.
 02/08/2011 Senate—Introduced—SJ 123
 02/09/2011 Senate—Referred to Committee on Agriculture—SJ 143
 02/02/2012 Senate—Hearing: Tuesday, February 07, 2012, 8:30 AM Room 159-S
 02/14/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Agriculture—SJ 1501

- 02/22/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 1572
 02/23/2012 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 1580
 02/29/2012 House—Received and Introduced—HJ 1973
 03/01/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1978
 03/01/2012 House—Hearing: Friday, March 02, 2012, 9:00 AM Room Docking 783
 03/16/2012 House—Committee Report recommending substitute bill be passed by Committee on Agriculture and Natural Resources—HJ 2116
 03/21/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2233
 03/21/2012 House—Emergency Final Action - Substitute passed; Yea: 120 Nay: 2—HJ 2256
 03/27/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Taddiken, Senator Teichman and Senator Francisco as conferees—SJ 2084
 03/28/2012 House—Motion to accede adopted; Representative Powell, Representative Kerschen and Representative Williams appointed as conferees—HJ 2292
 05/02/2012 House—Conference Committee Report was adopted; Yea: 117 Nay: 1—HJ 2398
 05/03/2012 Senate—Senator Taddiken motioned to adopt the conference committee report—SJ 2558
 05/03/2012 Senate—Conference Committee Report not adopted; Senator Taddiken, Senator Teichman and Senator Francisco appointed as second conferees—SJ 2558
 05/04/2012 House—Motion to accede adopted; Representative Powell, Representative Kerschen and Representative Williams appointed as second conferees—HJ 2419
 05/11/2012 House—Conference Committee Report was adopted; Yea: 122 Nay: 0—HJ 2569
 05/14/2012 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 0—SJ 2767
 05/18/2012 Senate—Enrolled and presented to Governor on Friday, May 18, 2012—SJ 3233
 05/22/2012 Senate—Approved by Governor on Monday, 21 May 2012—SJ 3531
- S 149** Bill by Senators Merrick, Abrams, Bruce, Marshall, Masterson, Olson, Ostmeyer, Petersen, Pilcher-Cook
- Enacting the Kansas firearms freedom act.**
 02/08/2011 Senate—Introduced—SJ 123
 02/09/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 143
- S 151** Bill by Ways and Means
- Highway advertising; permitting spot zoning**
 02/08/2011 Senate—Introduced—SJ 123
 02/09/2011 Senate—Referred to Committee on Transportation—SJ 143
 02/22/2011 Senate—Withdrawn from Committee on Transportation; Referred to Committee on Ways and Means—SJ 224
 02/23/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Transportation—SJ 237
 03/20/2012 Senate—Committee Report recommending bill be passed by Committee on Transportation—SJ 1811

- 06/01/2012 Senate—Died on General Orders
- S 153** Bill by Ways and Means
Authorizing contributions to accounts under the Kansas individual data on students program.
 02/09/2011 Senate—Introduced—SJ 139
 02/10/2011 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 150
 03/06/2012 Senate—Withdrawn from Committee on Financial Institutions and Insurance; Referred to Committee on Education—SJ 1628
 03/07/2012 Senate—Hearing: Monday, March 12, 2012, 1:30 PM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 155** Bill by Ways and Means
Amendments regarding career technical education; at-risk pupil weightings.
 02/09/2011 Senate—Introduced—SJ 139
 02/10/2011 Senate—Referred to Committee on Education—SJ 150
 02/21/2011 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 219
 02/23/2011 Senate—Committee of the Whole - Be passed—SJ 245
 02/24/2011 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 254
 02/24/2011 House—Received and Introduced—HJ 360
 02/25/2011 House—Referred to Committee on Education—HJ 393
 02/22/2012 House—Hearing: Thursday, March 01, 2012, 9:00 AM Room 784 Docking
 03/16/2012 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 2118
 03/20/2012 House—Committee of the Whole - Be passed as amended—HJ 2199
 03/21/2012 House—Final Action - Passed as amended; Yea: 92 Nay: 31—HJ 2222
 03/21/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Schodorf, Senator Vratil and Senator Hensley as conferees—SJ 2060
 03/26/2012 House—Motion to accede adopted; Representative Aurand, Representative Huebert and Representative Ward appointed as conferees—HJ 2268
 05/20/2012 House—Representative Winn replaces Representative Ward on the Conference Committee—HJ 3193
 05/20/2012 House—Conference Committee Report was adopted; Yea: 111 Nay: 0—HJ 3210
 05/20/2012 Senate—Motion to suspend Joint Rule 3(f) - 30 Minute Rule adopted—SJ 3265
 05/20/2012 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 0—SJ 3277
 05/22/2012 Senate—Enrolled and presented to Governor on Tuesday, May 22, 2012—SJ 3531
 05/29/2012 Senate—Approved by Governor on Friday, 25 May 2012—SJ 3531
- S 156** Bill by Joint Committee on State Building Construction
Kansas arts commission, transfer of Hiram Price Dillon House, programming, donations, charitable corporation.
 02/09/2011 Senate—Introduced—SJ 139
 02/10/2011 Senate—Referred to Committee on Ways and Means—SJ 150
 06/01/2012 Senate—Died in Committee

- S 157** Bill by Commerce
Enforcement of employee misclassification by the attorney general.
 02/09/2011 Senate—Introduced—SJ 139
 02/10/2011 Senate—Referred to Committee on Commerce—SJ 150
 02/25/2011 Senate—Withdrawn from Committee on Commerce; Referred to Committee on Ways and Means—SJ 271
 03/02/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Commerce—SJ 274
 06/01/2012 Senate—Died in Committee
- S 158** Bill by Utilities
Full and fair noneconomic damages act.
 02/09/2011 Senate—Introduced—SJ 139
 02/10/2011 Senate—Referred to Committee on Judiciary—SJ 150
 06/01/2012 Senate—Died in Committee
- S 159** Bill by Senator Pilcher-Cook
House Substitute for Substitute SB 159 by Committee on Corrections and Juvenile Justice -- Searches of persons on probation, parolees and persons on postrelease supervision.
 02/09/2011 Senate—Introduced—SJ 139
 02/10/2011 Senate—Referred to Committee on Judiciary—SJ 150
 02/24/2011 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 249
 02/25/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Judiciary—SJ 271
 03/21/2011 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 397
 03/23/2011 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 502
 03/23/2011 Senate—Emergency Final Action - Substitute passed as amended; Yea: 24 Nay: 12—SJ 503
 03/28/2011 House—Received and Introduced—HJ 719
 03/29/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 782
 01/25/2012 House—Hearing: Monday, January 30, 2012, 1:30 PM Room 144-S
 03/13/2012 House—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—HJ 2074
 03/20/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2192
 03/21/2012 House—Final Action - Substitute passed; Yea: 118 Nay: 6—HJ 2223
 03/27/2012 Senate—Concurred with amendments; Yea: 38 Nay: 2—SJ 2080
 03/30/2012 Senate—Enrolled and presented to Governor on Friday, March 30, 2012—SJ 2160
 04/25/2012 Senate—Approved by Governor on Tuesday, 03 April 2012—SJ 2163
- S 160** Bill by Senator Lynn
House Substitute for SB 160 by Committee on Judiciary -- Relating to collection of child support payments.
 02/09/2011 Senate—Introduced—SJ 139
 02/10/2011 Senate—Referred to Committee on Judiciary—SJ 150
 02/22/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 233
 02/23/2011 Senate—Committee of the Whole - Be passed as amended—SJ 246

- 02/24/2011 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 255
 02/24/2011 House—Received and Introduced—HJ 360
 02/25/2011 House—Referred to Committee on Judiciary—HJ 394
 03/16/2012 House—Committee Report recommending substitute bill be passed by
 Committee on Judiciary—HJ 2142
 03/20/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2192
 03/21/2012 House—Final Action - Substitute passed; Yea: 120 Nay: 4—HJ 2223
 03/21/2012 Senate—Nonconcurrent with amendments; Conference Committee
 requested; appointed Senator Owens, Senator King and Senator Haley as
 conferees—SJ 2060
 03/26/2012 House—Motion to accede adopted; Representative Kinzer,
 Representative Patton and Representative Pauls appointed as conferees—
 HJ 2269
 05/10/2012 House—Conference Committee Report was adopted; Yea: 123 Nay: 1—
 HJ 2535
 05/11/2012 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—
 SJ 2706
 05/15/2012 Senate—Enrolled and presented to Governor on Tuesday, May 15, 2012
 —SJ 2862
 05/22/2012 Senate—Approved by Governor on Monday, 21 May 2012—SJ 3531
- S 161** Bill by Senator Haley
**Racial profiling; uniform citizen contact data form filled out by law
 enforcement on each traffic or pedestrian stop.**
 02/09/2011 Senate—Introduced—SJ 139
 02/10/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 150
 06/01/2012 Senate—Died in Committee
- S 162** Bill by Local Government
**Residential real estate transactions; disclosure of methamphetamine
 production.**
 02/09/2011 Senate—Introduced—SJ 139
 02/10/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 150
 06/01/2012 Senate—Died in Committee
- S 163** Bill by Local Government
Counties; county administrators; procedure for abolishing office.
 02/09/2011 Senate—Introduced—SJ 139
 02/10/2011 Senate—Referred to Committee on Local Government—SJ 150
 06/01/2012 Senate—Died in Committee
- S 164** Bill by Judiciary
**Record requirements and civil penalties relating to sales of plastic bulk
 merchandise containers.**
 02/09/2011 Senate—Introduced—SJ 139
 02/10/2011 Senate—Referred to Committee on Judiciary—SJ 150
 06/01/2012 Senate—Died in Committee
- S 165** Bill by Senators Pilcher-Cook, Abrams, Bruce, Kelsey, Love, Lynn, Marshall,
 Masterson, Merrick, Olson, Ostmeyer, Petersen, Pyle, Taddiken, Wagle
Licensing of abortion clinics by department of health and environment.
 02/09/2011 Senate—Introduced—SJ 140
 02/10/2011 Senate—Referred to Committee on Judiciary—SJ 150
 02/24/2011 Senate—Withdrawn from Committee on Judiciary; Referred to
 Committee on Ways and Means—SJ 249

- 02/25/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Judiciary—SJ 271
- 06/01/2012 Senate—Died in Committee
- S 166** Bill by Senators Hensley, Francisco, Kelly, Kultala
Prohibiting outside employment of certain state officials.
 02/09/2011 Senate—Introduced—SJ 140
 02/10/2011 Senate—Referred to Committee on Ethics and Elections—SJ 150
 06/01/2012 Senate—Died in Committee
- S 167** Bill by Senators Pilcher-Cook, Abrams, Apple, Bruce, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pyle, Taddiken
Enacting the health care freedom act.
 02/09/2011 Senate—Introduced—SJ 140
 02/10/2011 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 150
 06/01/2012 Senate—Died in Committee
- S 168** Bill by Senators Hensley, Faust-Goudeau, Francisco, Haley, Holland, Kelly, Kultala
Campaign finance; reporting requirements for electioneering communications.
 02/09/2011 Senate—Introduced—SJ 140
 02/10/2011 Senate—Referred to Committee on Ethics and Elections—SJ 150
 06/01/2012 Senate—Died in Committee
- S 169** Bill by Senators Hensley, Haley, Kelly, Kultala
County election officer; appointment by county commission.
 02/09/2011 Senate—Introduced—SJ 140
 02/10/2011 Senate—Referred to Committee on Ethics and Elections—SJ 150
 06/01/2012 Senate—Died in Committee
- S 171** Bill by Senators Hensley, Francisco, Holland, Kultala
Reinstatement of prevailing wage for state construction projects.
 02/09/2011 Senate—Introduced—SJ 140
 02/10/2011 Senate—Referred to Committee on Commerce—SJ 150
 06/01/2012 Senate—Died in Committee
- S 172** Bill by Senators Hensley, Francisco, Kelly, Kultala
Governmental ethics; two years restriction certain state officers and employees becoming lobbyists.
 02/09/2011 Senate—Introduced—SJ 140
 02/10/2011 Senate—Referred to Committee on Ethics and Elections—SJ 150
 06/01/2012 Senate—Died in Committee
- S 173** Bill by Senators Hensley, Haley
State educational institutions; tuition and student financial aid.
 02/09/2011 Senate—Introduced—SJ 140
 02/10/2011 Senate—Referred to Committee on Ways and Means—SJ 150
 06/01/2012 Senate—Died in Committee
- S 174** Bill by Federal and State Affairs
Veterans service organizations, electronic gaming machines.
 02/10/2011 Senate—Introduced—SJ 148
 02/11/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 154
 06/01/2012 Senate—Died in Committee
- S 175** Bill by Judiciary
Videotaping felony interrogations.
 02/10/2011 Senate—Introduced—SJ 148
 02/11/2011 Senate—Referred to Committee on Judiciary—SJ 154

- 06/01/2012 Senate—Died in Committee
S 176 Bill by Judiciary
House Substitute for House Substitute for SB 176 by Committee on Redistricting -- Redistricting; congressional and state representative redistricting.
- 02/10/2011 Senate—Introduced—SJ 148
 02/11/2011 Senate—Referred to Committee on Judiciary—SJ 154
 02/21/2011 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 219
 02/23/2011 Senate—Committee of the Whole - Be passed—SJ 246
 02/24/2011 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 255
 02/24/2011 House—Received and Introduced—HJ 360
 02/25/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 393
 03/16/2011 House—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—HJ 516
 03/23/2011 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 714
 03/22/2012 House—Withdrawn from Committee on Appropriations; Referred to Committee on Redistricting—HJ 2264
 03/27/2012 House—Committee Report recommending substitute bill be passed by Committee on Redistricting—HJ 2287
 03/28/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2301
 03/29/2012 House—Final Action - Substitute passed; Yea: 81 Nay: 43—HJ 2310
 03/30/2012 Senate—Senator Owens - Motion to Nonconcur—SJ 2159
 03/30/2012 Senate—Senator Vratil - Substitute Motion to Concur—SJ 2160
 03/30/2012 Senate—Senator Bruce - Motion to postpone action to a day certain - Rejected—SJ 2160
 03/30/2012 Senate—Motion to Reconsider Failed—SJ 2160
- S 177** Bill by Utilities
House Substitute for SB 177 by Committee on Taxation -- Taxation; income and privilege tax rates; income tax deductions and credits and income determination; distribution of sales and use tax revenue; and severance tax exemptions.
- 02/10/2011 Senate—Introduced—SJ 149
 02/11/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 154
 02/22/2011 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 231
 02/24/2011 Senate—Committee of the Whole - Be passed—SJ 261
 02/24/2011 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 268
 02/25/2011 House—Received and Introduced—HJ 411
 03/02/2011 House—Referred to Committee on Taxation—HJ 415
 02/23/2012 House—Committee Report recommending substitute bill be passed by Committee on Taxation—HJ 1946
 03/13/2012 House—Committee of the Whole - Substitute bill be passed as amended Yea: 68 Nay: 53—HJ 2074
 03/14/2012 House—Final Action - Substitute passed as amended; Yea: 68 Nay: 56—HJ 2079
 03/21/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Donovan, Senator Apple and Senator

- Holland as conferees—SJ 2060
- 03/26/2012 House—Motion to accede adopted; Representative Carlson, Representative Kleeb and Representative Dillmore appointed as conferees—HJ 2269
- 05/17/2012 House—Conference Committee Report agree to disagree adopted; Representative Carlson, Representative Kleeb and Representative Dillmore appointed as second conferees—HJ 2900
- 05/18/2012 Senate—Motion to adopt Conference Committee Report to agree to disagree failed Yea: 18 Nay: 21 (Remains in Conference)—SJ 3217
- 06/01/2012 Senate—Died in Conference
- S 178** Bill by Financial Institutions and Insurance
Multi-State surplus lines agreement.
 02/10/2011 Senate—Introduced—SJ 149
 02/11/2011 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 154
 02/22/2011 Senate—Withdrawn from Committee on Financial Institutions and Insurance; Referred to Committee on Ways and Means—SJ 224
 02/23/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Financial Institutions and Insurance—SJ 237
- 06/01/2012 Senate—Died in Committee
- S 180** Bill by Local Government
Annexation procedures; deannexation; board of county commissioners duties; election required, when; homestead exemption; appeal process.
 02/10/2011 Senate—Introduced—SJ 149
 02/11/2011 Senate—Referred to Committee on Local Government—SJ 154
 06/01/2012 Senate—Died in Committee
- S 181** Bill by Federal and State Affairs
Requiring use of e-verify by employers in the state of Kansas.
 02/10/2011 Senate—Introduced—SJ 149
 02/11/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 154
 06/01/2012 Senate—Died in Committee
- S 182** Bill by Ways and Means
EMS board operating fund, fire service training program fund of university of Kansas and fire marshal fee fund share administrative expense reimbursement to general fund.
 02/10/2011 Senate—Introduced—SJ 149
 02/11/2011 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 154
 03/02/2011 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 275
 03/09/2011 Senate—Committee of the Whole - Be passed—SJ 302
 03/09/2011 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 304
 03/11/2011 House—Received and Introduced—HJ 455
 03/14/2011 House—Referred to Committee on Transportation and Public Safety Budget—HJ 462
- 06/01/2012 House—Died in House Committee
- S 183** Bill by Ways and Means
Concerning motor vehicles; relating to safety belts.
 02/10/2011 Senate—Introduced—SJ 149
 02/11/2011 Senate—Referred to Committee on Transportation—SJ 154

- 06/01/2012 Senate—Died in Committee
- S 184** Bill by Ways and Means
Adult care home minimum nursing care requirements.
 02/10/2011 Senate—Introduced—SJ 149
 02/11/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 154
 06/01/2012 Senate—Died in Committee
- S 187** Bill by Natural Resources
Allowing a water bank charter to become permanent.
 02/10/2011 Senate—Introduced—SJ 149
 02/11/2011 Senate—Referred to Committee on Natural Resources—SJ 154
 02/21/2011 Senate—Withdrawn from Committee on Natural Resources; Referred to Committee on Ways and Means—SJ 217
 02/23/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Natural Resources—SJ 237
 06/01/2012 Senate—Died in Committee
- S 189** Bill by Commerce
Kansas Bioscience Authority; additional voting members.
 02/10/2011 Senate—Introduced—SJ 149
 02/11/2011 Senate—Referred to Committee on Commerce—SJ 154
 06/01/2012 Senate—Died in Committee
- S 190** Bill by Utilities
Telecommunications and price regulation.
 02/11/2011 Senate—Introduced—SJ 153
 02/14/2011 Senate—Referred to Committee on Utilities—SJ 161
 06/01/2012 Senate—Died in Committee
- S 191** Bill by Natural Resources
House Substitute for SB 191 by Committee on Agriculture and Natural Resources Budget -- Appropriations; department of agriculture; laboratory testing.
 02/11/2011 Senate—Introduced—SJ 153
 02/14/2011 Senate—Referred to Committee on Natural Resources—SJ 161
 02/21/2011 Senate—Withdrawn from Committee on Natural Resources; Referred to Committee on Ways and Means—SJ 217
 02/23/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Natural Resources—SJ 237
 03/14/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Natural Resources—SJ 344
 03/16/2011 Senate—Committee of the Whole - Be passed as amended—SJ 369
 03/17/2011 Senate—Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 375
 03/18/2011 House—Received and Introduced—HJ 564
 03/21/2011 House—Referred to Committee on Agriculture and Natural Resources—HJ 588
 05/03/2011 House—Withdrawn from Committee on Agriculture and Natural Resources; Referred to Committee on Agriculture and Natural Resources Budget—HJ 970
 05/04/2011 House—Committee Report recommending substitute bill be passed by Committee on Agriculture and Natural Resources Budget—HJ 1020
 01/31/2012 House—Committee of the Whole - Substitute bill be passed as amended—HJ 1740
 02/01/2012 House—Final Action - Substitute passed as amended; Yea: 107 Nay: 18

- HJ 1747
- 02/07/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Ostmeyer, Senator McGinn and Senator Francisco as conferees—SJ 1459
- 02/09/2012 House—Motion to accede adopted; Representative Schwartz, Representative Schroeder and Representative Carlin appointed as conferees—HJ 1808
- 02/16/2012 Senate—Concurred with amendments in conference; Yea: 40 Nay: 0—SJ 1530
- 02/24/2012 Senate—Enrolled and presented to Governor on Friday, February 24, 2012—SJ 1612
- 02/29/2012 Senate—Approved by Governor on Wednesday, 29 February 2012—SJ 1610
- S 192** Bill by Ways and Means
Kansas dental board; licensure of dental practitioners.
 02/11/2011 Senate—Introduced—SJ 153
 02/14/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 161
 06/01/2012 Senate—Died in Committee
- S 194** Bill by Agriculture
Allowing homestead rights to continue after annexation until land is sold after annexation.
 02/11/2011 Senate—Introduced—SJ 154
 02/14/2011 Senate—Referred to Committee on Local Government—SJ 161
 06/01/2012 Senate—Died in Committee
- S 195** Bill by Public Health and Welfare
Relating to the licensure of acupuncturists.
 02/11/2011 Senate—Introduced—SJ 154
 02/14/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 161
 06/01/2012 Senate—Died in Committee
- S 197** Bill by Assessment and Taxation
Phase out of sales tax on food and food ingredients and food sales tax refund.
 02/11/2011 Senate—Introduced—SJ 154
 02/14/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 160
 02/25/2011 Senate—Withdrawn from Committee on Assessment and Taxation; Referred to Committee on Ways and Means—SJ 271
 03/02/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Assessment and Taxation—SJ 273
 06/01/2012 Senate—Died in Committee
- S 199** Bill by Ways and Means
Inmates in correctional facilities; medicaid eligibility.
 02/11/2011 Senate—Introduced—SJ 154
 02/14/2011 Senate—Referred to Committee on Ways and Means—SJ 161
 06/01/2012 Senate—Died in Committee
- S 200** Bill by Natural Resources
Requiring certain beverage containers to be redeemable.
 02/11/2011 Senate—Introduced—SJ 154
 02/14/2011 Senate—Referred to Committee on Natural Resources—SJ 161
 02/21/2011 Senate—Withdrawn from Committee on Natural Resources; Referred to Committee on Ways and Means—SJ 217
 02/23/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred

- to Committee on Natural Resources—SJ 237
 06/01/2012 Senate—Died in Committee
- S 201** Bill by Federal and State Affairs
Bingo games; prize limits, time, location and conduct of games.
 02/14/2011 Senate—Introduced—SJ 160
 02/15/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 194
 03/08/2011 Senate—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—SJ 297
 03/15/2011 Senate—Committee of the Whole - Be passed as amended—SJ 357
 03/15/2011 Senate—Emergency Final Action - Passed as amended; Yea: 36 Nay: 2
 —SJ 360
 03/17/2011 House—Received and Introduced—HJ 536
 03/18/2011 House—Referred to Committee on Federal and State Affairs—HJ 564
 06/01/2012 House—Died in House Committee
- S 202** Bill by Federal and State Affairs
School districts; purpose of state aid to public schools.
 02/14/2011 Senate—Introduced—SJ 160
 02/15/2011 Senate—Referred to Committee on Education—SJ 194
 02/24/2011 Senate—Withdrawn from Committee on Education; Referred to
 Committee on Ways and Means—SJ 249
 02/25/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Education—SJ 271
 06/01/2012 Senate—Died in Committee
- S 203** Bill by Ways and Means
Relating to the size of the Kansas legislature.
 02/14/2011 Senate—Introduced—SJ 160
 02/15/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 194
 06/01/2012 Senate—Died in Committee
- S 204** Bill by Ways and Means
County consolidation commission established.
 02/14/2011 Senate—Introduced—SJ 160
 02/15/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 194
 06/01/2012 Senate—Died in Committee
- S 205** Bill by Ways and Means
**Establishing the Kansas employment initiative act and the Kansas employment
 first oversight commission.**
 02/14/2011 Senate—Introduced—SJ 160
 02/15/2011 Senate—Referred to Committee on Commerce—SJ 194
 03/08/2011 Senate—Withdrawn from Committee on Commerce; Referred to
 Committee on Ways and Means—SJ 296
 06/01/2012 Senate—Died in Committee
- S 206** Bill by Ways and Means
**Substitute for SB 206 by Committee on Financial Institutions and Insurance --
 Surplus Lines Insurance; Multi-State Compliance Compact.**
 02/15/2011 Senate—Introduced—SJ 194
 02/16/2011 Senate—Referred to Committee on Financial Institutions and Insurance
 —SJ 203
 03/10/2011 Senate—Committee Report recommending substitute bill be passed by
 Committee on Financial Institutions and Insurance—SJ 309
 03/11/2011 Senate—Withdrawn from Calendar; Referred to Committee on

- Financial Institutions and Insurance—SJ 311
 06/01/2012 Senate—Died in Committee
- S 207** Bill by Federal and State Affairs
Municipalities; credit card payments to counties; certain recreation commissions; partial payment of personal property taxes; abandoned commercial real estate rehabilitation.
 02/15/2011 Senate—Introduced—SJ 194
 02/16/2011 Senate—Referred to Committee on Local Government—SJ 203
 01/18/2012 Senate—Hearing: Monday, January 23, 2012, 9:30 AM Room 159-S
 01/25/2012 Senate—Committee Report recommending bill be passed by Committee on Local Government—SJ 1386
 02/01/2012 Senate—Committee of the Whole - Be passed—SJ 1407
 02/02/2012 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 1428
 02/06/2012 House—Received and Introduced—HJ 1784
 02/07/2012 House—Referred to Committee on Local Government—HJ 1791
 02/22/2012 House—Hearing: Thursday, March 01, 2012, 3:30 PM Room 144-S
 03/16/2012 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 2144
 03/20/2012 House—Committee of the Whole - Be passed as amended—HJ 2192
 03/21/2012 House—Final Action - Passed as amended; Yea: 119 Nay: 5—HJ 2224
 03/27/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Reitz, Senator Kelsey and Senator Faust-Goudeau as conferees—SJ 2081
 03/28/2012 House—Motion to accede adopted; Representative Huebert, Representative Seiwert and Representative Mah appointed as conferees—HJ 2292
 05/09/2012 House—Conference Committee Report was adopted; Yea: 121 Nay: 3—HJ 2498
 05/10/2012 Senate—Conference Committee Report was adopted; Yea: 29 Nay: 9—SJ 2640
 05/14/2012 Senate—Enrolled and presented to Governor on Monday, May 14, 2012—SJ 2765
 05/19/2012 Senate—Approved by Governor on Thursday, 17 May 2012—SJ 3235
- S 208** Bill by Ways and Means
Long-term capital improvement program and facilities plans by public safety state agencies.
 02/16/2011 Senate—Introduced—SJ 203
 02/17/2011 Senate—Referred to Committee on Ways and Means—SJ 206
 06/01/2012 Senate—Died in Committee
- S 209** Bill by Ways and Means
For fiscal years 2012, 2013, 2014 and 2015, five centers of excellence and three centers of innovation receive \$2,000,000 from the increase in the tax base from bioscience development and investment.
 02/16/2011 Senate—Introduced—SJ 203
 02/17/2011 Senate—Referred to Committee on Ways and Means—SJ 206
 06/01/2012 Senate—Died in Committee
- S 211** Bill by Ways and Means
Pharmacists; dispensing prescriptions.
 02/16/2011 Senate—Introduced—SJ 203
 02/17/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 206

- 03/18/2011 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 386
- 03/23/2011 Senate—Committee of the Whole - Be passed—SJ 481
- 03/23/2011 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 503
- 03/28/2011 House—Received and Introduced—HJ 719
- 03/29/2011 House—Referred to Committee on Health and Human Services—HJ 782
- 01/23/2012 House—Hearing: Wednesday, January 25, 2012, 1:30 PM Room Docking Room 784
- 02/06/2012 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 1786
- 02/14/2012 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 1840
- 02/15/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator V. Schmidt, Senator Brungardt and Senator Kelly as conferees—SJ 1503
- 02/17/2012 House—Motion to accede adopted; Representative Landwehr, Representative Donohoe and Representative Flaharty appointed as conferees—HJ 1864
- 05/10/2012 Senate—Concurred with amendments in conference; Yea: 38 Nay: 0—SJ 2637
- 05/14/2012 Senate—Enrolled and presented to Governor on Monday, May 14, 2012—SJ 2765
- 05/19/2012 Senate—Approved by Governor on Thursday, 17 May 2012—SJ 3235
- S 216** Bill by Ways and Means
House Substitute for SB 216 by Committee on Health and Human Services -- Smoking regulations, casino exemption and annual smoking events.
- 02/21/2011 Senate—Introduced—SJ 217
- 02/22/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 224
- 03/18/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 386
- 04/29/2011 Senate—Committee of the Whole - Be passed as further amended—SJ 648
- 04/29/2011 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 649
- 05/04/2011 House—Received and Introduced—HJ 978
- 05/04/2011 House—Referred to Committee on Health and Human Services—HJ 1021
- 05/04/2011 House—Committee Report recommending substitute bill be passed by Committee on Health and Human Services—HJ 1021
- S 217** 06/01/2012 House—Died on House Calendar
 Bill by Ways and Means
Civil commitment of sexually violent predators; reimbursement for costs related to habeas corpus actions to the county from the sexually violent predator expense fund.
- 02/21/2011 Senate—Introduced—SJ 217
- 02/22/2011 Senate—Referred to Committee on Judiciary—SJ 224
- 06/01/2012 Senate—Died in Committee
- S 218** Bill by Ways and Means
Kansas Highway Patrol; vehicle inspection fees.
- 02/22/2011 Senate—Introduced—SJ 224

- 02/23/2011 Senate—Referred to Committee on Transportation—SJ 237
06/01/2012 Senate—Died in Committee
- S 219** Bill by Federal and State Affairs
Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
02/23/2011 Senate—Introduced—SJ 236
02/24/2011 Senate—Referred to Committee on Commerce—SJ 249
06/01/2012 Senate—Died in Committee
- S 220** Bill by Ways and Means
Abolishing the office of the state fire marshal and transferring the duties and functions thereof to the division of facilities management, the Kansas bureau of investigation and the division of emergency management.
03/03/2011 Senate—Introduced—SJ 278
03/04/2011 Senate—Referred to Committee on Ways and Means—SJ 288
03/08/2011 Senate—Withdrawn from Committee on Ways and Means; Referred to Committee on Federal and State Affairs—SJ 296
06/01/2012 Senate—Died in Committee
- S 221** Bill by Ways and Means
Prohibiting local community corrections programs from using state grant moneys to supplant local moneys; allowing the secretary of corrections to make certain payments in the next fiscal year; capping the costs DOC pays to counties for inmates in county jails.
03/03/2011 Senate—Introduced—SJ 278
03/04/2011 Senate—Referred to Committee on Ways and Means—SJ 288
06/01/2012 Senate—Died in Committee
- S 222** Bill by Ways and Means
Voter identification requirements.
03/03/2011 Senate—Introduced—SJ 278
03/04/2011 Senate—Referred to Committee on Ethics and Elections—SJ 288
06/01/2012 Senate—Died in Committee
- S 223** Bill by Ways and Means
Public facilities; accessibility standards, disabled persons.
03/03/2011 Senate—Introduced—SJ 278
03/04/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 288
03/16/2011 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 366
03/21/2011 Senate—Committee of the Whole - Be passed—SJ 391
03/21/2011 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 426
03/22/2011 House—Received and Introduced—HJ 672
03/23/2011 House—Referred to Committee on Federal and State Affairs—HJ 674
01/19/2012 House—Hearing: Monday, January 23, 2012, 1:30 PM Room Room 346-S
06/01/2012 House—Died in House Committee
- S 225** Bill by Federal and State Affairs
House Substitute for SB 225 by Committee on Transportation -- Allowing transit buses to operate on certain right shoulders.
03/03/2011 Senate—Introduced—SJ 278
03/04/2011 Senate—Referred to Committee on Transportation—SJ 288
03/16/2011 Senate—Committee Report recommending bill be passed by Committee on Transportation—SJ 367

- 03/21/2011 Senate—Committee of the Whole - Be passed—SJ 391
 03/21/2011 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 426
 03/22/2011 House—Received and Introduced—HJ 672
 03/23/2011 House—Referred to Committee on Transportation—HJ 674
 03/30/2011 House—Committee Report recommending substitute bill be passed by
 Committee on Transportation—HJ 827
 02/23/2012 House—Stricken from Calendar—HJ 1946
- S 226** Bill by Federal and State Affairs
Insurance; coverage for autism spectrum disorder.
 03/07/2011 Senate—Introduced—SJ 290
 03/08/2011 Senate—Referred to Committee on Financial Institutions and Insurance
 —SJ 296
 06/01/2012 Senate—Died in Committee
- S 228** Bill by Ways and Means
Continuation of statewide tax levy for public schools.
 03/08/2011 Senate—Introduced—SJ 296
 03/09/2011 Senate—Referred to Committee on Education—SJ 299
 06/01/2012 Senate—Died in Committee
- S 230** Bill by Federal and State Affairs
Creating the relevant efficient academic learning education act.
 03/09/2011 Senate—Introduced—SJ 298
 03/10/2011 Senate—Referred to Committee on Education—SJ 308
 06/01/2012 Senate—Died in Committee
- S 231** Bill by Federal and State Affairs
**Establishing the new Kansas parole board and the prisoner review board and
 transferring powers and duties from the Kansas parole board.**
 03/09/2011 Senate—Introduced—SJ 299
 03/10/2011 Senate—Referred to Committee on Judiciary—SJ 308
 06/01/2012 Senate—Died in Committee
- S 232** Bill by Ways and Means
**Reduction to state income tax rates based on selected actual state general fund
 receipts computations, and sales tax rates and distribution.**
 03/09/2011 Senate—Introduced—SJ 299
 03/10/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 308
 06/01/2012 Senate—Died in Committee
- S 233** Bill by Ways and Means
**Appropriations for FY2011, FY2012 & FY2013 for capital improvements for
 various state agencies.**
 03/10/2011 Senate—Introduced—SJ 308
 03/11/2011 Senate—Referred to Committee on Ways and Means—SJ 310
 06/01/2012 Senate—Died in Committee
- S 234** Bill by Ways and Means
**Substitute for SB 234 by Committee on Ways and Means -- Appropriations for
 FY 2011 through FY 2016 for various state agencies, capital
 improvements, special claims.**
 03/10/2011 Senate—Introduced—SJ 308
 03/11/2011 Senate—Referred to Committee on Ways and Means—SJ 310
 03/22/2011 Senate—Committee Report recommending substitute bill be passed by
 Committee on Ways and Means—SJ 439
 03/29/2011 Senate—Committee of the Whole - Substitute bill be passed as amended

- SJ 535
 03/29/2011 Senate—Emergency Final Action - Substitute passed as amended; Year:
 36 Nay: 3—SJ 541
 04/01/2011 House—Received and Introduced—HJ 861
 04/27/2011 House—Referred to Committee on Appropriations—HJ 881
 06/01/2012 House—Died in House Committee
- S 235** Bill by Ways and Means
University engineering initiative act.
 03/15/2011 Senate—Introduced—SJ 346
 03/16/2011 Senate—Referred to Committee on Ways and Means—SJ 364
 06/01/2012 Senate—Died in Committee
- S 236** Bill by Ways and Means
Lodging inspection, lodging inspection fees.
 03/15/2011 Senate—Introduced—SJ 346
 03/16/2011 Senate—Referred to Committee on Ways and Means—SJ 364
 06/01/2012 Senate—Died in Committee
- S 237** Bill by Federal and State Affairs
Amendments to the Kansas expanded lottery act.
 03/17/2011 Senate—Introduced—SJ 374
 03/18/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 384
 01/25/2012 Senate—Hearing: Tuesday, January 31, 2012, 10:30 AM Room 144-S
 06/01/2012 Senate—Died in Committee
- S 238** Bill by Ways and Means
Vietnam war era veterans' medallions and certificates.
 03/17/2011 Senate—Introduced—SJ 374
 03/18/2011 Senate—Referred to Committee on Ways and Means—SJ 384
 06/01/2012 Senate—Died in Committee
- S 239** Bill by Ways and Means
Abolishing the death penalty; creating the crime of aggravated murder.
 03/17/2011 Senate—Introduced—SJ 374
 03/18/2011 Senate—Referred to Committee on Judiciary—SJ 384
 06/01/2012 Senate—Died in Committee
- S 240** Bill by Ways and Means
**Abolishing the joint committee on information technology; creating the
 committee on technology oversight.**
 03/17/2011 Senate—Introduced—SJ 374
 03/18/2011 Senate—Referred to Committee on Ways and Means—SJ 384
 05/04/2011 Senate—Committee Report recommending bill be passed as amended
 by Committee on Ways and Means—SJ 691
 05/12/2011 Senate—Withdrawn from Calendar, Rereferred to Committee on Ways
 and Means—SJ 1296
 06/01/2012 Senate—Died in Committee
- S 241** Bill by Federal and State Affairs
Amendments to the Kansas expanded lottery act.
 03/18/2011 Senate—Introduced—SJ 383
 03/21/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 391
 05/04/2011 Senate—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—SJ 690
 05/12/2011 Senate—Withdrawn from Calendar, Rereferred to Committee on
 Federal and State Affairs—SJ 1296

- 01/25/2012 Senate—Hearing: Tuesday, January 31, 2012, 10:30 AM Room 144-S
 01/25/2012 Senate—Hearing: Wednesday, February 01, 2012, 10:30 AM Room 144-S
- 06/01/2012 Senate—Died in Committee
- S 242** Bill by Federal and State Affairs
Interstate compact on the agreement among the states to elect the president by national popular vote act.
 03/21/2011 Senate—Introduced—SJ 398
 03/22/2011 Senate—Referred to Committee on Ethics and Elections—SJ 432
 06/01/2012 Senate—Died in Committee
- S 243** Bill by Ways and Means
Establishing the joint committee on state authorities oversight.
 03/21/2011 Senate—Introduced—SJ 398
 03/22/2011 Senate—Referred to Committee on Ways and Means—SJ 432
 06/01/2012 Senate—Died in Committee
- S 244** Bill by Ways and Means
Municipalities; power to enter into agreements for renewable energy generation facilities.
 03/22/2011 Senate—Introduced—SJ 432
 03/23/2011 Senate—Referred to Committee on Local Government—SJ 471
 06/01/2012 Senate—Died in Committee
- S 245** Bill by Federal and State Affairs
Allotments of state expenditures.
 03/28/2011 Senate—Introduced—SJ 511
 03/29/2011 Senate—Referred to Committee on Ways and Means—SJ 522
 06/01/2012 Senate—Died in Committee
- S 246** Bill by Federal and State Affairs
Regulation of sexually oriented business location.
 03/29/2011 Senate—Introduced—SJ 522
 03/30/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 545
 06/01/2012 Senate—Died in Committee
- S 248** Bill by Ways and Means
Legislative compensation and expenses; limited to 90 days.
 05/06/2011 Senate—Introduced—SJ 703
 05/06/2011 Senate—Referred to Committee on Ways and Means—SJ 703
 05/09/2011 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 706
 05/12/2011 Senate—Withdrawn from Calendar, Rereferred to Committee on Ways and Means—SJ 1296
 06/01/2012 Senate—Died in Committee
- S 249** Bill by Legislative Post Audit Committee
Relating to employees; criminal history record check.
 12/28/2011 Senate—Prefiled for Introduction on Wednesday, November 16, 2011
 01/09/2012 Senate—Introduced—SJ 1323
 01/09/2012 Senate—Referred to Committee on Judiciary—SJ 1324
 01/11/2012 Senate—Hearing: Tuesday, January 17, 2012, 9:30 AM Room 548-S
 01/26/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1391
 02/01/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1407
 02/02/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1429

- 02/06/2012 House—Received and Introduced—HJ 1784
- 02/07/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1790
- 02/29/2012 House—Hearing: Monday, March 05, 2012, 1:30 PM Room 144-S
- 03/06/2012 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 1992
- 03/08/2012 House—Committee of the Whole - Be passed—HJ 2007
- 03/09/2012 House—Final Action - Passed; Yea: 115 Nay: 3—HJ 2014
- 03/16/2012 Senate—Enrolled and presented to Governor on Friday, March 16, 2012—SJ 1725
- S 250** 03/21/2012 Senate—Approved by Governor on Tuesday, 20 March 2012—SJ 1957
Bill by Senators Faust-Goudeau, Kelsey, A. Schmidt
- Firefighters health insurance.**
- 12/28/2011 Senate—Prefiled for Introduction on Wednesday, December 14, 2011
- 01/09/2012 Senate—Introduced—SJ 1323
- 01/09/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1324
- 01/12/2012 Senate—Hearing: Thursday, January 19, 2012, 9:30 AM Room 152-S
- 02/22/2012 Senate—Withdrawn from Committee on Financial Institutions and Insurance; Referred to Committee on Ways and Means—SJ 1569
- 02/23/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Financial Institutions and Insurance—SJ 1577
- 03/01/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 1617
- 03/07/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1638
- 03/07/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1638
- 03/09/2012 House—Received and Introduced—HJ 2010
- 03/12/2012 House—Referred to Committee on Insurance—HJ 2029
- 03/13/2012 House—Hearing: Wednesday, March 14, 2012, 3:30 PM Room 152-S
- 03/15/2012 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 2100
- 03/20/2012 House—Committee of the Whole - Handwritten Motion to Amend - Offered by Representative Bethell.—HJ 2199
- 03/20/2012 House—Committee of the Whole - Be passed as amended—HJ 2202
- 03/21/2012 House—Final Action - Passed as amended; Yea: 118 Nay: 6—HJ 2224
- 03/21/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Teichman, Senator Masterson and Senator A. Schmidt as conferees—SJ 2060
- 03/26/2012 House—Motion to accede adopted; Representative Shultz, Representative Hermanson and Representative Grant appointed as conferees—HJ 2269
- 05/16/2012 House—Conference Committee Report was adopted; Yea: 87 Nay: 23—HJ 2804
- 05/17/2012 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 0—SJ 3116
- 05/22/2012 Senate—Enrolled and presented to Governor on Tuesday, May 22, 2012—SJ 3531
- S 251** 05/29/2012 Senate—Approved by Governor on Friday, 25 May 2012—SJ 3531
Bill by Joint Committee on Heath Policy Oversight

Joint committee on health policy oversight; duties; sunset.

12/28/2011 Senate—Prefiled for Introduction on Thursday, December 22, 2011

01/09/2012 Senate—Introduced—SJ 1323

01/09/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1324

06/01/2012 Senate—Died in Committee

S 252 Bill by Joint Committee on Administrative Rules and Regulations**Rules and regulations filing act; change in notice period; agency name changes.**

12/28/2011 Senate—Prefiled for Introduction on Tuesday, December 27, 2011

01/09/2012 Senate—Introduced—SJ 1323

01/09/2012 Senate—Referred to Committee on Natural Resources—SJ 1324

02/10/2012 Senate—Hearing: Thursday, February 16, 2012, 8:30 AM Room 159-S

02/16/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Natural Resources—SJ 1537

02/23/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1578

02/23/2012 House—Received and Introduced—HJ 1947

02/29/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1972

03/08/2012 House—Hearing: Monday, March 12, 2012, 9:00 AM Room Docking 783

03/13/2012 House—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—HJ 2074

03/19/2012 House—Committee of the Whole - Be passed—HJ 2150

03/20/2012 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 2188

03/26/2012 Senate—Enrolled and presented to Governor on Monday, March 26, 2012—SJ 2078

03/30/2012 Senate—Approved by Governor on Friday, 30 March 2012—SJ 2132

S 253 Bill by Senator Schodorf**Cancer screening; dense breast tissue reporting requirement in conjunction with mammograms.**

12/28/2011 Senate—Prefiled for Introduction on Tuesday, December 27, 2011

01/09/2012 Senate—Introduced—SJ 1323

01/09/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1324

06/01/2012 Senate—Died in Committee

S 254 Bill by Legislative Post Audit Committee**Providing for information technology audits.**

12/29/2011 Senate—Prefiled for Introduction on Thursday, December 29, 2011

01/09/2012 Senate—Introduced—SJ 1323

01/09/2012 Senate—Referred to Committee on Ways and Means—SJ 1324

01/18/2012 Senate—Hearing: Thursday, January 19, 2012, 10:30 AM Room 548-S

06/01/2012 Senate—Died in Committee

S 255 Bill by Senator Kelsey**Mortgage registration fees; verification of indebtedness.**

01/09/2012 Senate—Introduced—SJ 1323

01/10/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1338

01/12/2012 Senate—Hearing: Wednesday, January 18, 2012, 9:30 AM Room 152-S

06/01/2012 Senate—Died in Committee

S 256 Bill by Senator Kelsey

Entry of satisfaction of mortgage; duties of last mortgagee or assignee of record of mortgage.

01/09/2012 Senate—Introduced—SJ 1323

01/10/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1338

01/12/2012 Senate—Hearing: Wednesday, January 18, 2012, 9:30 AM Room 152-S

06/01/2012 Senate—Died in Committee

S 257 Bill by Legislative Educational Planning Committee

School finance; calculation of local option budget, requiring foundation funding.

01/09/2012 Senate—Introduced—SJ 1323

01/10/2012 Senate—Referred to Committee on Education—SJ 1338

01/11/2012 Senate—Hearing: Thursday, January 19, 2012, 1:30 PM Room 152-S

01/23/2012 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 1376

02/07/2012 Senate—Committee of the Whole - Be passed—SJ 1460

02/08/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1466

02/09/2012 House—Received and Introduced—HJ 1808

02/10/2012 House—Referred to Committee on Education—HJ 1817

03/01/2012 House—Hearing: Wednesday, March 07, 2012, 9:00 AM Room Docking Room 784

03/16/2012 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 2119

03/20/2012 House—Committee of the Whole - Be passed as amended—HJ 2202

03/21/2012 House—Final Action - Passed as amended; Yea: 119 Nay: 5—HJ 2225

03/21/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Schodorf, Senator Vratil and Senator Hensley as conferees—SJ 2060

03/26/2012 House—Motion to accede adopted; Representative Aurand, Representative Huebert and Representative Ward appointed as conferees—HJ 2269

06/01/2012 Senate—Died in Conference

S 258 Bill by Legislative Educational Planning Committee

Governmental ethics law; permitting certain communications related to contract negotiations involving state university employees.

01/09/2012 Senate—Introduced—SJ 1323

01/10/2012 Senate—Referred to Committee on Ways and Means—SJ 1338

01/18/2012 Senate—Hearing: Monday, January 23, 2012, 10:30 AM Room 548-S

01/27/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 1396

02/01/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1407

02/02/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1429

02/06/2012 House—Received and Introduced—HJ 1784

02/07/2012 House—Referred to Committee on Education—HJ 1790

02/22/2012 House—Hearing: Thursday, March 01, 2012, 9:00 AM Room 784 Docking

03/09/2012 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 2022

03/19/2012 House—Committee of the Whole - Be passed as amended—HJ 2150

- 03/20/2012 House—Final Action - Passed as amended; Yea: 125 Nay: 0—HJ 2188
- 03/20/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator McGinn, Senator Vratil and Senator Kelly as conferees—SJ 1837
- 03/21/2012 House—Motion to accede adopted; Representative Aurand, Representative Huebert and Representative Ward appointed as conferees—HJ 2220
- 05/01/2012 Senate—Senator Schodorf replaces Senator McGinn on the Conference Committee—SJ 2310
- 05/01/2012 Senate—Senator Hensley replaces Senator Kelly on the Conference Committee—SJ 2310
- 06/01/2012 Senate—Died in Conference
- S 259** Bill by Legislative Educational Planning Committee
House Substitute for SB 259 by Committee on Pensions and Benefits -- KPERs; enacting KPERs Act of 2014, KPERs defined contribution act and other modifications to KPERs.
- 01/09/2012 Senate—Introduced—SJ 1323
- 01/10/2012 Senate—Referred to Committee on Ways and Means—SJ 1338
- 01/18/2012 Senate—Hearing: Monday, January 23, 2012, 10:30 AM Room 548-S
- 01/25/2012 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 1386
- 02/01/2012 Senate—Committee of the Whole - Be passed—SJ 1407
- 02/02/2012 Senate—Final Action - Passed; Yea: 35 Nay: 4—SJ 1429
- 02/06/2012 House—Received and Introduced—HJ 1784
- 02/07/2012 House—Referred to Committee on Pensions and Benefits—HJ 1791
- 02/13/2012 House—Hearing: Wednesday, February 15, 2012, 9:00 AM Room Room 142-S
- 03/15/2012 House—Committee Report recommending substitute bill be passed by Committee on Pensions and Benefits—HJ 2102
- 03/19/2012 House—Committee of the Whole - Handwritten Motion to Amend - Offered by Representative Worley.—HJ 2175
- 03/19/2012 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2175
- 03/20/2012 House—Final Action - Substitute passed as amended; Yea: 92 Nay: 33—HJ 2189
- 03/21/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Morris, Senator King and Senator Kelly as conferees—SJ 1957
- 03/26/2012 House—Motion to accede adopted; Representative M. Holmes, Representative Grange and Representative Ruiz appointed as conferees—HJ 2269
- 06/01/2012 Senate—Died in Conference
- S 260** Bill by Legislative Educational Planning Committee
Amending minimum and maximum calculations of special education state aid by including the number of exceptional children under the age of four years.
- 01/09/2012 Senate—Introduced—SJ 1323
- 01/10/2012 Senate—Referred to Committee on Education—SJ 1338
- 01/11/2012 Senate—Hearing: Thursday, January 19, 2012, 1:30 PM Room 152-S
- 01/23/2012 Senate—Committee Report recommending bill be passed as amended

- by Committee on Education—SJ 1376
- 02/07/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1460
- 02/08/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1466
- 02/09/2012 House—Received and Introduced—HJ 1808
- 02/10/2012 House—Referred to Committee on Education—HJ 1817
- 03/01/2012 House—Hearing: Wednesday, March 07, 2012, 9:00 AM Room
Docking Room 784
- 03/19/2012 House—Committee Report recommending bill be passed as amended
by Committee on Education—HJ 2173
- 03/27/2012 House—Stricken from Calendar by Rule 1507—HJ 2287
- S 261** Bill by Legislative Educational Planning Committee
**Kansas private and out-of-state post-secondary educational institution act;
state board of regents authority to fix, charge and collect fees and the
expiration thereof.**
- 01/10/2012 Senate—Introduced—SJ 1338
- 01/11/2012 Senate—Referred to Committee on Education—SJ 1341
- 01/18/2012 Senate—Hearing: Monday, January 23, 2012, 1:30 PM Room 152-S
- 01/23/2012 Senate—Committee Report recommending bill be passed by Committee
on Education—SJ 1376
- 02/07/2012 Senate—Committee of the Whole - Be passed—SJ 1460
- 02/08/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1466
- 02/09/2012 House—Received and Introduced—HJ 1808
- 02/10/2012 House—Referred to Committee on Education Budget—HJ 1817
- 02/29/2012 House—Hearing: Monday, March 05, 2012, 3:30 PM Room 159-S
- 03/08/2012 House—Committee Report recommending bill be passed as amended
by Committee on Education Budget—HJ 2007
- 06/01/2012 House—Died on House Calendar
- S 262** Bill by Federal and State Affairs
Grandparent custody, visitation and residency.
- 01/10/2012 Senate—Introduced—SJ 1338
- 01/11/2012 Senate—Referred to Committee on Ways and Means—SJ 1341
- 01/26/2012 Senate—Withdrawn from Committee on Ways and Means; Referred to
Committee on Federal and State Affairs—SJ 1390
- 02/01/2012 Senate—Hearing: Tuesday, February 07, 2012, 10:30 AM Room 144-S
- 02/10/2012 Senate—Committee Report recommending bill be passed as amended
by Committee on Federal and State Affairs—SJ 1486
- 02/22/2012 Senate—Committee of the Whole - Be passed as further amended—SJ
1574
- 02/23/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1580
- 02/29/2012 House—Received and Introduced—HJ 1973
- 03/01/2012 House—Referred to Committee on Judiciary—HJ 1978
- 03/01/2012 House—Hearing: Wednesday, March 07, 2012, 3:30 PM Room 346-S
- 03/16/2012 House—Committee Report recommending bill be passed as amended
by Committee on Judiciary—HJ 2142
- 03/20/2012 House—Committee of the Whole - Be passed as amended—HJ 2192
- 03/21/2012 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 2225
- 03/21/2012 Senate—Nonconcurrent with amendments; Conference Committee
requested; appointed Senator Brungardt, Senator Reitz and Senator Faust-
Goudeau as conferees—SJ 2060
- 03/26/2012 House—Motion to accede adopted; Representative Kinzer,

- Representative Patton and Representative Pauls appointed as conferees—
HJ 2269
- 04/30/2012 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—
HJ 2380
- 05/03/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—
SJ 2558
- 05/08/2012 Senate—Enrolled and presented to Governor on Tuesday, May 08, 2012
—SJ 2600
- 05/15/2012 Senate—Approved by Governor on Monday, 14 May 2012—SJ 2838
- S 263** Bill by Financial Institutions and Insurance
Credit Unions; making use of credit committees permissive.
- 01/11/2012 Senate—Introduced—SJ 1340
- 01/12/2012 Senate—Referred to Committee on Financial Institutions and Insurance
—SJ 1344
- 01/18/2012 Senate—Hearing: Wednesday, January 25, 2012, 9:30 AM Room 152-S
- 02/01/2012 Senate—Committee Report recommending bill be passed by Committee
on Financial Institutions and Insurance—SJ 1407
- 02/07/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1460
- 02/08/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1466
- 02/09/2012 House—Received and Introduced—HJ 1808
- 02/10/2012 House—Referred to Committee on Financial Institutions—HJ 1817
- 02/22/2012 House—Hearing: Thursday, March 01, 2012, 3:30 PM Room 152-S
- 03/09/2012 House—Committee Report recommending bill be passed and placed on
Consent Calendar by Committee on Financial Institutions—HJ 2023
- 03/14/2012 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 2078
- 03/20/2012 Senate—Enrolled and presented to Governor on Tuesday, March 20,
2012—SJ 1811
- S 264** 03/26/2012 Senate—Approved by Governor on Friday, 23 March 2012—SJ 2063
Bill by Financial Institutions and Insurance
Allowing trust companies as a nominee for life insurance companies.
- 01/11/2012 Senate—Introduced—SJ 1341
- 01/12/2012 Senate—Referred to Committee on Financial Institutions and Insurance
—SJ 1344
- 01/18/2012 Senate—Hearing: Tuesday, January 24, 2012, 9:25 AM Room 152-S
- 01/31/2012 Senate—Committee Report recommending bill be passed by Committee
on Financial Institutions and Insurance—SJ 1402
- 02/01/2012 Senate—Committee of the Whole - Be passed—SJ 1407
- 02/02/2012 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 1429
- 02/06/2012 House—Received and Introduced—HJ 1784
- 02/07/2012 House—Referred to Committee on Insurance—HJ 1790
- 02/21/2012 House—Hearing: Wednesday, February 29, 2012, 3:30 PM Room 152-S
- 03/01/2012 House—Hearing: Monday, March 05, 2012, 3:30 PM Room 152-S
- 03/06/2012 House—Committee Report recommending bill be passed and placed on
Consent Calendar by Committee on Insurance—HJ 1992
- 03/09/2012 House—Final Action - Passed; Yea: 118 Nay: 0—HJ 2012
- 03/16/2012 Senate—Enrolled and presented to Governor on Friday, March 16, 2012
—SJ 1725
- 03/21/2012 Senate—Approved by Governor on Tuesday, 20 March 2012—SJ 1957
- S 265** Bill by Financial Institutions and Insurance

Credit Unions; Bylaw amendments concerning suspensions.

01/11/2012 Senate—Introduced—SJ 1341

01/12/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1344

01/18/2012 Senate—Hearing: Wednesday, January 25, 2012, 9:30 AM Room 152-S

01/25/2012 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1386

02/01/2012 Senate—Committee of the Whole - Be passed—SJ 1407

02/02/2012 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 1430

02/06/2012 House—Received and Introduced—HJ 1784

02/07/2012 House—Referred to Committee on Financial Institutions—HJ 1790

02/22/2012 House—Hearing: Thursday, March 01, 2012, 3:30 PM Room 152-S

03/09/2012 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Financial Institutions—HJ 2023

03/14/2012 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 2079

03/20/2012 Senate—Enrolled and presented to Governor on Tuesday, March 20, 2012—SJ 1811

03/26/2012 Senate—Approved by Governor on Friday, 23 March 2012—SJ 2063
Bill by Financial Institutions and Insurance

S 266

Insurance; Risk-based capital requirements.

01/11/2012 Senate—Introduced—SJ 1341

01/12/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1344

01/18/2012 Senate—Hearing: Tuesday, January 24, 2012, 9:30 AM Room 152-S

01/24/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Financial Institutions and Insurance—SJ 1381

02/02/2012 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 1428

02/06/2012 House—Received and Introduced—HJ 1784

02/07/2012 House—Referred to Committee on Insurance—HJ 1790

02/21/2012 House—Hearing: Wednesday, February 29, 2012, 3:30 PM Room 152-S

03/01/2012 House—Hearing: Monday, March 05, 2012, 3:30 PM Room Room 152-S

03/06/2012 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Insurance—HJ 1992

03/09/2012 House—Final Action - Passed; Yea: 118 Nay: 0—HJ 2012

03/16/2012 Senate—Enrolled and presented to Governor on Friday, March 16, 2012—SJ 1725

03/21/2012 Senate—Approved by Governor on Tuesday, 20 March 2012—SJ 1957
Bill by Legislative Educational Planning Committee

S 267

Amendments regarding certain income tax credits.

01/11/2012 Senate—Introduced—SJ 1341

01/12/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1344

02/01/2012 Senate—Hearing: Tuesday, February 07, 2012, 10:30 AM Room 152-S

02/16/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1536

02/23/2012 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1595

02/29/2012 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 1609

- 03/20/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1820
- 03/21/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 1945
- 03/21/2012 House—Received and Introduced—HJ 2266
- 03/26/2012 House—Referred to Committee on Taxation—HJ 2268
- 06/01/2012 House—Died in House Committee
- S 268** Bill by Commerce
Enacting the Kansas small and disadvantages business development act.
 01/11/2012 Senate—Introduced—SJ 1341
 01/12/2012 Senate—Referred to Committee on Commerce—SJ 1344
 06/01/2012 Senate—Died in Committee
- S 269** Bill by Federal and State Affairs
Alcoholic beverages; retailers licenses; tastings by manufacturer licensees.
 01/11/2012 Senate—Introduced—SJ 1341
 01/12/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1344
 01/18/2012 Senate—Hearing: Wednesday, January 25, 2012, 10:25 AM Room 144-S
 02/13/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1492
 02/22/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1574
 02/23/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1580
 02/29/2012 House—Received and Introduced—HJ 1973
 03/01/2012 House—Referred to Committee on Federal and State Affairs—HJ 1978
 03/01/2012 House—Hearing: Thursday, March 08, 2012, 1:30 PM Room 346-S
 03/16/2012 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 2132
 06/01/2012 House—Died on House Calendar
- S 270** Bill by Federal and State Affairs
Confidentiality and disclosure requirements of charitable gambling information.
 01/11/2012 Senate—Introduced—SJ 1341
 01/12/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1344
 01/13/2012 Senate—Hearing: Thursday, January 19, 2012, 10:30 AM Room 144-S
 01/26/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1391
 02/01/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1407
 02/02/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1430
 02/06/2012 House—Received and Introduced—HJ 1784
 02/07/2012 House—Referred to Committee on Federal and State Affairs—HJ 1790
 02/22/2012 House—Hearing: Thursday, March 01, 2012, 1:30 PM Room 346-S
 03/05/2012 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 1986
 03/08/2012 House—Committee of the Whole - Be passed—HJ 2007
 03/09/2012 House—Final Action - Passed; Yea: 108 Nay: 10—HJ 2014
 03/16/2012 Senate—Enrolled and presented to Governor on Friday, March 16, 2012—SJ 1725
- S 271** 03/21/2012 Senate—Approved by Governor on Tuesday, 20 March 2012—SJ 1957
 Bill by Joint Energy and Environmental Policy Committee
Concerning ownership of pore space.
 01/11/2012 Senate—Introduced—SJ 1341

01/12/2012 Senate—Referred to Committee on Natural Resources—SJ 1344
 01/19/2012 Senate—Hearing: Friday, January 27, 2012, 8:30 AM Room 159-S
 02/10/2012 Senate—Hearing: Friday, February 17, 2012, 8:30 AM Room 159-S
 02/22/2012 Senate—Withdrawn from Committee on Natural Resources; Referred to
 Committee on Ways and Means—SJ 1569
 02/23/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Natural Resources—SJ 1577
 03/19/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Natural Resources—SJ 1789
 03/21/2012 Senate—Committee of the Whole - Be passed as further amended—SJ
 1953
 03/21/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0
 —SJ 1954
 03/21/2012 House—Received and Introduced—HJ 2266
 03/26/2012 House—Referred to Committee on Energy and Utilities—HJ 2268
 06/01/2012 House—Died in House Committee

S 272

Bill by Agriculture

Multi-year flex accounts for groundwater water rights.

01/12/2012 Senate—Introduced—SJ 1343
 01/13/2012 Senate—Referred to Committee on Agriculture—SJ 1348
 01/13/2012 Senate—Hearing: Wednesday, January 18, 2012, 8:30 AM Room 159-S
 01/18/2012 Senate—Hearing: Tuesday, January 24, 2012, 8:30 AM Room 159-S
 01/31/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Agriculture—SJ 1401
 02/01/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1407
 02/02/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1430
 02/06/2012 House—Received and Introduced—HJ 1784
 02/07/2012 House—Referred to Committee on Agriculture and Natural Resources
 —HJ 1790
 02/07/2012 House—Hearing: Wednesday, February 08, 2012, 9:00 AM Room
 Docking Room 783
 02/13/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Agriculture and Natural Resources—HJ 1833
 02/15/2012 House—Committee of the Whole - Be passed as amended—HJ 1851
 02/16/2012 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 1858
 02/23/2012 Senate—Concurred with amendments; Yea: 40 Nay: 0—SJ 1578
 03/02/2012 Senate—Enrolled and presented to Governor on Friday, March 02, 2012
 —SJ 1625
 03/07/2012 Senate—Approved by Governor on Monday, 05 March 2012—SJ 1633

S 273

Bill by Financial Institutions and Insurance

Fees for examination of insurance company.

01/12/2012 Senate—Introduced—SJ 1343
 01/13/2012 Senate—Referred to Committee on Financial Institutions and Insurance
 —SJ 1348
 01/26/2012 Senate—Hearing: Tuesday, January 31, 2012, 9:30 AM Room 152-S
 02/21/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Financial Institutions and Insurance—SJ 1550
 02/23/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1591
 02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0
 —SJ 1599

- 02/29/2012 House—Received and Introduced—HJ 1973
 03/01/2012 House—Referred to Committee on Insurance—HJ 1978
 03/01/2012 House—Hearing: Wednesday, March 07, 2012, 3:30 PM Room Room 152-S
 03/15/2012 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 2100
 03/20/2012 House—Committee of the Whole - Be passed as amended—HJ 2198
 03/21/2012 House—Final Action - Passed as amended; Yea: 98 Nay: 26—HJ 2226
 03/21/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Teichman, Senator Masterson and Senator A. Schmidt as conferees—SJ 2061
 03/26/2012 House—Motion to accede adopted; Representative Shultz, Representative Hermanson and Representative Grant appointed as conferees—HJ 2269
 05/17/2012 Senate—Concurred with amendments in conference; Yea: 37 Nay: 0—SJ 3114
 05/22/2012 Senate—Enrolled and presented to Governor on Tuesday, May 22, 2012—SJ 3531
 05/29/2012 Senate—Approved by Governor on Friday, 25 May 2012—SJ 3531
- S 274** Bill by Federal and State Affairs
Alcoholic beverages; authorizing extended temporary permits for special events.
 01/12/2012 Senate—Introduced—SJ 1344
 01/13/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1348
 01/13/2012 Senate—Hearing: Thursday, January 19, 2012, 10:30 AM Room 144-S
 01/30/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1399
 02/01/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1407
 02/02/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1431
 02/06/2012 House—Received and Introduced—HJ 1784
 02/07/2012 House—Referred to Committee on Federal and State Affairs—HJ 1790
 03/01/2012 House—Hearing: Monday, March 05, 2012, 1:30 PM Room 346-S
 03/07/2012 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 1997
- S 275** 06/01/2012 House—Died on House Calendar
 Bill by Federal and State Affairs
House Substitute for SB 275 by Committee on Federal and State Affairs -- Establishing a drug screening program for cash assistance recipients.
 01/12/2012 Senate—Introduced—SJ 1344
 01/13/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1348
 01/18/2012 Senate—Hearing: Tuesday, January 24, 2012, 10:30 AM Room 144-S
 01/27/2012 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 1396
 02/01/2012 Senate—Committee of the Whole - Be passed—SJ 1407
 02/02/2012 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 1431
 02/06/2012 House—Received and Introduced—HJ 1784
 02/07/2012 House—Referred to Committee on Federal and State Affairs—HJ 1790
 03/01/2012 House—Hearing: Tuesday, March 06, 2012, 1:30 PM Room 346-S
 03/28/2012 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 2303

- 06/01/2012 House—Died on House Calendar
- S 276** Bill by Federal and State Affairs
Alcoholic beverages; amendments to law prohibiting licensee from hiring certain employees.
 01/12/2012 Senate—Introduced—SJ 1344
 01/13/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1348
 01/18/2012 Senate—Hearing: Tuesday, January 24, 2012, 10:30 AM Room 144-S
 02/14/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1501
 02/22/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1574
 02/23/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 1580
 02/29/2012 House—Received and Introduced—HJ 1973
 03/01/2012 House—Referred to Committee on Federal and State Affairs—HJ 1978
 03/01/2012 House—Hearing: Tuesday, March 06, 2012, 1:30 PM Room 346-S
 06/01/2012 House—Died in House Committee
- S 277** Bill by Federal and State Affairs
Liquor Control Act; licensing of microdistilleries; citizenship and residency requirements for corporate distributors of alcoholic liquor.
 01/12/2012 Senate—Introduced—SJ 1344
 01/13/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1348
 02/01/2012 Senate—Hearing: Wednesday, February 08, 2012, 10:30 AM Room 144-S
 02/09/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1483
 02/22/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1574
 02/23/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1581
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Federal and State Affairs—HJ 1978
 03/01/2012 House—Hearing: Wednesday, March 07, 2012, 1:30 PM Room 346-S
 03/16/2012 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 2134
 06/01/2012 House—Died on House Calendar
- S 278** Bill by Education
Amendments to school anti-bullying law.
 01/12/2012 Senate—Introduced—SJ 1344
 01/13/2012 Senate—Referred to Committee on Education—SJ 1348
 01/25/2012 Senate—Hearing: Tuesday, January 31, 2012, 1:30 PM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 279** Bill by Judiciary
Unlawful sexual relations, foster parents and foster children.
 01/12/2012 Senate—Introduced—SJ 1344
 01/13/2012 Senate—Referred to Committee on Judiciary—SJ 1348
 01/13/2012 Senate—Hearing: Tuesday, January 17, 2012, 9:30 AM Room 548-S
 01/26/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1392
 02/01/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1407
 02/02/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1431
 02/06/2012 House—Received and Introduced—HJ 1784
 02/07/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1790

- 03/07/2012 House—Hearing: Tuesday, March 13, 2012, 1:30 PM Room 144-S
 06/01/2012 House—Died in House Committee
- S 280** Bill by Judiciary
Sexually violent predator cases; evaluations and expert testimony.
 01/12/2012 Senate—Introduced—SJ 1344
 01/13/2012 Senate—Referred to Committee on Judiciary—SJ 1348
 01/13/2012 Senate—Hearing: Tuesday, January 17, 2012, 9:30 AM Room 548-S
 01/25/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Judiciary—SJ 1385
 02/01/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1407
 02/02/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1431
 02/06/2012 House—Received and Introduced—HJ 1784
 02/07/2012 House—Referred to Committee on Judiciary—HJ 1791
 03/07/2012 House—Hearing: Monday, March 12, 2012, 3:30 PM Room 346-S
 03/15/2012 House—Committee Report recommending bill be passed by Committee
 on Judiciary—HJ 2100
 03/19/2012 House—Committee of the Whole - Be passed—HJ 2150
 03/20/2012 House—Final Action - Passed; Yea: 125 Nay: 0—HJ 2190
 03/26/2012 Senate—Enrolled and presented to Governor on Monday, March 26,
 2012—SJ 2078
 03/30/2012 Senate—Approved by Governor on Friday, 30 March 2012—SJ 2132
- S 281** Bill by Judiciary
Relating to the commission on judicial performance.
 01/17/2012 Senate—Introduced—SJ 1349
 01/18/2012 Senate—Referred to Committee on Judiciary—SJ 1362
 01/25/2012 Senate—Hearing: Monday, January 30, 2012, 9:30 AM Room 548-S
 02/13/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Judiciary—SJ 1494
 02/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1521
 02/16/2012 Senate—Final Action - Passed as amended; Yea: 25 Nay: 15—SJ 1531
 02/20/2012 House—Received and Introduced—HJ 1876
 02/21/2012 House—Referred to Committee on Judiciary—HJ 1887
 06/01/2012 House—Died in House Committee
- S 282** Bill by Judiciary
**Substitute for SB 282 by Committee on Judiciary -- Forfeiture, fleeing or
 eluding law enforcement.**
 01/17/2012 Senate—Introduced—SJ 1349
 01/18/2012 Senate—Referred to Committee on Judiciary—SJ 1362
 01/18/2012 Senate—Hearing: Thursday, January 19, 2012, 9:30 AM Room 548-S
 02/20/2012 Senate—Committee Report recommending substitute bill be passed by
 Committee on Judiciary—SJ 1542
 02/23/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 1591
 02/23/2012 Senate—Emergency Final Action - Substitute passed; Yea: 39 Nay: 1—
 SJ 1599
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Judiciary—HJ 1978
 03/01/2012 House—Hearing: Wednesday, March 07, 2012, 3:30 PM Room 346-S
 03/15/2012 House—Committee Report recommending bill be passed by Committee
 on Judiciary—HJ 2100
 03/19/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2179

- 03/20/2012 House—Final Action - Substitute passed; Yea: 125 Nay: 0—HJ 2191
 03/26/2012 Senate—Enrolled and presented to Governor on Monday, March 26, 2012—SJ 2078
 03/30/2012 Senate—Approved by Governor on Friday, 30 March 2012—SJ 2132
- S 283** Bill by Judiciary
Substitute for SB 283 by Committee on Judiciary -- Sheriffs, civil process fees.
 01/17/2012 Senate—Introduced—SJ 1350
 01/18/2012 Senate—Referred to Committee on Judiciary—SJ 1362
 01/20/2012 Senate—Hearing: Wednesday, January 25, 2012, 9:30 AM Room 548-S
 02/20/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 1542
 02/23/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 1597
 02/23/2012 Senate—Emergency Final Action - Substitute passed; Yea: 30 Nay: 10—SJ 1599
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Judiciary—HJ 1978
 03/01/2012 House—Hearing: Wednesday, March 07, 2012, 3:30 PM Room 346-S
 03/19/2012 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 2174
 03/21/2012 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2234
 03/21/2012 House—Emergency Final Action - Substitute passed as amended; Yea: 93 Nay: 29—HJ 2260
 03/27/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Owens, Senator King and Senator Haley as conferees—SJ 2084
 03/28/2012 House—Motion to accede adopted; Representative Kinzer, Representative Patton and Representative Pauls appointed as conferees—HJ 2292
 05/15/2012 House—Conference Committee Report was adopted; Yea: 83 Nay: 29—HJ 2798
 05/17/2012 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 0—SJ 3116
 05/22/2012 Senate—Enrolled and presented to Governor on Tuesday, May 22, 2012—SJ 3531
 05/29/2012 Senate—Approved by Governor on Friday, 25 May 2012—SJ 3531
- S 284** Bill by Commerce
Verification of employee status by E-verify required for certain public contracts.
 01/17/2012 Senate—Introduced—SJ 1350
 01/18/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1362
 06/01/2012 Senate—Died in Committee
- S 285** Bill by Commerce
Mis-classification of employees; penalty.
 01/17/2012 Senate—Introduced—SJ 1350
 01/18/2012 Senate—Referred to Committee on Judiciary—SJ 1362
 02/01/2012 Senate—Hearing: Thursday, February 09, 2012, 9:30 AM Room 548-S
 06/01/2012 Senate—Died in Committee
- S 286** Bill by Commerce
Use of credit report for employment decisions.

- 01/17/2012 Senate—Introduced—SJ 1350
 01/18/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1362
 02/23/2012 Senate—Withdrawn from Committee on Financial Institutions and Insurance; Referred to Committee on Ways and Means—SJ 1595
 02/29/2012 Senate—Withdrawn from Committee on Ways and Means; Referred to Committee on Commerce—SJ 1609
 06/01/2012 Senate—Died in Committee
- S 287**
 Bill by Financial Institutions and Insurance
House Substitute for SB 287 by Committee on Financial Institutions -- State officials who regulate financial institutions; power and duties.
 01/17/2012 Senate—Introduced—SJ 1350
 01/18/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1362
 01/26/2012 Senate—Hearing: Tuesday, January 31, 2012, 9:30 AM Room 152-S
 02/10/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 1486
 02/23/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1591
 02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1599
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Financial Institutions—HJ 1978
 03/06/2012 House—Hearing: Thursday, March 08, 2012, 3:30 PM Room 152-S
 03/16/2012 House—Committee Report recommending substitute bill be passed by Committee on Financial Institutions—HJ 2140
 03/20/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2192
 03/21/2012 House—Final Action - Substitute passed; Yea: 123 Nay: 1—HJ 2226
 03/21/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Teichman, Senator Masterson and Senator A. Schmidt as conferees—SJ 2061
 03/26/2012 House—Motion to accede adopted; Representative Knox, Representative Proehl and Representative Grant appointed as conferees—HJ 2269
 05/11/2012 House—Conference Committee Report was adopted; Yea: 114 Nay: 8—HJ 2581
 05/15/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2851
 05/22/2012 Senate—Enrolled and presented to Governor on Tuesday, May 22, 2012—SJ 3531
 05/29/2012 Senate—Approved by Governor on Friday, 25 May 2012—SJ 3531
- S 288**
 Bill by Federal and State Affairs
Alcoholic beverages; repeal of proportionate pricing requirement; allowance of public consumption in state parks.
 01/17/2012 Senate—Introduced—SJ 1350
 01/18/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1362
 01/18/2012 Senate—Hearing: Tuesday, January 24, 2012, 10:30 AM Room 144-S
 02/13/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1492
 02/22/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1574
 02/23/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1581

- 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Federal and State Affairs—HJ 1978
 03/01/2012 House—Hearing: Tuesday, March 06, 2012, 1:30 PM Room 346-S
 03/16/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—HJ 2138
 06/01/2012 House—Died on House Calendar
- S 289** Bill by Agriculture
Amending the veterinary practice act.
 01/17/2012 Senate—Introduced—SJ 1350
 01/18/2012 Senate—Referred to Committee on Agriculture—SJ 1362
 01/18/2012 Senate—Hearing: Wednesday, January 25, 2012, 8:30 AM Room 159-S
 01/31/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Agriculture—SJ 1402
 02/01/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1407
 02/02/2012 Senate—Final Action - Passed as amended; Yea: 38 Nay: 1—SJ 1432
 02/06/2012 House—Received and Introduced—HJ 1784
 02/07/2012 House—Referred to Committee on Agriculture and Natural Resources
 —HJ 1790
 02/07/2012 House—Hearing: Thursday, February 09, 2012, 9:00 AM Room
 Docking Room 783
 02/17/2012 House—Committee Report recommending bill be passed by Committee
 on Agriculture and Natural Resources—HJ 1869
 02/21/2012 House—Committee of the Whole - Be passed—HJ 1892
 02/22/2012 House—Final Action - Passed; Yea: 112 Nay: 11—HJ 1916
 03/02/2012 Senate—Enrolled and presented to Governor on Friday, March 02, 2012
 —SJ 1625
- S 290** 03/12/2012 Senate—Approved by Governor on Friday, 09 March 2012—SJ 1653
 Bill by Public Health and Welfare
Addictions counselor licensure act.
 01/17/2012 Senate—Introduced—SJ 1350
 01/18/2012 Senate—Referred to Committee on Public Health and Welfare—SJ
 1362
 01/18/2012 Senate—Hearing: Tuesday, January 24, 2012, 1:30 PM Room 546-S
 01/27/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Public Health and Welfare—SJ 1396
 02/01/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1407
 02/02/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1432
 02/06/2012 House—Received and Introduced—HJ 1784
 02/07/2012 House—Referred to Committee on Health and Human Services—HJ
 1790
 02/29/2012 House—Hearing: Tuesday, March 06, 2012, 1:30 PM Room 784
 Docking
 03/07/2012 House—Committee Report recommending bill be passed by Committee
 on Health and Human Services—HJ 1997
 03/15/2012 House—Committee of the Whole - Be passed—HJ 2094
 03/16/2012 House—Final Action - Passed; Yea: 120 Nay: 4—HJ 2107
 03/26/2012 Senate—Enrolled and presented to Governor on Monday, March 26,
 2012—SJ 2078
- S 291** 03/30/2012 Senate—Approved by Governor on Friday, 30 March 2012—SJ 2132
 Bill by Judiciary

House Substitute for SB 291 by Committee on Judiciary -- Kansas restraint of trade act; doctrine of the rule of reason.

01/18/2012 Senate—Introduced—SJ 1361
 01/19/2012 Senate—Referred to Committee on Judiciary—SJ 1367
 01/20/2012 Senate—Hearing: Monday, January 23, 2012, 9:30 AM Room 548-S
 01/25/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1385
 02/01/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1407
 02/02/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1432
 02/06/2012 House—Received and Introduced—HJ 1784
 02/07/2012 House—Referred to Committee on Judiciary—HJ 1791
 03/07/2012 House—Hearing: Tuesday, March 13, 2012, 3:30 PM Room 346-S
 05/16/2012 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 2805
 05/18/2012 House—Committee of the Whole - Rereferred to Committee on Judiciary—HJ 2904
 05/18/2012 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2904
 05/19/2012 House—Final Action - Substitute passed as amended; Yea: 96 Nay: 18—HJ 2923
 05/24/2012 Senate—Ruled dead, Joint Rule 4(f) May 19, 2012

S 292

Bill by Judiciary

Revoking an ex-spouse's inheritance rights upon divorce.

01/18/2012 Senate—Introduced—SJ 1362
 01/19/2012 Senate—Referred to Committee on Judiciary—SJ 1367
 01/20/2012 Senate—Hearing: Monday, January 23, 2012, 9:30 AM Room 548-S
 01/25/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1385
 02/01/2012 Senate—Committee of the Whole - Be passed—SJ 1407
 02/02/2012 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 1432
 02/06/2012 House—Received and Introduced—HJ 1784
 02/07/2012 House—Referred to Committee on Judiciary—HJ 1791
 03/07/2012 House—Hearing: Wednesday, March 14, 2012, 3:30 PM Room 346-S
 06/01/2012 House—Died in House Committee

S 293

Bill by Judiciary

Filing of wills and admission to probate.

01/18/2012 Senate—Introduced—SJ 1362
 01/19/2012 Senate—Referred to Committee on Judiciary—SJ 1367
 01/20/2012 Senate—Hearing: Monday, January 23, 2012, 9:30 AM Room 548-S
 01/25/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1385
 02/01/2012 Senate—Committee of the Whole - Be passed—SJ 1407
 02/02/2012 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 1433
 02/06/2012 House—Received and Introduced—HJ 1784
 02/07/2012 House—Referred to Committee on Judiciary—HJ 1791
 03/07/2012 House—Hearing: Tuesday, March 13, 2012, 3:30 PM Room 346-S
 06/01/2012 House—Died in House Committee

S 294

Bill by Joint Committee on Special Claims Against the State

House Substitute for SB 294 by Committee on Appropriations -- Appropriations for FY 2012, FY 2013, FY 2014, FY 2015 and FY 2016

for various state agencies; capital improvement projects; claims against the state.

- 01/18/2012 Senate—Introduced—SJ 1362
 01/19/2012 Senate—Referred to Committee on Ways and Means—SJ 1367
 01/25/2012 Senate—Hearing: Monday, January 30, 2012, 10:30 AM Room 548-S
 01/31/2012 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 1402
 02/01/2012 Senate—Committee of the Whole - Be passed—SJ 1407
 02/02/2012 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 1433
 02/06/2012 House—Received and Introduced—HJ 1784
 02/07/2012 House—Referred to Committee on Appropriations—HJ 1790
 02/13/2012 House—Hearing: Friday, February 17, 2012, 9:00 AM Room Room 346-S
 03/14/2012 House—Committee Report recommending substitute bill be passed by Committee on Appropriations—HJ 2086
 03/16/2012 House—Committee of the Whole - Motion to Amend - Offered by Representative O'Hara—HJ 2113
 03/16/2012 House—Committee of the Whole - Handwritten Motion to Amend - Offered by Representative Burgess.—HJ 2115
 03/16/2012 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2116
 03/19/2012 House—Final Action - Substitute passed as amended; Yea: 87 Nay: 36—HJ 2149
 03/19/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator McGinn, Senator Vratil and Senator Kelly as conferees—SJ 1796
 03/20/2012 House—Motion to accede adopted; Representative Rhoades, Representative Kelley and Representative Feuerborn appointed as conferees—HJ 2185
 05/18/2012 House—Representative Schwartz replaces Representative Rhoades on the Conference Committee—HJ 2903
 05/19/2012 House—Representative Rhoades replaces Representative Schwartz on the Conference Committee—HJ 2927
 05/20/2012 House—Conference Committee Report was adopted; Yea: 80 Nay: 35—HJ 3191
 05/20/2012 Senate—Conference Committee Report was adopted; Yea: 22 Nay: 13—SJ 3517
 05/25/2012 Senate—Enrolled and presented to Governor on Friday, May 25, 2012—SJ 3531
 06/01/2012 Senate—Approved by Governor except line item veto of Part Sec 12(a) and (b), 84c, 42(a), 88(a), 114(c), 35(l), 36(a), 156(d)(1) and all of Secs. 75(h) and (i), 114(d), 113(c), 35(b), 122, 119, on Thursday, May 31, 2012—SJ 3533
 06/01/2012 Senate—No motion to reconsider line item vetoes; Vetoes sustained—SJ 3537

S 295

Bill by Commerce

Discrimination based on employment status prohibited.

- 01/18/2012 Senate—Introduced—SJ 1362
 01/19/2012 Senate—Referred to Committee on Commerce—SJ 1367
 02/06/2012 Senate—Hearing: Wednesday, February 08, 2012, 8:30 AM Room 548-

S

- 06/01/2012 Senate—Died in Committee
- S 296** Bill by Assessment and Taxation
Income tax credit for certain tuition and related expenses paid to an educational institution located in Kansas.
 01/18/2012 Senate—Introduced—SJ 1362
 01/19/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1367
 02/01/2012 Senate—Hearing: Tuesday, February 07, 2012, 10:30 AM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 297** Bill by Judiciary
Removing the gifts from a spouse exception from marital property in a divorce.
 01/18/2012 Senate—Introduced—SJ 1362
 01/19/2012 Senate—Referred to Committee on Judiciary—SJ 1367
 01/20/2012 Senate—Hearing: Monday, January 23, 2012, 9:30 AM Room 548-S
 01/25/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1385
 02/01/2012 Senate—Committee of the Whole - Be passed—SJ 1407
 02/02/2012 Senate—Final Action - Passed; Yea: 38 Nay: 1—SJ 1433
 02/06/2012 House—Received and Introduced—HJ 1784
 02/07/2012 House—Referred to Committee on Judiciary—HJ 1791
 03/07/2012 House—Hearing: Wednesday, March 14, 2012, 3:30 PM Room 346-S
 06/01/2012 House—Died in House Committee
- S 298** Bill by Transportation
Penalties for violating size and weight laws.
 01/18/2012 Senate—Introduced—SJ 1362
 01/19/2012 Senate—Referred to Committee on Transportation—SJ 1367
 01/26/2012 Senate—Hearing: Tuesday, January 31, 2012, 8:30 AM Room 152-S
 02/14/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—SJ 1501
 02/23/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1579
 02/23/2012 House—Received and Introduced—HJ 1947
 02/29/2012 House—Referred to Committee on Transportation—HJ 1972
 03/07/2012 House—Hearing: Thursday, March 08, 2012, 1:30 PM Room 783
 Docking
 03/09/2012 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 2023
 03/14/2012 House—Committee of the Whole - Be passed—HJ 2083
 03/15/2012 House—Final Action - Passed; Yea: 119 Nay: 4—HJ 2092
 03/20/2012 Senate—Enrolled and presented to Governor on Tuesday, March 20, 2012—SJ 1811
 03/26/2012 Senate—Approved by Governor on Friday, 23 March 2012—SJ 2063
- S 299** Bill by Federal and State Affairs
Alcoholic beverages; creating a public venue license.
 01/18/2012 Senate—Introduced—SJ 1362
 01/19/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1367
 01/19/2012 Senate—Hearing: Tuesday, January 24, 2012, 10:30 AM Room 144-S
 02/08/2012 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 1467
 02/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1527
 02/16/2012 Senate—Final Action - Passed as amended; Yea: 37 Nay: 3—SJ 1531

02/20/2012 House—Received and Introduced—HJ 1876
 02/21/2012 House—Referred to Committee on Federal and State Affairs—HJ 1887
 03/01/2012 House—Hearing: Wednesday, March 07, 2012, 1:30 PM Room 346-S
 03/28/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—HJ 2303
 06/01/2012 House—Died on House Calendar

S 300

Bill by Transportation

Motor vehicles; distinctive license plates; vehicle registration time extension.

01/18/2012 Senate—Introduced—SJ 1362
 01/19/2012 Senate—Referred to Committee on Transportation—SJ 1367
 01/19/2012 Senate—Hearing: Thursday, January 26, 2012, 8:30 AM Room 152-S
 01/26/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Transportation—SJ 1392
 02/01/2012 Senate—Committee of the Whole - Be passed as further amended—SJ
 1425
 02/02/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1433
 02/08/2012 House—Received and Introduced—HJ 1799
 02/09/2012 House—Referred to Committee on Transportation—HJ 1807
 02/29/2012 House—Hearing: Tuesday, March 06, 2012, 1:30 PM Room 783
 Docking
 03/09/2012 House—Committee Report recommending bill be passed by Committee
 on Transportation—HJ 2023
 03/19/2012 House—Committee of the Whole - Be passed as amended—HJ 2150
 03/20/2012 House—Final Action - Passed as amended; Yea: 122 Nay: 3—HJ 2191
 03/20/2012 Senate—Nonconcurrent with amendments; Conference Committee
 requested; appointed Senator Umbarger, Senator Marshall and Senator
 Kultala as conferees—SJ 1837
 03/21/2012 House—Motion to accede adopted; Representative Hayzlett,
 Representative Prescott and Representative Wetta appointed as conferees
 —HJ 2220
 05/09/2012 House—Conference Committee Report was adopted; Yea: 122 Nay: 2—
 HJ 2517
 05/10/2012 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 2—
 SJ 2659
 05/15/2012 Senate—Enrolled and presented to Governor on Tuesday, May 15, 2012
 —SJ 2862
 05/22/2012 Senate—Approved by Governor on Monday, 21 May 2012—SJ 3531
 Bill by Federal and State Affairs

S 301

Board of technical professions; terms of members.

01/19/2012 Senate—Introduced—SJ 1366
 01/20/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1372
 02/08/2012 Senate—Hearing: Tuesday, February 14, 2012, 10:30 AM Room 144-S
 02/16/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—SJ 1537
 02/22/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1574
 02/23/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1581
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Commerce and Economic
 Development—HJ 1978
 03/07/2012 House—Hearing: Tuesday, March 13, 2012, 1:30 PM Room 785

- Docking
03/14/2012 House—Hearing: Wednesday, March 14, 2012, 1:30 PM Room 785
Docking
- 03/19/2012 House—Committee Report recommending bill be passed as amended by Committee on Commerce and Economic Development—HJ 2173
03/21/2012 House—Committee of the Whole - Be passed as amended—HJ 2243
03/21/2012 House—Emergency Final Action - Passed as amended; Yea: 118 Nay: 4—HJ 2262
03/28/2012 Senate—Concurred with amendments; Yea: 40 Nay: 0—SJ 2091
04/03/2012 Senate—Enrolled and presented to Governor on Tuesday, April 03, 2012—SJ 2290
04/09/2012 Senate—Approved by Governor on Friday, 06 April 2012—SJ 2163
- S 302**
Bill by Agriculture
Amendments to the Kansas Meat and Poultry Inspection Act.
01/19/2012 Senate—Introduced—SJ 1366
01/20/2012 Senate—Referred to Committee on Agriculture—SJ 1372
02/21/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture—SJ 1548
02/22/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1574
02/23/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1582
02/29/2012 House—Received and Introduced—HJ 1974
03/01/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1978
03/01/2012 House—Hearing: Friday, March 02, 2012, 9:00 AM Room Docking 783
03/09/2012 House—Withdrawn from Committee on Agriculture and Natural Resources; Referred to Committee on Agriculture and Natural Resources Budget—HJ 2010
- S 303**
Bill by Public Health and Welfare
Disposition of unclaimed cremated remains; veterans' cremated remains.
01/19/2012 Senate—Introduced—SJ 1366
01/20/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1372
01/20/2012 Senate—Hearing: Thursday, January 26, 2012, 1:30 PM Room 546-S
01/30/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1399
02/01/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1407
02/02/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1434
02/06/2012 House—Received and Introduced—HJ 1784
02/07/2012 House—Referred to Committee on Health and Human Services—HJ 1790
02/29/2012 House—Hearing: Tuesday, March 06, 2012, 1:30 PM Room 784
Docking
03/07/2012 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 1997
03/15/2012 House—Committee of the Whole - Be passed as amended—HJ 2094
03/16/2012 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 2108
03/19/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator V. Schmidt, Senator Brungardt and Senator

- Kelly as conferees—SJ 1796
- 03/20/2012 House—Motion to accede adopted; Representative Landwehr, Representative Donohoe and Representative Flaharty appointed as conferees—HJ 2185
- 03/28/2012 Senate—Concurred with amendments in conference; Yea: 40 Nay: 0—SJ 2091
- 04/03/2012 Senate—Enrolled and presented to Governor on Tuesday, April 03, 2012—SJ 2290
- 04/09/2012 Senate—Approved by Governor on Friday, 06 April 2012—SJ 2163
- S 304** Bill by Joint Committee on Administrative Rules and Regulations
Domestic relations; certified batterer intervention program certification act; case management; recodification of the family law code.
- 01/19/2012 Senate—Introduced—SJ 1366
- 01/20/2012 Senate—Referred to Committee on Judiciary—SJ 1372
- 01/25/2012 Senate—Hearing: Monday, January 30, 2012, 9:30 AM Room 548-S
- 01/30/2012 Senate—Hearing: Tuesday, January 31, 2012, 9:30 AM Room 548-S
- 02/21/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1550
- 02/23/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1597
- 02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1600
- 02/29/2012 House—Received and Introduced—HJ 1974
- 03/01/2012 House—Referred to Committee on Judiciary—HJ 1978
- 03/01/2012 House—Hearing: Tuesday, March 06, 2012, 3:30 PM Room 346-S
- 03/16/2012 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 2143
- 03/20/2012 House—Committee of the Whole - Be passed as amended—HJ 2192
- 03/21/2012 House—Final Action - Passed as amended; Yea: 123 Nay: 1—HJ 2227
- 03/21/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Owens, Senator King and Senator Haley as conferees—SJ 2061
- 03/26/2012 House—Motion to accede adopted; Representative Kinzer, Representative Patton and Representative Pauls appointed as conferees—HJ 2269
- 05/11/2012 House—Conference Committee Report was adopted; Yea: 116 Nay: 0—HJ 2747
- 05/14/2012 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 1—SJ 2832
- 05/22/2012 Senate—Enrolled and presented to Governor on Tuesday, May 22, 2012—SJ 3531
- S 305** 05/29/2012 Senate—Approved by Governor on Friday, 25 May 2012—SJ 3531
 Bill by Judiciary
Time for criminal trials; competency decision time not counted against the state.
- 01/19/2012 Senate—Introduced—SJ 1366
- 01/20/2012 Senate—Referred to Committee on Judiciary—SJ 1372
- 01/20/2012 Senate—Hearing: Thursday, January 26, 2012, 9:30 AM Room 548-S
- 02/07/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1459
- 02/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1521

02/16/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1532
 02/20/2012 House—Received and Introduced—HJ 1876
 02/21/2012 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 1886
 02/29/2012 House—Hearing: Wednesday, March 07, 2012, 1:30 PM Room 144-S
 03/21/2012 House—Withdrawn from Committee on Corrections and Juvenile
 Justice; Referred to Committee on Appropriations—HJ 2264
 03/28/2012 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Corrections and Juvenile Justice—HJ 2304
 06/01/2012 House—Died in House Committee

S 306 Bill by Judiciary

Information submitted to Department of Labor for state directory of new hires.

01/19/2012 Senate—Introduced—SJ 1366
 01/20/2012 Senate—Referred to Committee on Judiciary—SJ 1372
 01/20/2012 Senate—Hearing: Thursday, January 26, 2012, 9:30 AM Room 548-S
 02/07/2012 Senate—Committee Report recommending bill be passed by Committee
 on Judiciary—SJ 1459
 02/15/2012 Senate—Committee of the Whole - Be passed—SJ 1521
 02/16/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1532
 02/17/2012 House—Received and Introduced—HJ 1864
 02/20/2012 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 1875
 02/29/2012 House—Hearing: Wednesday, March 07, 2012, 1:30 PM Room 144-S
 03/15/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Corrections and Juvenile Justice—HJ 2094
 03/21/2012 House—Committee of the Whole - Be passed as amended—HJ 2233
 03/21/2012 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0
 —HJ 2257
 03/27/2012 Senate—Nonconcurrent with amendments; Conference Committee
 requested; appointed Senator Owens, Senator King and Senator Haley as
 conferees—SJ 2084
 03/28/2012 House—Motion to accede adopted; Representative Colloton,
 Representative Kinzer and Representative McCray-Miller appointed as
 conferees—HJ 2292
 05/14/2012 House—Conference Committee Report was adopted; Yea: 93 Nay: 20—
 HJ 2790
 05/15/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—
 SJ 2852
 05/18/2012 Senate—Enrolled and presented to Governor on Friday, May 18, 2012
 —SJ 3233
 05/22/2012 Senate—Approved by Governor on Monday, 21 May 2012—SJ 3531

S 307 Bill by Judiciary

**Substitute for SB 307 by Committee on Judiciary --Statute of limitations for
 sexually violent crimes when the victim is a child; lesser included
 crimes, felony murder; intimidation of a witness; time limitations for
 criminal trials.**

01/19/2012 Senate—Introduced—SJ 1366
 01/20/2012 Senate—Referred to Committee on Judiciary—SJ 1372
 01/20/2012 Senate—Hearing: Thursday, January 26, 2012, 9:30 AM Room 548-S
 02/13/2012 Senate—Committee Report recommending substitute bill be passed by

- Committee on Judiciary—SJ 1494
- 02/15/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 1521
- 02/16/2012 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 1532
- 02/17/2012 House—Received and Introduced—HJ 1864
- 02/20/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1875
- 02/29/2012 House—Hearing: Wednesday, March 07, 2012, 1:30 PM Room 144-S
- 03/16/2012 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 2117
- 03/21/2012 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2233
- 03/21/2012 House—Emergency Final Action - Substitute passed as amended; Yea: 122 Nay: 0—HJ 2257
- 03/27/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Owens, Senator King and Senator Haley as conferees—SJ 2085
- 03/28/2012 House—Motion to accede adopted; Representative Colloton, Representative Kinzer and Representative McCray-Miller appointed as conferees—HJ 2292
- 05/14/2012 House—Conference Committee Report was adopted; Yea: 113 Nay: 0—HJ 2793
- 05/15/2012 Senate—Motion to adopt Conference Committee Report—SJ 2855
- 05/15/2012 Senate—Substitute motion to not adopt the Conference Committee Report and appoint a new Conference Committee.—SJ 2855
- 05/15/2012 Senate—Conference Committee Report not adopted; Senator Owens, Senator King and Senator Haley appointed as second conferees—SJ 2855
- 05/17/2012 House—Motion to accede adopted; Representative Colloton, Representative Kinzer and Representative Meier appointed as second conferees—HJ 2881
- 05/19/2012 House—Conference Committee Report was adopted;—HJ 2926
- 05/19/2012 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 0—SJ 3253
- 05/22/2012 Senate—Enrolled and presented to Governor on Tuesday, May 22, 2012—SJ 3531
- 05/29/2012 Senate—Approved by Governor on Friday, 25 May 2012—SJ 3531
- S 308** Bill by Judiciary
- Amendments to the Kansas criminal code.**
- 01/19/2012 Senate—Introduced—SJ 1366
- 01/20/2012 Senate—Referred to Committee on Judiciary—SJ 1372
- 01/31/2012 Senate—Hearing: Wednesday, February 01, 2012, 9:30 AM Room 548-S
- 02/22/2012 Senate—Hearing: Friday, March 02, 2012, 8:30 AM Room 159-S
- 02/23/2012 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 1595
- 02/29/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Judiciary—SJ 1609
- 03/12/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1654
- 06/01/2012 Senate—Died on General Orders
- S 309** Bill by Ethics and Elections

Elections; corrupt political advertising; stand by your ads requirement.

01/19/2012 Senate—Introduced—SJ 1366

01/20/2012 Senate—Referred to Committee on Ethics and Elections—SJ 1372

01/25/2012 Senate—Hearing: Wednesday, February 01, 2012, 9:30 AM Room 159-S

02/06/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Ethics and Elections—SJ 1455

02/23/2012 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1595

02/29/2012 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 1609

06/01/2012 Senate—Died on General Orders

S 310 Bill by Natural Resources**Establishing local enhanced management areas.**

01/19/2012 Senate—Introduced—SJ 1366

01/20/2012 Senate—Referred to Committee on Natural Resources—SJ 1372

01/25/2012 Senate—Hearing: Thursday, February 02, 2012, 8:30 AM Room 159-S

02/14/2012 Senate—Committee Report recommending bill be passed by Committee on Natural Resources—SJ 1501

02/23/2012 Senate—Committee of the Whole - Be passed—SJ 1586

02/23/2012 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1600

02/29/2012 House—Received and Introduced—HJ 1974

03/01/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1978

03/01/2012 House—Hearing: Friday, March 02, 2012, 9:00 AM Room Docking 783

03/08/2012 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 2007

03/14/2012 House—Committee of the Whole - Be passed as amended—HJ 2085

03/15/2012 House—Final Action - Passed as amended; Yea: 122 Nay: 1—HJ 2092

03/20/2012 Senate—Concurred with amendments; Yea: 40 Nay: 0—SJ 1799

03/26/2012 Senate—Enrolled and presented to Governor on Monday, March 26, 2012—SJ 2078

04/02/2012 Senate—Approved by Governor on Friday, 30 March 2012—SJ 2163

S 311 Bill by Ways and Means**House Substitute for SB 311 by Committee on Appropriations -- Board of nursing; relating to assistant attorneys general.**

01/20/2012 Senate—Introduced—SJ 1370

01/23/2012 Senate—Referred to Committee on Ways and Means—SJ 1375

01/30/2012 Senate—Hearing: Wednesday, February 01, 2012, 10:30 AM Room 548-S

02/01/2012 Senate—Hearing: Friday, February 03, 2012, 10:30 AM Room 548-S

02/10/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 1486

02/23/2012 Senate—Withdrawn from Calendar, Rereferred to Committee on Ways and Means—SJ 1595

02/29/2012 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 1609

03/06/2012 Senate—Withdrawn from Calendar, Rereferred to Committee on Ways and Means—SJ 1628

03/07/2012 Senate—Hearing: Thursday, March 08, 2012, 10:30 AM Room 548-S

- 03/08/2012 Senate—Committee Report recommending bill be further amended and be passed as amended by Committee on Ways and Means—SJ 1645
- 03/15/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1714
- 03/15/2012 Senate—Emergency Final Action - Passed as amended; Yea: 33 Nay: 7—SJ 1715
- 03/16/2012 House—Received and Introduced—HJ 2147
- 03/19/2012 House—Referred to Committee on Appropriations—HJ 2149
- 03/28/2012 House—Committee Report recommending substitute bill be passed by Committee on Appropriations—HJ 2303
- 06/01/2012 House—Died on House Calendar
- S 312** Bill by Ways and Means
Sales and compensating use tax; rate of taxation and distribution of revenues.
 01/20/2012 Senate—Introduced—SJ 1370
 01/23/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1375
 02/15/2012 Senate—Hearing: Thursday, February 16, 2012, 10:30 AM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 313** Bill by Natural Resources
**House Substitute for SB 313 by Committee on Federal and State Affairs --
 Creates the no taxpayer funding for abortion act; amending various
 abortion statutes.**
 01/20/2012 Senate—Introduced—SJ 1370
 01/23/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1375
 02/01/2012 Senate—Hearing: Tuesday, February 07, 2012, 10:30 AM Room 144-S
 02/08/2012 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 1467
 02/22/2012 Senate—Committee of the Whole - Be passed—SJ 1572
 02/23/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1582
 02/23/2012 House—Received and Introduced—HJ 1947
 02/29/2012 House—Referred to Committee on Federal and State Affairs—HJ 1972
 03/01/2012 House—Hearing: Tuesday, March 06, 2012, 1:30 PM Room 346-S
 03/20/2012 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 2213
 05/04/2012 House—Committee of the Whole - Motion to refer to committee failed
 Yea: 35 Nay: 76 Committee on Health and Human Services—HJ 2420
 05/04/2012 House—Committee of the Whole - Handwritten Motion to Amend -
 Offered by Representative Johnson.—HJ 2421
 05/04/2012 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2421
 05/07/2012 House—Final Action - Substitute passed as amended; Yea: 88 Nay: 31—HJ 2458
 05/09/2012 Senate—Ruled materially changed and referred to Committee on Federal and State Affairs—SJ 2630
 06/01/2012 Senate—Died in Committee
- S 314** Bill by Natural Resources
Department of wildlife, parks and tourism; hunting and fishing; licensing; use of land; penalties.
 01/20/2012 Senate—Introduced—SJ 1370
 01/23/2012 Senate—Referred to Committee on Natural Resources—SJ 1375
 02/14/2012 Senate—Hearing: Friday, February 17, 2012, 8:30 AM Room 159-S

- 02/22/2012 Senate—Hearing: Thursday, March 01, 2012, 8:30 AM Room 159-S
 02/22/2012 Senate—Withdrawn from Committee on Natural Resources; Referred to Committee on Ways and Means—SJ 1569
 02/23/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Natural Resources—SJ 1577
 03/13/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Natural Resources—SJ 1659
 03/15/2012 Senate—Committee of the Whole - Rereferred to Yea: 5 Nay: 35 Committee on Natural Resources—SJ 1714
 03/15/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1715
 03/15/2012 Senate—Emergency Final Action - Passed as amended; Yea: 23 Nay: 17—SJ 1716
 03/16/2012 House—Received and Introduced—HJ 2147
 03/19/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 2149
 03/19/2012 House—Hearing: Tuesday, March 20, 2012, 8:00 AM Room 783 Docking
 03/20/2012 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 2206
 04/26/2012 House—Withdrawn from Calendar; Referred to Committee on Redistricting—HJ 2365
 04/27/2012 House—Withdrawn from Committee on Redistricting and re-referred to Committee of the Whole—HJ 2372
 05/04/2012 House—Committee of the Whole - Be passed as amended—HJ 2419
 05/07/2012 House—Final Action - Passed as amended; Yea: 64 Nay: 55—HJ 2459
 05/10/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Ostmeyer, Senator McGinn and Senator Francisco as conferees—SJ 2637
 05/10/2012 House—Motion to accede adopted; Representative Powell, Representative Kerschen and Representative Williams appointed as conferees—HJ 2563
 05/17/2012 House—Conference Committee Report was adopted; Yea: 76 Nay: 39—HJ 2892
 05/18/2012 Senate—Motion to adopt Conference Committee Report—SJ 3225
 05/18/2012 Senate—Substitute motion to not adopt Conference Committee Report and appoint a new Conference Committee, failed.—SJ 3225
 05/18/2012 Senate—Conference Committee Report was adopted; Yea: 30 Nay: 8—SJ 3225
 05/22/2012 Senate—Enrolled and presented to Governor on Tuesday, May 22, 2012—SJ 3531
 05/29/2012 Senate—Approved by Governor on Friday, 25 May 2012—SJ 3531
- S 315** Bill by Financial Institutions and Insurance
**House Substitute for SB 315 by Committee on Financial Institutions --
 Concerning the state bank commissioner, powers.**
 01/20/2012 Senate—Introduced—SJ 1370
 01/23/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1375
 01/26/2012 Senate—Hearing: Thursday, February 02, 2012, 9:30 AM Room 152-S
 02/08/2012 Senate—Committee Report recommending bill be passed as amended

- by Committee on Financial Institutions and Insurance—SJ 1467
- 02/23/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1591
- 02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1600
- 02/29/2012 House—Received and Introduced—HJ 1974
- 03/01/2012 House—Referred to Committee on Financial Institutions—HJ 1978
- 03/01/2012 House—Hearing: Tuesday, March 06, 2012, 3:30 PM Room 152-S
- 03/16/2012 House—Committee Report recommending substitute bill be passed by Committee on Financial Institutions—HJ 2140
- 03/20/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2192
- 03/21/2012 House—Final Action - Substitute passed; Yea: 100 Nay: 24—HJ 2227
- 03/21/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Teichman, Senator Masterson and Senator A. Schmidt as conferees—SJ 2061
- 03/26/2012 House—Motion to accede adopted; Representative Knox, Representative Proehl and Representative Grant appointed as conferees—HJ 2269
- 03/30/2012 House—Conference Committee Report was adopted; Yea: 101 Nay: 13—HJ 2331
- 03/30/2012 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 1—SJ 2151
- 04/03/2012 Senate—Enrolled and presented to Governor on Tuesday, April 03, 2012—SJ 2290
- 04/05/2012 Senate—Vetoed by Governor; Returned to Senate on Thursday, April 12, 2012.—SJ 2166
- 05/11/2012 Senate—No motion to reconsider vetoed bill; Veto sustained—SJ 2763
- S 316** Bill by Natural Resources
- Updating references and corresponding changes relating to Executive Reorganization Order No. 36 and the Kansas department of wildlife, parks and tourism.**
- 01/23/2012 Senate—Introduced—SJ 1375
- 01/24/2012 Senate—Referred to Committee on Natural Resources—SJ 1380
- 01/27/2012 Senate—Hearing: Thursday, February 02, 2012, 8:30 AM Room 159-S
- 02/06/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Natural Resources—SJ 1455
- 02/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1521
- 02/16/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1532
- 02/20/2012 House—Received and Introduced—HJ 1876
- 02/21/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1886
- 03/02/2012 House—Hearing: Tuesday, March 06, 2012, 9:00 AM Room 783-DOB
- 03/07/2012 House—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—HJ 1997
- 03/14/2012 House—Committee of the Whole - Be passed—HJ 2083
- 03/15/2012 House—Final Action - Passed; Yea: 117 Nay: 6—HJ 2093
- 03/26/2012 Senate—Enrolled and presented to Governor on Friday, March 23, 2012—SJ 2065
- 03/29/2012 Senate—Approved by Governor on Wednesday, 28 March 2012—SJ 2094
- S 317** Bill by Assessment and Taxation

Property taxation; defining real and personal property.

01/23/2012 Senate—Introduced—SJ 1375

01/24/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1380

01/25/2012 Senate—Hearing: Wednesday, February 01, 2012, 10:30 AM Room 152-S

02/08/2012 Senate—Hearing: Wednesday, February 15, 2012, 10:30 AM Room 152-S

02/22/2012 Senate—Withdrawn from Committee on Assessment and Taxation; Referred to Committee on Ways and Means—SJ 1569

02/23/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Assessment and Taxation—SJ 1577

06/01/2012 Senate—Died in Committee

S 318 Bill by Commerce**Requiring employment of Kansas workers for certain state contracts and tax benefits.**

01/23/2012 Senate—Introduced—SJ 1375

01/24/2012 Senate—Referred to Committee on Commerce—SJ 1380

02/06/2012 Senate—Hearing: Thursday, February 09, 2012, 8:30 AM Room 548-S

06/01/2012 Senate—Died in Committee

S 319 Bill by Federal and State Affairs**Amendments to the Kansas expanded lottery act relating to racetrack gaming facilities.**

01/23/2012 Senate—Introduced—SJ 1375

01/24/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1380

01/25/2012 Senate—Hearing: Tuesday, January 31, 2012, 10:30 AM Room 144-S

01/25/2012 Senate—Hearing: Wednesday, February 01, 2012, 10:30 AM Room 144-S

06/01/2012 Senate—Died in Committee

S 320 Bill by Judiciary**Juvenile offender cases; probable cause determinations.**

01/24/2012 Senate—Introduced—SJ 1378

01/25/2012 Senate—Referred to Committee on Judiciary—SJ 1384

02/01/2012 Senate—Hearing: Thursday, February 09, 2012, 8:25 AM Room 548-S

02/13/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1494

02/15/2012 Senate—Committee of the Whole - Be passed—SJ 1521

02/16/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1533

02/17/2012 House—Received and Introduced—HJ 1864

02/20/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1875

03/07/2012 House—Hearing: Monday, March 12, 2012, 1:30 PM Room 144-S

03/13/2012 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 2074

03/20/2012 House—Committee of the Whole - Be passed as amended—HJ 2192

03/21/2012 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 2228

03/27/2012 Senate—Concurred with amendments; Yea: 40 Nay: 0—SJ 2081

03/30/2012 Senate—Enrolled and presented to Governor on Friday, March 30, 2012—SJ 2160

04/05/2012 Senate—Approved by Governor on Tuesday, 03 April 2012—SJ 2163

S 321 Bill by Judiciary

Appearance bond conditions; surety and bounty hunter regulation.

01/24/2012 Senate—Introduced—SJ 1378

01/25/2012 Senate—Referred to Committee on Judiciary—SJ 1384

01/25/2012 Senate—Hearing: Thursday, February 02, 2012, 9:30 AM Room 548-S

02/23/2012 Senate—Withdrawn from Committee on Judiciary; Referred to
Committee on Ways and Means—SJ 159502/29/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred
to Committee on Judiciary—SJ 1609

06/01/2012 Senate—Died in Committee

S 322

Bill by Judiciary

Court fees and costs; judicial branch surcharge fund.

01/24/2012 Senate—Introduced—SJ 1378

01/25/2012 Senate—Referred to Committee on Judiciary—SJ 1384

02/16/2012 Senate—Hearing: Friday, February 17, 2012, 9:30 AM Room 548-S

02/21/2012 Senate—Committee Report recommending bill be passed as amended
by Committee on Judiciary—SJ 1560

02/23/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1597

02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 36 Nay: 4
—SJ 1600

02/29/2012 House—Received and Introduced—HJ 1974

03/01/2012 House—Referred to Committee on Judiciary—HJ 1978

03/01/2012 House—Hearing: Tuesday, March 06, 2012, 3:30 PM Room 346-S

03/13/2012 House—Committee Report recommending bill be passed by Committee
on Judiciary—HJ 2075

03/20/2012 House—Committee of the Whole - Be passed—HJ 2192

03/21/2012 House—Final Action - Passed; Yea: 94 Nay: 30—HJ 2228

03/30/2012 Senate—Enrolled and presented to Governor on Friday, March 30, 2012
—SJ 2160

04/05/2012 Senate—Approved by Governor on Tuesday, 03 April 2012—SJ 2163

S 323

Bill by Assessment and Taxation

Income tax credit for certain apprenticeships.

01/24/2012 Senate—Introduced—SJ 1379

01/25/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1384

02/07/2012 Senate—Hearing: Thursday, February 09, 2012, 10:30 AM Room 152-S

06/01/2012 Senate—Died in Committee

S 324

Bill by Public Health and Welfare

Board of pharmacy; pharmacist license and pharmacist intern registration.

01/24/2012 Senate—Introduced—SJ 1379

01/25/2012 Senate—Referred to Committee on Public Health and Welfare—SJ
1384

01/25/2012 Senate—Hearing: Monday, January 30, 2012, 1:30 PM Room 546-S

02/01/2012 Senate—Committee Report recommending bill be passed as amended
by Committee on Public Health and Welfare—SJ 1407

02/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1521

02/16/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1533

02/20/2012 House—Received and Introduced—HJ 1876

02/21/2012 House—Referred to Committee on Health and Human Services—HJ
188702/29/2012 House—Hearing: Wednesday, March 07, 2012, 1:30 PM Room 784
Docking

- 06/01/2012 House—Died in House Committee
 Bill by Public Health and Welfare
S 325 House Substitute for SB 325 by Committee on Corrections and Juvenile Justice -- Distribution of controlled substances to health care providers, mammogram reporting and notice requirements.
 01/24/2012 Senate—Introduced—SJ 1379
 01/25/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1384
 01/25/2012 Senate—Hearing: Tuesday, January 31, 2012, 1:30 PM Room 546-S
 02/01/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1407
 02/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1521
 02/16/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1533
 02/20/2012 House—Received and Introduced—HJ 1876
 02/21/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1886
 03/07/2012 House—Hearing: Tuesday, March 13, 2012, 1:30 PM Room 144-S
 03/16/2012 House—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—HJ 2118
S 326 03/27/2012 House—Stricken from Calendar by Rule 1507—HJ 2287
 Bill by Public Health and Welfare
Dental hygiene; services for school children.
 01/24/2012 Senate—Introduced—SJ 1379
 01/25/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1384
 01/25/2012 Senate—Hearing: Wednesday, February 01, 2012, 1:30 PM Room 546-S
 02/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1519
 02/23/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1597
 02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1601
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Health and Human Services—HJ 1978
 06/01/2012 House—Died in House Committee
S 327 Bill by Public Health and Welfare
Substitute for SB 327 by Committee on Public Health and Welfare -- Prescription of drugs; electronic prescription and prescription monitoring program.
 01/24/2012 Senate—Introduced—SJ 1379
 01/25/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1384
 02/01/2012 Senate—Hearing: Tuesday, February 07, 2012, 1:30 PM Room 546-S
 02/20/2012 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 1540
 02/22/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 1569
 03/14/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Public Health and Welfare—SJ 1669

- 03/19/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 1789
 03/20/2012 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 1802
 03/20/2012 House—Received and Introduced—HJ 2214
 03/21/2012 House—Referred to Committee on Health and Human Services—HJ 2219
 06/01/2012 House—Died in House Committee
- S 328** Bill by Public Health and Welfare
Electronic prescription.
 01/24/2012 Senate—Introduced—SJ 1379
 01/25/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1384
 01/25/2012 Senate—Hearing: Thursday, February 02, 2012, 1:30 PM Room 546-S
 02/20/2012 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 1540
 02/22/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 1569
 06/01/2012 Senate—Died in Committee
- S 329** Bill by Transportation
Historic properties; projects within environs; city opt out of state historic preservation officer review.
 01/24/2012 Senate—Introduced—SJ 1379
 01/25/2012 Senate—Referred to Committee on Transportation—SJ 1384
 01/26/2012 Senate—Withdrawn from Committee on Transportation; Referred to Committee on Local Government—SJ 1390
 02/03/2012 Senate—Hearing: Tuesday, February 07, 2012, 9:30 AM Room 159-S
 06/01/2012 Senate—Died in Committee
- S 330** Bill by Judiciary
Relating to malpractice liability screening panels.
 01/25/2012 Senate—Introduced—SJ 1383
 01/26/2012 Senate—Referred to Committee on Judiciary—SJ 1390
 02/08/2012 Senate—Hearing: Wednesday, February 15, 2012, 9:30 AM Room 548-S
 02/20/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1542
 02/23/2012 Senate—Committee of the Whole - Be passed—SJ 1597
 02/23/2012 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1601
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Judiciary—HJ 1978
 03/01/2012 House—Hearing: Thursday, March 08, 2012, 3:30 PM Room 346-S
 03/15/2012 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 2100
 03/20/2012 House—Committee of the Whole - Be passed—HJ 2192
 03/21/2012 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 2229
 03/30/2012 Senate—Enrolled and presented to Governor on Friday, March 30, 2012—SJ 2160
 04/05/2012 Senate—Approved by Governor on Tuesday, 03 April 2012—SJ 2163
- S 331** Bill by Public Health and Welfare
Cosmetology; salon and clinic license renewal.
 01/25/2012 Senate—Introduced—SJ 1383
 01/26/2012 Senate—Referred to Committee on Public Health and Welfare—SJ

- 1390
 01/27/2012 Senate—Hearing: Tuesday, January 31, 2012, 1:30 PM Room 546-S
 02/08/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1468
 02/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1521
 02/16/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1534
 02/20/2012 House—Received and Introduced—HJ 1876
 02/21/2012 House—Referred to Committee on Health and Human Services—HJ 1887
 02/29/2012 House—Hearing: Wednesday, March 07, 2012, 1:30 PM Room 784 Docking
 06/01/2012 House—Died in House Committee
- S 332** Bill by Federal and State Affairs
Creating classes of licenses to sell alcoholic beverages at retail; fees, term and eligibility.
 01/25/2012 Senate—Introduced—SJ 1383
 01/26/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1390
 06/01/2012 Senate—Died in Committee
- S 333** Bill by Ethics and Elections
Substitute for SB 333 by Committee on Ethics and Elections -- Elections; petition circulators; qualifications changed.
 01/25/2012 Senate—Introduced—SJ 1383
 01/26/2012 Senate—Referred to Committee on Ethics and Elections—SJ 1390
 02/01/2012 Senate—Hearing: Wednesday, February 08, 2012, 9:30 AM Room 159-S
 02/20/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Ethics and Elections—SJ 1542
 02/23/2012 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1595
 02/29/2012 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 1609
 06/01/2012 Senate—Died on General Orders
- S 334** Bill by Transportation
Exempting military drivers from CDL testing requirements.
 01/25/2012 Senate—Introduced—SJ 1383
 01/26/2012 Senate—Referred to Committee on Transportation—SJ 1390
 01/27/2012 Senate—Hearing: Tuesday, January 31, 2012, 8:30 AM Room 152-S
 02/14/2012 Senate—Committee Report recommending bill be passed by Committee on Transportation—SJ 1501
 02/22/2012 Senate—Committee of the Whole - Be passed—SJ 1572
 02/23/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1582
 02/23/2012 House—Received and Introduced—HJ 1947
 02/29/2012 House—Referred to Committee on Transportation—HJ 1972
 03/07/2012 House—Hearing: Thursday, March 08, 2012, 1:30 PM Room 783 Docking
 03/09/2012 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 2023
 03/14/2012 House—Committee of the Whole - Be passed as amended—HJ 2084
 03/15/2012 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 2094
 03/19/2012 Senate—Nonconcurrent with amendments; Conference Committee

- requested; appointed Senator Umbarger, Senator Marshall and Senator Kultala as conferees—SJ 1796
- 03/20/2012 House—Motion to accede adopted; Representative Hayzlett, Representative Prescott and Representative Wetta appointed as conferees—HJ 2185
- 03/30/2012 House—Conference Committee Report was adopted; Yea: 123 Nay: 0—HJ 2326
- 03/30/2012 Senate—Conference Committee Report not adopted; Yea: 7 Nay: 30—SJ 2159
- 03/30/2012 Senate—Motion to Reconsider Adopted—SJ 2159
- 03/30/2012 Senate—Conference Committee Report not adopted; Senator Umbarger, Senator Marshall and Senator Kultala appointed as second conferees—SJ 2159
- 03/30/2012 Senate—Conference Committee Report not adopted; Senator Umbarger, Senator Marshall and Senator Kultala appointed as second conferees—SJ 2159
- 04/25/2012 House—Motion to accede adopted; Representative Hayzlett, Representative Prescott and Representative Wetta appointed as second conferees—HJ 2362
- 05/10/2012 House—Conference Committee Report was adopted; Yea: 124 Nay: 0—HJ 2539
- 05/11/2012 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 2709
- 05/18/2012 Senate—Enrolled and presented to Governor on Friday, May 18, 2012—SJ 3233
- 05/22/2012 Senate—Approved by Governor on Monday, 21 May 2012—SJ 3531
- S 335** Bill by Senators A. Schmidt, Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle
- Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.**
- 01/25/2012 Senate—Introduced—SJ 1383
- 01/26/2012 Senate—Referred to Committee on Transportation—SJ 1390
- 02/02/2012 Senate—Hearing: Tuesday, February 07, 2012, 8:30 AM Room 152-S
- 02/07/2012 Senate—Committee Report recommending bill be passed by Committee on Transportation—SJ 1460
- 02/15/2012 Senate—Committee of the Whole - Be passed—SJ 1521
- 02/16/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1534
- 02/17/2012 House—Received and Introduced—HJ 1864
- 02/20/2012 House—Referred to Committee on Transportation—HJ 1875
- 06/01/2012 House—Died in House Committee
- S 336** Bill by Ways and Means
- Adjutant general; funding for disasters; creating the disaster reimbursement fund; insurance fees and premium taxes; KUSF.**
- 01/25/2012 Senate—Introduced—SJ 1383
- 01/26/2012 Senate—Referred to Committee on Ways and Means—SJ 1390
- 02/01/2012 Senate—Hearing: Monday, February 06, 2012, 10:30 AM Room 548-S

- 06/01/2012 Senate—Died in Committee
- S 337** Bill by Ways and Means
Adjutant general authority to fix, charge and collect fees; vulnerability assessments; hazardous materials; creating the Kansas emergency management and homeland security fund.
 01/25/2012 Senate—Introduced—SJ 1383
 01/26/2012 Senate—Referred to Committee on Ways and Means—SJ 1390
 06/01/2012 Senate—Died in Committee
- S 338** Bill by KPERs Select Committee
Enacting the Kansas public employees retirement system act of 2014.
 01/25/2012 Senate—Introduced—SJ 1384
 01/26/2012 Senate—Referred to Committee on KPERs Select—SJ 1390
 02/02/2012 Senate—Hearing: Wednesday, February 08, 2012, 8:30 AM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 339** Bill by Assessment and Taxation
Reduction of income tax rates for individuals and determination of income, income tax credits, sales tax rate of 6.3%, severance tax exemptions, homestead property tax refunds and food sales tax refunds.
 01/26/2012 Senate—Introduced—SJ 1388
 01/27/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1395
 02/08/2012 Senate—Hearing: Tuesday, February 14, 2012, 10:30 AM Room 152-S
 02/08/2012 Senate—Hearing: Wednesday, February 15, 2012, 10:30 AM Room 152-S
 02/20/2012 Senate—Withdrawn from Committee on Assessment and Taxation; Referred to Committee on Ways and Means—SJ 1540
 02/22/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Assessment and Taxation—SJ 1569
 03/07/2012 Senate—Hearing: Wednesday, March 14, 2012, 10:30 AM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 340** Bill by Transportation
Alcoholic liquor; class A private clubs; veterans organizations.
 01/26/2012 Senate—Introduced—SJ 1388
 01/27/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1395
 06/01/2012 Senate—Died in Committee
- S 341** Bill by Transportation
House Substitute for SB 341 by Committee on Local Government -- Consolidation of cities and counties by dual majority vote.
 01/26/2012 Senate—Introduced—SJ 1388
 01/27/2012 Senate—Referred to Committee on Local Government—SJ 1395
 02/01/2012 Senate—Hearing: Tuesday, February 07, 2012, 9:30 AM Room 159-S
 02/13/2012 Senate—Committee Report recommending bill be passed by Committee on Local Government—SJ 1494
 02/15/2012 Senate—Committee of the Whole - Be passed—SJ 1521
 02/16/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1534
 02/17/2012 House—Received and Introduced—HJ 1864
 02/20/2012 House—Referred to Committee on Local Government—HJ 1875
 03/16/2012 House—Committee Report recommending substitute bill be passed by Committee on Local Government—HJ 2145
 03/20/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2199

- 03/21/2012 House—Final Action - Substitute passed; Yea: 120 Nay: 4—HJ 2229
- 03/27/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Reitz, Senator Kelsey and Senator Faust-Goudeau as conferees—SJ 2082
- 03/28/2012 House—Motion to accede adopted; Representative Huebert, Representative Seiwert and Representative Mah appointed as conferees—HJ 2293
- 05/09/2012 Senate—Motion to concur with amendments in conference failed; Yea: 15 Nay: 18 (Remains in Conference)—SJ 2605
- 06/01/2012 Senate—Died in Conference
- S 342** Bill by Transportation
Establishing a safety corridor program.
 01/26/2012 Senate—Introduced—SJ 1388
 01/27/2012 Senate—Referred to Committee on Transportation—SJ 1395
 01/27/2012 Senate—Hearing: Wednesday, February 01, 2012, 8:30 AM Room 152-S
 02/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 1520
 02/22/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1574
 02/23/2012 Senate—Final Action - Passed as amended; Yea: 22 Nay: 18—SJ 1582
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Transportation—HJ 1978
 06/01/2012 House—Died in House Committee
- S 343** Bill by Transportation
Window tinting exemption for private detectives.
 01/26/2012 Senate—Introduced—SJ 1388
 01/27/2012 Senate—Referred to Committee on Transportation—SJ 1395
 02/01/2012 Senate—Hearing: Monday, February 06, 2012, 8:30 AM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 344** Bill by Federal and State Affairs
House Substitute for SB 344 by Committee on Redistricting -- Congressional redistricting.
 01/26/2012 Senate—Introduced—SJ 1388
 01/27/2012 Senate—Referred to Committee on Reapportionment—SJ 1395
 01/27/2012 Senate—Hearing: Monday, January 30, 2012, 12:00 PM Room 159-S
 02/01/2012 Senate—Committee Report recommending bill be passed by Committee on Reapportionment—SJ 1407
 02/08/2012 Senate—Committee of the Whole - Be passed—SJ 1468
 02/08/2012 Senate—Emergency Final Action - Passed; Yea: 23 Nay: 17—SJ 1478
 02/09/2012 House—Received and Introduced—HJ 1808
 02/10/2012 House—Referred to Committee on Redistricting—HJ 1817
 03/02/2012 House—Hearing: Monday, March 05, 2012, 12:00 PM Room 346-S
 03/02/2012 House—Hearing: Wednesday, March 07, 2012, 12:00 PM Room 346-S
 03/16/2012 House—Committee Report recommending substitute bill be passed by Committee on Redistricting—HJ 2145
 03/20/2012 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2196
 03/21/2012 House—Final Action - Substitute not passed; Yea: 48 Nay: 76—HJ 2230

- S 345** Bill by Financial Institutions and Insurance
Kansas Management Company Registration Act.
 01/26/2012 Senate—Introduced—SJ 1388
 01/27/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1395
 02/01/2012 Senate—Hearing: Tuesday, February 07, 2012, 10:30 AM Room 144-S
 02/13/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—SJ 1493
 02/22/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1574
 02/23/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1583
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Financial Institutions—HJ 1978
 03/06/2012 House—Hearing: Thursday, March 08, 2012, 3:30 PM Room 152-S
 03/16/2012 House—Committee Report recommending bill be passed by Committee
 on Financial Institutions—HJ 2140
 03/20/2012 House—Committee of the Whole - Be passed—HJ 2192
 03/21/2012 House—Final Action - Passed; Yea: 115 Nay: 9—HJ 2230
 03/30/2012 Senate—Enrolled and presented to Governor on Friday, March 30, 2012
 —SJ 2160
 04/10/2012 Senate—Will become law without Governor's signature—SJ 2165
- S 346** Bill by Local Government
Sale of property for delinquent taxes; changes.
 01/26/2012 Senate—Introduced—SJ 1388
 01/27/2012 Senate—Referred to Committee on Local Government—SJ 1395
 01/27/2012 Senate—Hearing: Monday, January 30, 2012, 9:30 AM Room 159-S
 06/01/2012 Senate—Died in Committee
- S 347** Bill by Local Government
Court of tax appeals; filing fees; municipalities exemption.
 01/26/2012 Senate—Introduced—SJ 1388
 01/27/2012 Senate—Referred to Committee on Local Government—SJ 1395
 01/27/2012 Senate—Hearing: Monday, January 30, 2012, 9:30 AM Room 159-S
 06/01/2012 Senate—Died in Committee
- S 348** Bill by Local Government
Appraisal of property for taxation purposes; appeals; changes.
 01/26/2012 Senate—Introduced—SJ 1389
 01/27/2012 Senate—Referred to Committee on Local Government—SJ 1395
 01/30/2012 Senate—Hearing: Tuesday, January 31, 2012, 9:30 AM Room 159-S
 02/01/2012 Senate—Hearing: Monday, February 06, 2012, 9:30 AM Room 159-S
 02/07/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Local Government—SJ 1459
 02/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1521
 02/16/2012 Senate—Final Action - Passed as amended; Yea: 26 Nay: 14—SJ 1535
 02/20/2012 House—Received and Introduced—HJ 1876
 02/21/2012 House—Referred to Committee on Taxation—HJ 1887
 03/07/2012 House—Hearing: Monday, March 12, 2012, 3:30 PM Room 783
 Docking
 06/01/2012 House—Died in House Committee
- S 349** Bill by Commerce
**Securities commissioner; litigation and restitution funds created, appointment
 of professional staff.**
 01/26/2012 Senate—Introduced—SJ 1389

- 01/27/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1395
- 02/09/2012 Senate—Hearing: Tuesday, February 14, 2012, 9:30 AM Room 152-S
- 06/01/2012 Senate—Died in Committee
- S 350** Bill by Ways and Means
Graduated increases in base state aid per pupil.
 01/26/2012 Senate—Introduced—SJ 1389
 01/27/2012 Senate—Referred to Committee on Education—SJ 1395
 02/01/2012 Senate—Hearing: Thursday, February 09, 2012, 1:30 PM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 351** Bill by Ways and Means
Transferring moneys to the local ad valorem tax reduction fund.
 01/26/2012 Senate—Introduced—SJ 1389
 01/27/2012 Senate—Referred to Committee on Ways and Means—SJ 1395
 03/19/2012 Senate—Hearing: Monday, March 19, 2012, 12:00 PM Room 548-S
 06/01/2012 Senate—Died in Committee
- S 352** Bill by Commerce
Employment Security Law.
 01/26/2012 Senate—Introduced—SJ 1389
 01/27/2012 Senate—Referred to Committee on Commerce—SJ 1395
 02/01/2012 Senate—Hearing: Tuesday, February 07, 2012, 8:30 AM Room 548-S
 02/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce—SJ 1507
 02/23/2012 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1595
 02/29/2012 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 1609
 06/01/2012 Senate—Died on General Orders
- S 353** Bill by Ways and Means
Board of barbering; powers and duties; fees; licensure.
 01/26/2012 Senate—Introduced—SJ 1389
 01/27/2012 Senate—Referred to Committee on Ways and Means—SJ 1395
 02/17/2012 Senate—Hearing: Monday, February 20, 2012, 10:30 AM Room 548-S
 02/22/2012 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 1572
 03/07/2012 Senate—Committee of the Whole - Be passed—SJ 1638
 03/07/2012 Senate—Emergency Final Action - Passed; Yea: 35 Nay: 5—SJ 1639
 03/09/2012 House—Received and Introduced—HJ 2010
 03/12/2012 House—Referred to Committee on General Government Budget—HJ 2029
 03/13/2012 House—Hearing: Wednesday, March 14, 2012, 1:30 PM Room 159-S
 03/15/2012 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on General Government Budget—HJ 2098
 03/20/2012 House—Final Action - Passed; Yea: 117 Nay: 7—HJ 2185
 03/26/2012 Senate—Enrolled and presented to Governor on Monday, March 26, 2012—SJ 2078
 04/05/2012 Senate—Vetoed by Governor; Returned to Senate on Wednesday, April 04, 2012.—SJ 2165
 05/04/2012 Senate—No motion to reconsider: veto sustained.—SJ 2582

- S 354** Bill by Federal and State Affairs
Enacting the cannabis compassion and care act.
 01/30/2012 Senate—Introduced—SJ 1397
 01/31/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1401
 02/02/2012 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Federal and State Affairs—SJ 1427
 06/01/2012 Senate—Died in Committee
- S 355** Bill by Commerce
Amendments to labor and employment standards pertaining to accident prevention and the powers and duties of the secretary of labor regarding wage claims, labor disputes and workplace inspection.
 01/30/2012 Senate—Introduced—SJ 1397
 01/31/2012 Senate—Referred to Committee on Commerce—SJ 1401
 02/06/2012 Senate—Hearing: Wednesday, February 08, 2012, 8:30 AM Room 548-S
 02/15/2012 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 1507
 02/23/2012 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1595
 02/29/2012 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 1609
 06/01/2012 Senate—Died on General Orders
- S 356** Bill by Commerce
Amusement ride regulation; removing exception for home-owned amusement rides.
 01/30/2012 Senate—Introduced—SJ 1398
 01/31/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1401
 03/08/2012 Senate—Hearing: Wednesday, March 14, 2012, 10:30 AM Room 144-S
 03/16/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1725
 03/21/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1952
 03/21/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1954
 03/21/2012 House—Received and Introduced—HJ 2266
 03/26/2012 House—Referred to Committee on Federal and State Affairs—HJ 2268
 03/30/2012 House—Hearing: Thursday, April 26, 2012, 1:30 PM Room 346-S
 04/30/2012 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 2382
 05/04/2012 House—Committee of the Whole - Be passed—HJ 2419
 05/07/2012 House—Final Action - Passed; Yea: 114 Nay: 5—HJ 2460
 05/14/2012 Senate—Enrolled and presented to Governor on Monday, May 14, 2012—SJ 2765
 05/19/2012 Senate—Approved by Governor on Thursday, 17 May 2012—SJ 3235
- S 357** Bill by Agriculture
Wind erosion; duties of county commissioners, conservation districts.
 01/30/2012 Senate—Introduced—SJ 1398
 01/31/2012 Senate—Referred to Committee on Natural Resources—SJ 1401
 02/01/2012 Senate—Withdrawn from Committee on Natural Resources; Referred to Committee on Agriculture—SJ 1404

- 02/02/2012 Senate—Hearing: Wednesday, February 08, 2012, 8:30 AM Room 159-S
- 02/21/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture—SJ 1548
- 02/23/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1592
- 02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1601
- 02/29/2012 House—Received and Introduced—HJ 1974
- 03/01/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1978
- 03/05/2012 House—Hearing: Tuesday, March 06, 2012, 9:00 AM Room 783-DSOB
- 06/01/2012 House—Died in House Committee
- S 358** Bill by Federal and State Affairs
Alcoholic beverages; authorizing tastings by manufacturer licensees.
 01/31/2012 Senate—Introduced—SJ 1401
 02/01/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1404
 02/01/2012 Senate—Hearing: Wednesday, February 08, 2012, 10:30 AM Room 144-S
 02/09/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1483
 02/22/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1574
 02/23/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1583
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Federal and State Affairs—HJ 1978
 03/01/2012 House—Hearing: Thursday, March 08, 2012, 1:30 PM Room 346-S
 06/01/2012 House—Died in House Committee
- S 359** Bill by Judiciary
Substitute for SB 359 by Committee on Judiciary -- Interest on judgments in civil actions.
 01/31/2012 Senate—Introduced—SJ 1401
 02/01/2012 Senate—Referred to Committee on Judiciary—SJ 1404
 02/01/2012 Senate—Hearing: Wednesday, February 08, 2012, 9:30 AM Room 548-S
 02/23/2012 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 1595
 02/29/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Judiciary—SJ 1609
 03/19/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 1797
 06/01/2012 Senate—Died on General Orders
- S 360** Bill by Judiciary
Relating to the state child death review board.
 01/31/2012 Senate—Introduced—SJ 1401
 02/01/2012 Senate—Referred to Committee on Judiciary—SJ 1404
 02/01/2012 Senate—Hearing: Wednesday, February 8, 2012, 9:30 AM Room 548-S
 06/01/2012 Senate—Died in Committee
- S 361** Bill by Education
Creating the excellence in education act.
 01/31/2012 Senate—Introduced—SJ 1401

- 02/01/2012 Senate—Referred to Committee on Education—SJ 1404
 02/01/2012 Senate—Hearing: Monday, February 06, 2012, 1:30 PM Room 152-S
 02/01/2012 Senate—Hearing: Tuesday, February 07, 2012, 1:30 PM Room 152-S
 02/01/2012 Senate—Hearing: Wednesday, February 8, 2012, 1:30 PM Room 152-S
 02/21/2012 Senate—Withdrawn from Committee on Education; Referred to
 Committee on Ways and Means—SJ 1546
 02/22/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Education—SJ 1569
 06/01/2012 Senate—Died in Committee
- S 362** Bill by Ways and Means
Relating to certain persons making reports of abuse or neglect of children.
 01/31/2012 Senate—Introduced—SJ 1401
 02/01/2012 Senate—Referred to Committee on Public Health and Welfare—SJ
 1404
 06/01/2012 Senate—Died in Committee
- S 363** Bill by Federal and State Affairs
Amendments to laws regarding racial profiling.
 02/01/2012 Senate—Introduced—SJ 1403
 02/02/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1427
 06/01/2012 Senate—Died in Committee
- S 364** Bill by Education
Changes to the school finance formula.
 02/01/2012 Senate—Introduced—SJ 1403
 02/02/2012 Senate—Referred to Committee on Education—SJ 1427
 02/08/2012 Senate—Hearing: Monday, February 13, 2012, 1:30 PM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 365** Bill by Assessment and Taxation
Property tax exemption; health clubs.
 02/01/2012 Senate—Introduced—SJ 1404
 02/02/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1427
 02/15/2012 Senate—Hearing: Thursday, February 16, 2012, 10:30 AM Room 152-S
 —SJ 1521
 06/01/2012 Senate—Died in Committee
- S 366** Bill by Judiciary
Relating to attachment and garnishment.
 02/02/2012 Senate—Introduced—SJ 1426
 02/03/2012 Senate—Referred to Committee on Judiciary—SJ 1440
 02/08/2012 Senate—Hearing: Wednesday, February 15, 2012, 9:30 AM Room 548-
 S
 02/22/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Judiciary—SJ 1571
 02/23/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1591
 02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0
 —SJ 1601
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Judiciary—HJ 1978
 03/01/2012 House—Hearing: Thursday, March 08, 2012, 3:30 PM Room 346-S
 03/15/2012 House—Committee Report recommending bill be passed by Committee
 on Judiciary—HJ 2100
 03/20/2012 House—Committee of the Whole - Be passed as amended—HJ 2205

- 03/21/2012 House—Final Action - Passed as amended; Yea: 122 Nay: 2—HJ 2231
 03/21/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Owens, Senator King and Senator Haley as conferees—SJ 2061
 03/26/2012 House—Motion to accede adopted; Representative Kinzer, Representative Patton and Representative Pauls appointed as conferees—HJ 2270
 03/27/2012 Senate—Concurred with amendments in conference; Yea: 40 Nay: 0—SJ 2081
 03/30/2012 Senate—Enrolled and presented to Governor on Friday, March 30, 2012—SJ 2160
S 367 04/05/2012 Senate—Approved by Governor on Tuesday, 03 April 2012—SJ 2163
 Bill by Judiciary
Jury service; excusing pregnant woman or breastfeeding mother; jury pool list; duties of jury commissioners.
 02/02/2012 Senate—Introduced—SJ 1426
 02/03/2012 Senate—Referred to Committee on Judiciary—SJ 1440
 02/08/2012 Senate—Hearing: Wednesday, February 15, 2012, 9:30 AM Room 548-S
 02/21/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1550
 02/23/2012 Senate—Committee of the Whole - Be passed—SJ 1586
 02/23/2012 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 2—SJ 1602
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Judiciary—HJ 1978
 03/01/2012 House—Hearing: Thursday, March 08, 2012, 3:30 PM Room 346-S
 03/15/2012 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 2100
 03/20/2012 House—Committee of the Whole - Be passed as amended—HJ 2205
 03/21/2012 House—Final Action - Passed as amended; Yea: 120 Nay: 4—HJ 2231
 03/21/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Owens, Senator King and Senator Haley as conferees—SJ 2061
 03/26/2012 House—Motion to accede adopted; Representative Kinzer, Representative Patton and Representative Pauls appointed as conferees—HJ 2270
 05/02/2012 House—Conference Committee Report was adopted; Yea: 114 Nay: 8—HJ 2392
S 368 06/01/2012 Senate—Died in Conference
 Bill by Judiciary
Amending provisions regarding supervision of drug offenders.
 02/02/2012 Senate—Introduced—SJ 1426
 02/03/2012 Senate—Referred to Committee on Judiciary—SJ 1440
 02/08/2012 Senate—Hearing: Tuesday, February 14, 2012, 9:30 AM Room 548-S
 02/23/2012 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 1595
 02/29/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Judiciary—SJ 1609
S 369 06/01/2012 Senate—Died in Committee
 Bill by Assessment and Taxation

Prohibiting certain confined persons from receiving food sales tax refunds and homestead property tax refunds.

02/02/2012 Senate—Introduced—SJ 1427
 02/03/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1440
 02/07/2012 Senate—Hearing: Thursday, February 09, 2012, 10:30 AM Room 152-S
 02/09/2012 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 1483
 02/15/2012 Senate—Committee of the Whole - Be passed—SJ 1521
 02/16/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1535
 02/17/2012 House—Received and Introduced—HJ 1864
 02/20/2012 House—Referred to Committee on Taxation—HJ 1875
 03/01/2012 House—Hearing: Thursday, March 01, 2012, 3:30 PM Room 783
 Docking

06/01/2012 House—Died in House Committee

S 370 Bill by Assessment and Taxation

Enacting the senior citizen property tax deferral act.

02/02/2012 Senate—Introduced—SJ 1427
 02/03/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1440
 03/01/2012 Senate—Hearing: Thursday, March 08, 2012, 10:30 AM Room 152-S
 06/01/2012 Senate—Died in Committee

S 371 Bill by Assessment and Taxation

Sales taxation; presumptions relating to nexus.

02/02/2012 Senate—Introduced—SJ 1427
 02/03/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1440
 02/07/2012 Senate—Hearing: Thursday, February 09, 2012, 10:30 AM Room 152-S
 02/15/2012 Senate—Hearing: Tuesday, February 21, 2012, 10:30 AM Room 152-S
 02/22/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1571
 02/23/2012 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1595
 02/29/2012 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 1609
 03/20/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1811
 03/21/2012 Senate—Final Action - Passed as amended; Yea: 33 Nay: 6—SJ 1946
 03/21/2012 House—Received and Introduced—HJ 2266
 03/26/2012 House—Referred to Committee on Taxation—HJ 2268

06/01/2012 House—Died in House Committee

S 372 Bill by Financial Institutions and Insurance

Kansas money transmitter act.

02/02/2012 Senate—Introduced—SJ 1427
 02/03/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1440
 02/09/2012 Senate—Hearing: Wednesday, February 15, 2012, 9:30 AM Room 152-S
 02/13/2012 Senate—Hearing: Thursday, February 16, 2012, 9:30 AM Room 152-S
 02/14/2012 Senate—Hearing: Thursday, February 16, 2012, 9:30 AM Room 152-S
 02/16/2012 Senate—Hearing: Monday, February 20, 2012, 9:30 AM Room 152-S
 02/21/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 1550
 02/23/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1591

- 02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0
—SJ 1602
- 02/29/2012 House—Received and Introduced—HJ 1974
- 03/01/2012 House—Referred to Committee on Financial Institutions—HJ 1978
- 03/06/2012 House—Hearing: Tuesday, March 06, 2012, 3:30 PM Room 152-S
- 06/01/2012 House—Died in House Committee
- S 373** Bill by Financial Institutions and Insurance
Interstate health care compact.
02/02/2012 Senate—Introduced—SJ 1427
02/03/2012 Senate—Referred to Committee on Financial Institutions and Insurance
—SJ 1440
02/09/2012 Senate—Hearing: Thursday, February 16, 2012, 9:30 AM Room 152-S
02/16/2012 Senate—Hearing: Monday, February 20, 2012, 9:30 AM Room 152-S
02/21/2012 Senate—Committee Report recommending bill be passed by Committee
on Financial Institutions and Insurance—SJ 1550
02/23/2012 Senate—Withdrawn from Calendar; Referred to Committee on Ways
and Means—SJ 1595
02/29/2012 Senate—Withdrawn from Committee on Ways and Means and re-
referred to Committee of the Whole—SJ 1609
03/15/2012 Senate—Committee of the Whole - Referred to Committee on Federal
and State Affairs—SJ 1722
06/01/2012 Senate—Died in Committee
- S 374** Bill by Utilities
**Concerning utilities; Kansas corporation commission; rules and regulations;
penalties; fees.**
02/02/2012 Senate—Introduced—SJ 1427
02/03/2012 Senate—Referred to Committee on Utilities—SJ 1440
02/08/2012 Senate—Hearing: Monday, February 13, 2012, 1:30 PM Room 548-S
02/15/2012 Senate—Committee Report recommending bill be passed by Committee
on Utilities—SJ 1520
02/22/2012 Senate—Committee of the Whole - Be passed—SJ 1572
02/23/2012 Senate—Final Action - Passed; Yea: 39 Nay: 1—SJ 1583
02/23/2012 House—Received and Introduced—HJ 1947
02/29/2012 House—Referred to Committee on Energy and Utilities—HJ 1972
02/29/2012 House—Hearing: Tuesday, March 06, 2012, 9:00 AM Room 785
Docking
03/01/2012 House—Hearing: Tuesday, March 06, 2012, 9:00 AM Room Docking
Room 785
03/07/2012 House—Committee Report recommending bill be passed and placed on
Consent Calendar by Committee on Energy and Utilities—HJ 1997
03/12/2012 House—Final Action - Passed; Yea: 123 Nay: 1—HJ 2030
03/16/2012 Senate—Enrolled and presented to Governor on Friday, March 16, 2012
—SJ 1725
03/26/2012 Senate—Approved by Governor on Friday, 23 March 2012—SJ 2063
- S 375** Bill by Natural Resources
Adding a new exemption for solid waste permit.
02/02/2012 Senate—Introduced—SJ 1427
02/03/2012 Senate—Referred to Committee on Natural Resources—SJ 1440
02/08/2012 Senate—Hearing: Thursday, February 09, 2012, 8:30 AM Room 159-S
02/20/2012 Senate—Committee Report recommending bill be passed as amended

- by Committee on Natural Resources—SJ 1543
 02/23/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1591
 02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 1
 —SJ 1602
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Agriculture and Natural Resources
 —HJ 1978
 03/06/2012 House—Hearing: Thursday, March 08, 2012, 9:00 AM Room 783-
 DSOB
 06/01/2012 House—Died in House Committee
- S 376** Bill by Ways and Means
Comprehensive plan for reduction of sales tax rate and income tax rates, elimination of certain sales tax exemptions, imposition of sales tax on certain services and provision of sales tax exemption for certain purchases of food.
 02/02/2012 Senate—Introduced—SJ 1427
 02/03/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1440
 03/01/2012 Senate—Hearing: Wednesday, March 07, 2012, 10:30 AM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 377** Bill by Education
Excellence in education act; teacher certification; school employee performance and evaluation.
 02/03/2012 Senate—Introduced—SJ 1440
 02/06/2012 Senate—Referred to Committee on Education—SJ 1442
 06/01/2012 Senate—Died in Committee
- S 378** Bill by Commerce
Kansas bioscience authority; prohibiting board members, officers and employees from receiving financial benefit.
 02/03/2012 Senate—Introduced—SJ 1440
 02/06/2012 Senate—Referred to Committee on Ethics and Elections—SJ 1442
 06/01/2012 Senate—Died in Committee
- S 379** Bill by Agriculture
Farm winery licenses; percentage of Kansas-grown products required to be used in production.
 02/06/2012 Senate—Introduced—SJ 1442
 02/07/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1459
 02/15/2012 Senate—Hearing: Tuesday, February 21, 2012, 10:30 AM Room 144-S
 03/13/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—SJ 1659
 03/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1714
 03/15/2012 Senate—Emergency Final Action - Passed as amended; Yea: 22 Nay: 18
 —SJ 1717
 03/16/2012 House—Received and Introduced—HJ 2147
 03/19/2012 House—Referred to Committee on Federal and State Affairs—HJ 2149
 03/28/2012 House—Hearing: Thursday, March 29, 2012, 1:30 PM Room 346-S
 05/02/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—HJ 2393
 06/01/2012 House—Died on House Calendar
- S 380** Bill by Natural Resources
Allowing all hunters to use a crossbow during big game archery season.

- 02/06/2012 Senate—Introduced—SJ 1442
 02/07/2012 Senate—Referred to Committee on Natural Resources—SJ 1459
 02/22/2012 Senate—Withdrawn from Committee on Natural Resources; Referred to Committee on Ways and Means—SJ 1569
 02/23/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Natural Resources—SJ 1577
 03/01/2012 Senate—Hearing: Thursday, March 08, 2012, 8:30 AM Room 159-S
 06/01/2012 Senate—Died in Committee
- S 381** Bill by Senator Steineger
Alcoholic beverages; authorizing sales of cereal malt beverage by a retailer licensed under the Kansas liquor control act.
 02/06/2012 Senate—Introduced—SJ 1442
 02/07/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1459
 02/15/2012 Senate—Hearing: Wednesday, February 22, 2012, 10:30 AM Room 144-S
 06/01/2012 Senate—Died in Committee
- S 382** Bill by Federal and State Affairs
Patient protection act; prohibited provisions in certain agreements.
 02/06/2012 Senate—Introduced—SJ 1442
 02/07/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1459
 03/01/2012 Senate—Hearing: Thursday, March 08, 2012, 9:30 AM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 383** Bill by Utilities
Increasing the net metering allowance for non-residential customer generators.
 02/06/2012 Senate—Introduced—SJ 1442
 02/07/2012 Senate—Referred to Committee on Utilities—SJ 1459
 02/08/2012 Senate—Hearing: Monday, February 13, 2012, 1:30 PM Room 548-S
 06/01/2012 Senate—Died in Committee
- S 384** Bill by Utilities
Concerning the Kansas 911 act.
 02/06/2012 Senate—Introduced—SJ 1442
 02/07/2012 Senate—Referred to Committee on Utilities—SJ 1459
 02/08/2012 Senate—Hearing: Tuesday, February 14, 2012, 1:30 PM Room 548-S
 02/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Utilities—SJ 1520
 02/22/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1574
 02/23/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1584
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Energy and Utilities—HJ 1978
 03/01/2012 House—Hearing: Wednesday, March 07, 2012, 9:00 AM Room Docking 785
 03/07/2012 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Energy and Utilities—HJ 1997
 03/12/2012 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 2030
 03/16/2012 Senate—Enrolled and presented to Governor on Friday, March 16, 2012—SJ 1725
 03/21/2012 Senate—Approved by Governor on Tuesday, 20 March 2012—SJ 1957
- S 385** Bill by Senator Steineger
County commissioners; authority to determine duties of county clerks,

- treasurers and register of deeds.**
- 02/07/2012 Senate—Introduced—SJ 1458
 02/08/2012 Senate—Referred to Committee on Local Government—SJ 1465
 02/10/2012 Senate—Hearing: Tuesday, February 14, 2012, 9:30 AM Room 159-S
 06/01/2012 Senate—Died in Committee
- S 386** Bill by Assessment and Taxation
Elimination of original business and job development income tax credit.
 02/07/2012 Senate—Introduced—SJ 1458
 02/08/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1465
 02/09/2012 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 1483
 02/15/2012 Senate—Committee of the Whole - Be passed—SJ 1521
 02/16/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1535
 02/17/2012 House—Received and Introduced—HJ 1864
 02/20/2012 House—Referred to Committee on Taxation—HJ 1875
 03/07/2012 House—Hearing: Monday, March 12, 2012, 3:30 PM Room 783
 Docking
 06/01/2012 House—Died in House Committee
- S 387** Bill by Federal and State Affairs
Qualifications of the state fire marshal.
 02/07/2012 Senate—Introduced—SJ 1458
 02/08/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1465
 02/08/2012 Senate—Hearing: Tuesday, February 14, 2012, 10:30 AM Room 144-S
 02/16/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1537
 02/22/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1574
 02/23/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1584
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Federal and State Affairs—HJ 1978
 03/07/2012 House—Hearing: Tuesday, March 13, 2012, 1:30 PM Room 346-S
 03/16/2012 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 2129
 03/29/2012 House—Committee of the Whole - Be passed—HJ 2311
 03/30/2012 House—Final Action - Passed; Yea: 115 Nay: 8—HJ 2319
 04/03/2012 Senate—Enrolled and presented to Governor on Tuesday, April 03, 2012—SJ 2290
 04/09/2012 Senate—Approved by Governor on Friday, 06 April 2012—SJ 2163
- S 388** Bill by Ethics and Elections
Elections; relating to the education of election workers.
 02/07/2012 Senate—Introduced—SJ 1458
 02/08/2012 Senate—Referred to Committee on Ethics and Elections—SJ 1465
 02/08/2012 Senate—Hearing: Wed., February 15, 2012, 9:30 AM Room 159-S
 02/15/2012 Senate—Hearing: Thursday, February 16, 2012, 9:30 AM Room 159-S
 06/01/2012 Senate—Died in Committee
- S 389** Bill by Ethics and Elections
Elections; development of a voter education program by the Secretary of State.
 02/07/2012 Senate—Introduced—SJ 1458
 02/08/2012 Senate—Referred to Committee on Ethics and Elections—SJ 1465
 02/08/2012 Senate—Hearing: Wed., February 15, 2012, 9:30 AM Room 159-S
 06/01/2012 Senate—Died in Committee

- S 390** Bill by Agriculture
Allowing farm wineries to sell wine by the bottle at special events and sell wine produced by farm wineries for consumption on licensed premises.
 02/07/2012 Senate—Introduced—SJ 1458
 02/08/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1465
 02/15/2012 Senate—Hearing: Tuesday, February 21, 2012, 10:30 AM Room 144-S
 03/01/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1616
 03/15/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1715
 03/15/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1717
 03/16/2012 House—Received and Introduced—HJ 2147
 03/19/2012 House—Referred to Committee on Federal and State Affairs—HJ 2149
 03/28/2012 House—Hearing: Thursday, March 29, 2012, 1:30 PM Room 346-S
 04/26/2012 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 2370
 06/01/2012 House—Died on House Calendar
- S 391** Bill by Senator Olson
Oil and gas leases.
 02/07/2012 Senate—Introduced—SJ 1458
 02/08/2012 Senate—Referred to Committee on Natural Resources—SJ 1465
 02/22/2012 Senate—Withdrawn from Committee on Natural Resources; Referred to Committee on Ways and Means—SJ 1569
 02/23/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Natural Resources—SJ 1577
 06/01/2012 Senate—Died in Committee
- S 392** Bill by Legislative Educational Planning
Community college; use of internet as official publication of required notices.
 02/07/2012 Senate—Introduced—SJ 1458
 02/08/2012 Senate—Referred to Committee on Education—SJ 1465
 02/22/2012 Senate—Hearing: Wed., February 29, 2012, 1:30 PM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 393** Bill by Education
Substitute for SB 393 by Committee on Education -- Amendments regarding career technical education; certain weightings in school finance formula; capital improvement and outlay state aid; teacher evaluations; local option budget mills; local activities budget; income tax contributions to schools; tuition for military student.
 02/07/2012 Senate—Introduced—SJ 1458
 02/08/2012 Senate—Referred to Committee on Education—SJ 1465
 02/08/2012 Senate—Hearing: Tuesday, February 14, 2012, 1:30 PM Room 152-S
 02/16/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Education—SJ 1537
 02/22/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 1573
 02/23/2012 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 1584
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Education—HJ 1978
 03/01/2012 House—Hearing: Tuesday, March 06, 2012, 9:00 AM Room Docking Room 784

- 03/19/2012 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 2179
- 03/21/2012 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 2264
- 04/26/2012 House—Withdrawn from Committee on Appropriations; Referred to Committee on Education Budget—HJ 2370
- 05/02/2012 House—Hearing: Thursday, May 03, 2012, 9:00 AM Room 142-S
- 05/04/2012 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 2422
- 05/10/2012 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2562
- 05/11/2012 House—Final Action - Substitute passed as amended; Yea: 84 Nay: 38—HJ 2567
- 05/14/2012 Senate—Ruled materially changed and re-referred to Committee on Education. Committee on Education—SJ 2765

S 394

06/01/2012 Senate—Died in Committee
Bill by Judiciary

Concerning corrections; relating to concealed handguns; prison-made goods act.

- 02/07/2012 Senate—Introduced—SJ 1458
- 02/08/2012 Senate—Referred to Committee on Judiciary—SJ 1465
- 02/08/2012 Senate—Hearing: Tuesday, February 14, 2012, 9:30 AM Room 548-S
- 02/20/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1542
- 02/23/2012 Senate—Committee of the Whole - Be passed—SJ 1597
- 02/23/2012 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 1—SJ 1602
- 02/29/2012 House—Received and Introduced—HJ 1974
- 03/01/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1978
- 03/07/2012 House—Hearing: Monday, March 12, 2012, 1:30 PM Room 144-S
- 03/15/2012 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 2094
- 03/21/2012 House—Committee of the Whole - Be passed as amended—HJ 2243
- 03/21/2012 House—Emergency Final Action - Passed as amended; Yea: 70 Nay: 52—HJ 2261
- 03/27/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Owens, Senator King and Senator Haley as conferees—SJ 2085
- 03/28/2012 House—Motion to accede adopted; Representative Kinzer, Representative Patton and Representative Pauls appointed as conferees—HJ 2293
- 05/03/2012 Senate—Senator Bruce motioned to concur—SJ 2578
- 05/03/2012 Senate—Motion to lay on table adopted; Yea: 22 Nay: 17—SJ 2578
- 06/01/2012 Senate—Died in Conference

S 395

Bill by Judiciary

Relating to intestate succession.

- 02/07/2012 Senate—Introduced—SJ 1458
- 02/08/2012 Senate—Referred to Committee on Judiciary—SJ 1465
- 02/08/2012 Senate—Hearing: Monday, February 13, 2012, 9:30 AM Room 548-S
- 02/13/2012 Senate—Committee Report recommending bill be passed and placed on

- Consent Calendar by Committee on Judiciary—SJ 1494
 02/16/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1530
 02/17/2012 House—Received and Introduced—HJ 1864
 02/20/2012 House—Referred to Committee on Judiciary—HJ 1875
 03/07/2012 House—Hearing: Thursday, March 15, 2012, 3:30 PM Room 346-S
 06/01/2012 House—Died in House Committee
- S 396** Bill by Judiciary
Lateral support of land and buildings; protections for party walls.
 02/07/2012 Senate—Introduced—SJ 1458
 02/08/2012 Senate—Referred to Committee on Judiciary—SJ 1465
 02/23/2012 Senate—Withdrawn from Committee on Judiciary; Referred to
 Committee on Ways and Means—SJ 1595
 02/29/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Judiciary—SJ 1609
 03/07/2012 Senate—Hearing: Wednesday, March 14, 2012, 9:30 AM Room 548-S
 06/01/2012 Senate—Died in Committee
- S 397** Bill by Ways and Means
**Substitute for SB 397 by Committee on Public Health and Welfare --
 Terminology change from mental retardation to intellectual disability.**
 02/07/2012 Senate—Introduced—SJ 1458
 02/08/2012 Senate—Referred to Committee on Public Health and Welfare—SJ
 1465
 02/08/2012 Senate—Hearing: Wed., February 15, 2012, 1:30 PM Room 546-S
 02/23/2012 Senate—Committee Report recommending substitute bill be passed by
 Committee on Public Health and Welfare—SJ 1585
 02/23/2012 Senate—Withdrawn from Calendar; Referred to Committee on Ways
 and Means—SJ 1595
 02/29/2012 Senate—Withdrawn from Committee on Ways and Means and re-
 referred to Committee of the Whole—SJ 1609
 03/15/2012 Senate—Committee of the Whole - Substitute bill be passed as
 amended—SJ 1715
 03/15/2012 Senate—Emergency Final Action - Substitute passed as amended; Yea:
 40 Nay: 0—SJ 1717
 03/16/2012 House—Received and Introduced—HJ 2147
 03/19/2012 House—Referred to Committee of the Whole
 03/26/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2270
 03/27/2012 House—Final Action - Passed; Yea: 121 Nay: 2—HJ 2283
 04/03/2012 Senate—Enrolled and presented to Governor on Tuesday, April 03,
 2012—SJ 2290
 04/09/2012 Senate—Approved by Governor on Friday, 06 April 2012—SJ 2163
- S 398** Bill by Utilities
Amending the KAN-ED act.
 02/07/2012 Senate—Introduced—SJ 1459
 02/08/2012 Senate—Referred to Committee on Utilities—SJ 1465
 02/08/2012 Senate—Hearing: Tuesday, February 14, 2012, 1:30 PM Room 548-S
 02/22/2012 Senate—Withdrawn from Committee on Utilities; Referred to
 Committee on Ways and Means—SJ 1569
 02/23/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Utilities—SJ 1577
 06/01/2012 Senate—Died in Committee

- S 399** Bill by Federal and State Affairs
Kansas workers and community partnership act, undocumented aliens.
 02/08/2012 Senate—Introduced—SJ 1461
 02/09/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1481
 02/09/2012 Senate—Hearing: Wednesday, February 15, 2012, 10:30 AM Room 144-S
 02/09/2012 Senate—Hearing: Thursday, February 16, 2012, 10:30 AM Room 144-S
 06/01/2012 Senate—Died in Committee
- S 400** Bill by Federal and State Affairs
Municipalities; landlord requirement to keep tenants list; changes.
 02/08/2012 Senate—Introduced—SJ 1461
 02/09/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1481
 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 10:30 AM Room 144-S
 03/16/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1726
 03/21/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1952
 03/21/2012 Senate—Emergency Final Action - Passed as amended; Yea: 36 Nay: 4—SJ 1954
 03/21/2012 House—Received and Introduced—HJ 2266
 03/26/2012 House—Referred to Committee on Federal and State Affairs—HJ 2268
 06/01/2012 House—Died in House Committee
- S 401** Bill by Senators Holland, Kultala, Abrams, Francisco, Haley, Hensley, Kelly, Marshall, McGinn, Merrick, Morris, Olson, Owens, Petersen, A. Schmidt, Umbarger, Vratil
Granting in-state tuition to military veterans.
 02/08/2012 Senate—Introduced—SJ 1461
 02/09/2012 Senate—Referred to Committee on Education—SJ 1481
 02/21/2012 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 1546
 02/22/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Education—SJ 1569
 06/01/2012 Senate—Died in Committee
- S 402** Bill by Assessment and Taxation
Sales tax exemption for certain sales by live free ministries, inc.
 02/08/2012 Senate—Introduced—SJ 1462
 02/09/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1481
 06/01/2012 Senate—Died in Committee
- S 403** Bill by Judiciary
Relating to conversion of a trust into a unitrust.
 02/08/2012 Senate—Introduced—SJ 1462
 02/09/2012 Senate—Referred to Committee on Judiciary—SJ 1481
 02/09/2012 Senate—Hearing: Monday, February 13, 2012, 9:30 AM Room 548-S
 02/13/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1494
 02/15/2012 Senate—Committee of the Whole - Be passed—SJ 1521
 02/16/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1535
 02/17/2012 House—Received and Introduced—HJ 1864
 02/20/2012 House—Referred to Committee on Judiciary—HJ 1875
 03/07/2012 House—Hearing: Thursday, March 15, 2012, 3:30 PM Room 346-S
 03/16/2012 House—Committee Report recommending bill be passed by Committee

- on Judiciary—HJ 2141
 03/21/2012 House—Committee of the Whole - Be passed—HJ 2233
 03/21/2012 House—Emergency Final Action - Passed; Yea: 122 Nay: 0—HJ 2264
 03/30/2012 Senate—Enrolled and presented to Governor on Friday, March 30, 2012—SJ 2160
 04/05/2012 Senate—Approved by Governor on Tuesday, 03 April 2012—SJ 2163
- S 404** Bill by Judiciary
Relating to spendthrift trusts.
 02/08/2012 Senate—Introduced—SJ 1462
 02/09/2012 Senate—Referred to Committee on Judiciary—SJ 1481
 02/09/2012 Senate—Hearing: Monday, February 13, 2012, 9:30 AM Room 548-S
 02/13/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1494
 02/15/2012 Senate—Committee of the Whole - Be passed—SJ 1521
 02/16/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1536
 02/17/2012 House—Received and Introduced—HJ 1864
 02/20/2012 House—Referred to Committee on Judiciary—HJ 1875
 03/07/2012 House—Hearing: Thursday, March 15, 2012, 3:30 PM Room 346-S
 06/01/2012 House—Died in House Committee
- S 405** Bill by Senator Ostmeyer
Existing private wastewater systems.
 02/08/2012 Senate—Introduced—SJ 1462
 02/09/2012 Senate—Referred to Committee on Natural Resources—SJ 1481
 02/22/2012 Senate—Withdrawn from Committee on Natural Resources; Referred to Committee on Ways and Means—SJ 1569
 02/23/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Natural Resources—SJ 1577
 03/06/2012 Senate—Hearing: Friday, March 16, 2012, 8:30 AM Room 159-S
 03/19/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Natural Resources—SJ 1788
 06/01/2012 Senate—Died on General Orders
- S 406** Bill by Natural Resources
Amending the Kansas storage tank act and the underground storage tank fund.
 02/08/2012 Senate—Introduced—SJ 1462
 02/09/2012 Senate—Referred to Committee on Natural Resources—SJ 1481
 02/10/2012 Senate—Hearing: Thursday, February 16, 2012, 8:30 AM Room 159-S
 02/20/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Natural Resources—SJ 1543
 02/23/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1591
 02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1602
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Energy and Utilities—HJ 1978
 03/01/2012 House—Hearing: Wednesday, March 07, 2012, 9:00 AM Room Docking 785
 03/07/2012 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Energy and Utilities—HJ 1997
 03/12/2012 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 2031
 03/16/2012 Senate—Enrolled and presented to Governor on Friday, March 16, 2012

- SJ 1725
- 03/21/2012 Senate—Approved by Governor on Tuesday, 20 March 2012—SJ 1957
- S 407** Bill by Ways and Means
Patient to receive certain information about patient's mammography examination.
 02/08/2012 Senate—Introduced—SJ 1462
 02/09/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1481
 02/09/2012 Senate—Hearing: Thursday, February 16, 2012, 1:30 PM Room 546-S
 02/22/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1572
 02/23/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1597
 02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1603
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Health and Human Services—HJ 1978
 06/01/2012 House—Died in House Committee
- S 408** Bill by Senators Hensley, Faust-Goudeau, Francisco, Haley, Holland, Kultala, A. Schmidt
Employment security law; reversing waiting week and trailing spouse benefit amendments in 2011 SB 77.
 02/08/2012 Senate—Introduced—SJ 1462
 02/09/2012 Senate—Referred to Committee on Commerce—SJ 1481
 06/01/2012 Senate—Died in Committee
- S 409** Bill by Senators Holland, Faust-Goudeau, Francisco, Hensley, Kultala, A. Schmidt, Umbarger
Authorizing transfer of moneys to local ad valorem tax reduction fund; distribution to political subdivision.
 02/08/2012 Senate—Introduced—SJ 1462
 02/09/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1481
 03/01/2012 Senate—Hearing: Thursday, March 08, 2012, 10:30 AM Room 152-S
 03/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1703
 06/01/2012 Senate—Died on General Orders
- S 410** Bill by Education
School districts; requirements regarding identification of pupils with dyslexia and provision of services for such pupils.
 02/08/2012 Senate—Introduced—SJ 1462
 02/09/2012 Senate—Referred to Committee on Education—SJ 1481
 02/09/2012 Senate—Hearing: Monday, February 13, 2012, 1:30 PM Room 152-S
 02/21/2012 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 1546
 02/22/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Education—SJ 1569
 06/01/2012 Senate—Died in Committee
- S 411** Bill by Assessment and Taxation
Amendments to benefits under the promoting employment across Kansas act.
 02/08/2012 Senate—Introduced—SJ 1462
 02/09/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1481

- 02/21/2012 Senate—Withdrawn from Committee on Assessment and Taxation;
Referred to Committee on Ways and Means—SJ 1546
- 02/22/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred
to Committee on Assessment and Taxation—SJ 1569
- 06/01/2012 Senate—Died in Committee
- S 412** Bill by Agriculture
**Substitute for SB 412 by Committee on Agriculture -- Water permit for sand
and gravel projects.**
- 02/09/2012 Senate—Introduced—SJ 1480
- 02/10/2012 Senate—Referred to Committee on Agriculture—SJ 1486
- 02/22/2012 Senate—Withdrawn from Committee on Agriculture; Referred to
Committee on Ways and Means—SJ 1569
- 02/23/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred
to Committee on Agriculture—SJ 1577
- 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 8:30 AM Room 159-S
- 03/15/2012 Senate—Committee Report recommending substitute bill be passed by
Committee on Agriculture—SJ 1701
- 03/19/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 1789
- 03/19/2012 Senate—Motion to Reconsider Adopted—SJ 1793
- 03/19/2012 Senate—Committee of the Whole - Substitute bill be passed as
amended—SJ 1793
- 03/20/2012 Senate—Final Action - Substitute passed as amended; Yea: 39 Nay: 1—
SJ 1802
- 03/20/2012 House—Received and Introduced—HJ 2214
- 03/21/2012 House—Referred to Committee on Agriculture and Natural Resources
—HJ 2219
- 06/01/2012 House—Died in House Committee
- S 413** Bill by Commerce
**Workers compensation and employment security boards nominating
commission.**
- 02/09/2012 Senate—Introduced—SJ 1480
- 02/10/2012 Senate—Referred to Committee on Commerce—SJ 1486
- 02/10/2012 Senate—Hearing: Tuesday, February 14, 2012, 8:30 AM Room 548-S
- 02/21/2012 Senate—Withdrawn from Committee on Commerce; Referred to
Committee on Ways and Means—SJ 1546
- 02/22/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred
to Committee on Commerce—SJ 1569
- 03/01/2012 Senate—Committee Report recommending bill be passed as amended
by Committee on Commerce—SJ 1615
- 03/07/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1638
- 03/07/2012 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 2
—SJ 1639
- 03/09/2012 House—Received and Introduced—HJ 2010
- 03/12/2012 House—Referred to Committee on Commerce and Economic
Development—HJ 2029
- 03/14/2012 House—Hearing: Thursday, March 15, 2012, 1:30 PM Room 785
Docking
- 03/19/2012 House—Committee Report recommending bill be passed as amended
by Committee on Commerce and Economic Development—HJ 2162
- 03/21/2012 House—Committee of the Whole - Be passed as amended—HJ 2243

- 03/21/2012 House—Emergency Final Action - Passed as amended; Yea: 81 Nay: 41—HJ 2262
- 03/27/2012 Senate—Ruled materially changed and referred to Committee on Judiciary—SJ 2075
- 06/01/2012 Senate—Died in Committee
- S 414** Bill by Agriculture
Agriculture; amendments to animal health statutes.
 02/09/2012 Senate—Introduced—SJ 1480
 02/10/2012 Senate—Referred to Committee on Agriculture—SJ 1486
 02/15/2012 Senate—Hearing: Wed., February 22, 2012, 8:30 AM Room 159-S
 02/22/2012 Senate—Withdrawn from Committee on Agriculture; Referred to Committee on Ways and Means—SJ 1569
 02/23/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Agriculture—SJ 1577
- 06/01/2012 Senate—Died in Committee
- S 415** Bill by Assessment and Taxation
Motor vehicles; bidding preferences.
 02/10/2012 Senate—Introduced—SJ 1484
 02/13/2012 Senate—Referred to Committee on Ways and Means—SJ 1491
 02/23/2012 Senate—Withdrawn from Committee on Ways and Means; Referred to Committee on Assessment and Taxation—SJ 1595
 03/01/2012 Senate—Hearing: Thursday, March 08, 2012, 10:30 AM Room 152-S
 03/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1704
 03/20/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1811
 03/21/2012 Senate—Final Action - Passed as amended; Yea: 35 Nay: 5—SJ 1946
 03/21/2012 House—Received and Introduced—HJ 2266
 03/26/2012 House—Referred to Committee on Transportation—HJ 2268
 06/01/2012 House—Died in House Committee
- S 416** Bill by Commerce
House Substitute for SB 416 by Committee on Commerce and Economic Development -- Secretary of Labor, employment security law; workplace safety program, employment standards, labor and wage dispute.
 02/10/2012 Senate—Introduced—SJ 1484
 02/13/2012 Senate—Referred to Committee on Commerce—SJ 1491
 02/13/2012 Senate—Hearing: Wednesday, February 15, 2012, 8:30 AM Room 548-S
 02/15/2012 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 1507
 02/23/2012 Senate—Committee of the Whole - Be passed—SJ 1586
 02/23/2012 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1603
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1978
 03/07/2012 House—Hearing: Tuesday, March 13, 2012, 1:30 PM Room 785 Docking
 03/14/2012 House—Hearing: Thursday, March 15, 2012, 1:30 PM Room 785 Docking
 03/19/2012 House—Committee Report recommending substitute bill be passed by

- Committee on Commerce and Economic Development—HJ 2173
- 03/21/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2248
- 03/21/2012 House—Emergency Final Action - Substitute passed; Yea: 85 Nay: 37—HJ 2263
- 03/27/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Wagle, Senator Lynn and Senator Holland as conferees—SJ 2085
- 03/28/2012 House—Motion to accede adopted; Representative Brown, Representative Suellentrop and Representative Slattery appointed as conferees—HJ 2293
- 03/30/2012 House—Representative Kleeb replaces Representative Brown on the Conference Committee—HJ 2332
- 05/19/2012 House—Representative Frownfelter replaces Representative Slattery on the Conference Committee—HJ 2932
- 05/19/2012 Senate—Motion to concur with amendments in conference failed; Yea: 14 Nay: 22 (Remains in Conference)—SJ 3250
- 05/19/2012 House—Representative Kinzer replaces Representative Kleeb on the Conference Committee—HJ 2935
- 05/19/2012 House—Representative Patton replaces Representative Suellentrop on the Conference Committee—HJ 2935
- 05/19/2012 House—Representative Pauls replaces Representative Frownfelter on the Conference Committee—HJ 2935
- 05/20/2012 House—Conference Committee Report agree to disagree adopted; Representative Kinzer, Representative Patton and Representative Pauls appointed as second conferees—HJ 2936
- 05/20/2012 Senate—Conference Committee Report agree to disagree adopted; Senator Wagle, Senator Lynn and Senator Holland appointed as second conferees—SJ 3265
- 05/20/2012 House—Conference Committee Report was adopted; Yea: 91 Nay: 18—HJ 3212
- 05/20/2012 Senate—Conference Committee Report not adopted; Yea: 19 Nay: 16—SJ 3525
- S 417** Bill by Commerce
Trailer bill for 2011 ERO 37.
- 02/10/2012 Senate—Introduced—SJ 1485
- 02/13/2012 Senate—Referred to Committee on Commerce—SJ 1491
- 02/13/2012 Senate—Hearing: Wed., February 15, 2012, 8:30 AM Room 548-S
- 02/22/2012 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 1571
- 02/23/2012 Senate—Committee of the Whole - Be passed—SJ 1586
- 02/23/2012 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1603
- 02/29/2012 House—Received and Introduced—HJ 1974
- 03/01/2012 House—Referred to Committee on General Government Budget—HJ 1978
- 03/07/2012 House—Hearing: Tuesday, March 13, 2012, 1:30 PM Room 159-S
- 03/15/2012 House—Committee Report recommending bill be passed by Committee on General Government Budget—HJ 2098
- 03/20/2012 House—Committee of the Whole - Be passed—HJ 2192
- 03/21/2012 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 2232
- 03/30/2012 Senate—Enrolled and presented to Governor on Friday, March 30, 2012

- SJ 2160
- 04/05/2012 Senate—Approved by Governor on Tuesday, 03 April 2012—SJ 2163
- S 418** Bill by Utilities
Oil and gas; Kansas corporation commission; unitization; horizontal drilling.
 02/10/2012 Senate—Introduced—SJ 1485
 02/13/2012 Senate—Referred to Committee on Utilities—SJ 1491
- S 419** Bill by Utilities
Requiring the KCC to annually determine the cumulative retail rate impact of nonrenewable alternative sources of electricity supply and report to the legislature.
 02/10/2012 Senate—Introduced—SJ 1485
 02/13/2012 Senate—Referred to Committee on Utilities—SJ 1491
 02/13/2012 Senate—Hearing: Wed., February 15, 2012, 1:30 PM Room 548-S
 02/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Utilities—SJ 1520
 02/22/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1574
 02/23/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1584
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Energy and Utilities—HJ 1978
 03/01/2012 House—Hearing: Tuesday, March 06, 2012, 9:00 AM Room 785-DSOB
 06/01/2012 House—Died in House Committee
- S 420** Bill by Assessment and Taxation
Enacting the Kansas financial incentive protection act.
 02/10/2012 Senate—Introduced—SJ 1485
 02/13/2012 Senate—Referred to Committee on Commerce—SJ 1491
 06/01/2012 Senate—Died in Committee
- S 421** Bill by Assessment and Taxation
Computation of amount of personal property tax on motor vehicles; authorizing transfer of moneys to local ad valorem tax reduction fund.
 02/10/2012 Senate—Introduced—SJ 1485
 02/13/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1491
 02/15/2012 Senate—Hearing: Tuesday, February 21, 2012, 10:30 AM Room 152-S
 02/22/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1571
 02/23/2012 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1595
 02/29/2012 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 1609
 03/20/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1821
 03/21/2012 Senate—Final Action - Not passed; Yea: 9 Nay: 31—SJ 1946
- S 422** Bill by Judiciary
Relating to judges pro tem.
 02/10/2012 Senate—Introduced—SJ 1485
 02/13/2012 Senate—Referred to Committee on Judiciary—SJ 1491
 02/13/2012 Senate—Hearing: Wed., February 15, 2012, 9:30 AM Room 548-S
 02/21/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1561
 02/23/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1591

- 02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1604
- 02/29/2012 House—Received and Introduced—HJ 1974
- 03/01/2012 House—Referred to Committee on Judiciary—HJ 1978
- 03/01/2012 House—Hearing: Tuesday, March 06, 2012, 3:30 PM Room 346-S
- 03/13/2012 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 2075
- 03/20/2012 House—Committee of the Whole - Be passed—HJ 2192
- 03/21/2012 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 2233
- 03/30/2012 Senate—Enrolled and presented to Governor on Friday, March 30, 2012—SJ 2160
- 04/05/2012 Senate—Approved by Governor on Tuesday, 03 April 2012—SJ 2163
- S 423** Bill by Judiciary
Supreme court authority to allocate judicial resources, including assignment of judges.
- 02/10/2012 Senate—Introduced—SJ 1485
- 02/13/2012 Senate—Referred to Committee on Judiciary—SJ 1491
- 02/13/2012 Senate—Hearing: Thursday, February 16, 2012, 9:30 AM Room 548-S
- 02/16/2012 Senate—Hearing: Friday, February 17, 2012, 9:30 AM Room 548
- 02/21/2012 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 1546
- 02/22/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Judiciary—SJ 1569
- 03/19/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1792
- 06/01/2012 Senate—Died on General Orders
- S 424** Bill by Judiciary
Kansas law enforcement training act; Kansas commission on peace officers' standards and training.
- 02/10/2012 Senate—Introduced—SJ 1485
- 02/13/2012 Senate—Referred to Committee on Judiciary—SJ 1491
- 02/13/2012 Senate—Hearing: Tuesday, February 14, 2012, 9:30 AM Room 548-S
- 02/21/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1561
- 02/23/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1597
- 02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 1604
- 02/29/2012 House—Received and Introduced—HJ 1974
- 03/01/2012 House—Referred to Committee on Judiciary—HJ 1978
- 03/07/2012 House—Hearing: Monday, March 12, 2012, 3:30 PM Room 346-S
- 03/15/2012 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 2101
- 03/21/2012 House—Committee of the Whole - Be passed as amended—HJ 2243
- 03/21/2012 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 2263
- 03/28/2012 Senate—Concurred with amendments; Yea: 40 Nay: 0—SJ 2091
- 04/03/2012 Senate—Enrolled and presented to Governor on Tuesday, April 03, 2012—SJ 2290
- 04/09/2012 Senate—Approved by Governor on Friday, 06 April 2012—SJ 2163
- S 425** Bill by Judiciary

House Substitute for SB 425 by Committee on Appropriations – Court of appeals; 14th judge position.

- 02/10/2012 Senate—Introduced—SJ 1485
 02/13/2012 Senate—Referred to Committee on Judiciary—SJ 1491
 02/16/2012 Senate—Hearing: Friday, February 17, 2012, 9:30 AM Room 548-S
 02/21/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1563
 02/23/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1597
 02/23/2012 Senate—Emergency Final Action - Passed as amended; Yea: 34 Nay: 6—SJ 1604
 02/29/2012 House—Received and Introduced—HJ 1974
 03/01/2012 House—Referred to Committee on Appropriations—HJ 1978
 03/09/2012 House—Hearing: Tuesday, March 13, 2012, 9:00 AM Room 346-S
 03/16/2012 House—Committee Report recommending substitute bill be passed by Committee on Appropriations—HJ 2116
 03/27/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2284
 03/28/2012 House—Final Action - Substitute passed; Yea: 121 Nay: 2—HJ 2296
 03/29/2012 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Owens, Senator King and Senator Haley as conferees—SJ 2095
 03/30/2012 House—Motion to accede adopted; Representative Rhoades, Representative Kelley and Representative Feuerborn appointed as conferees—HJ 2315
 05/15/2012 House—Conference Committee Report was adopted; Yea: 114 Nay: 0—HJ 2796
 05/15/2012 Senate—Motion to adopt Conference Committee Report—SJ 2855
 05/15/2012 Senate—Substitute motion to not adopt the Conference Committee Report and appoint a new Conference Committee.—SJ 2855
 05/15/2012 Senate—Conference Committee Report not adopted; Senator Owens, Senator King and Senator Haley appointed as second conferees—SJ 2855
 05/17/2012 House—Motion to accede adopted; Representative Rhoades, Representative Kelley and Representative Feuerborn appointed as second conferees—HJ 2881
 05/20/2012 House—Conference Committee Report was adopted; Yea: 98 Nay: 13—HJ 3193
 05/20/2012 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 0—SJ 3529
 05/22/2012 Senate—Enrolled and presented to Governor on Tuesday, May 22, 2012—SJ 3531
 05/29/2012 Senate—Approved by Governor on Friday, 25 May 2012—SJ 3531

S 426

Bill by Ways and Means
\$3500 tax credit for certain children 5 years or older or children with special needs.

- 02/13/2012 Senate—Introduced—SJ 1490
 02/14/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1497
 06/01/2012 Senate—Died in Committee

S 427

Bill by Ways and Means
Kansas housing loan deposit program; expanding the program to include the building or rehabilitation of adult care homes.

- 02/14/2012 Senate—Introduced—SJ 1497

- 02/15/2012 Senate—Referred to Committee on Ways and Means—SJ 1503
 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 10:30 AM Room 548-S
 03/21/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Ways and Means—SJ 2058
 03/27/2012 Senate—Committee of the Whole - Be passed as amended—SJ 2078
 03/27/2012 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 1
 —SJ 2078
 03/28/2012 House—Received and Introduced—HJ 2292
 03/29/2012 House—Referred to Committee on Appropriations—HJ 2307
 03/29/2012 House—Hearing: Thursday, March 29, 2012, 8:30 AM Room Room
 346-S
 04/25/2012 House—Hearing: Wednesday, April 25, 2012, 9:00 AM Room Room
 346-S
 04/25/2012 House—Hearing: Thur., April 26, 2012, 9:00 AM Room Room 346-S
 06/01/2012 House—Died in House Committee
- S 428** Bill by Ways and Means
**Reducing sales and use tax rate on food and food ingredients and providing
 eventual exemption thereof.**
 02/14/2012 Senate—Introduced—SJ 1497
 02/15/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1502
 06/01/2012 Senate—Died in Committee
- S 429** Bill by Ways and Means
Enacting the Kansas public employees retirement system act of 2014.
 02/14/2012 Senate—Introduced—SJ 1497
 02/15/2012 Senate—Referred to Committee on KPERS Select—SJ 1502
 06/01/2012 Senate—Died in Committee
- S 430** Bill by Ways and Means
**Income tax rates, adjustments, procedure and requirements; eliminate refund
 ability of income tax credits; presumptions relating to nexus for sales
 tax purposes; and severance tax exemptions.**
 02/15/2012 Senate—Introduced—SJ 1502
 02/16/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1529
 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 10:30 AM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 431** Bill by Ways and Means
**Credit Union Administrator; appointment of and salaries for certain
 unclassified positions.**
 02/15/2012 Senate—Introduced—SJ 1502
 02/16/2012 Senate—Referred to Committee on Financial Institutions and Insurance
 —SJ 1529
 03/05/2012 Senate—Hearing: Sunday, March 04, 2012, 9:30 AM Room 152-S
 03/07/2012 Senate—Committee Report recommending bill be passed by Committee
 on Financial Institutions and Insurance—SJ 1637
 03/15/2012 Senate—Committee of the Whole - Be passed—SJ 1714
 03/15/2012 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1718
 03/16/2012 House—Received and Introduced—HJ 2147
 03/19/2012 House—Referred to Committee on Financial Institutions—HJ 2149
 06/01/2012 House—Died in House Committee
- S 432** Bill by Ways and Means
Solid waste; yard waste disposal.

- 02/15/2012 Senate—Introduced—SJ 1502
 02/16/2012 Senate—Referred to Committee on Natural Resources—SJ 1529
 06/01/2012 Senate—Died in Committee
- S 433** Bill by Ways and Means
Substitute for SB 433 by Committee on Ways and Means -- Appropriations for FY 2012, FY 2013, FY 2014, and FY 2015 for various state agencies; capital improvement project.
 02/20/2012 Senate—Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Ways and Means—SJ 1546
 03/07/2012 Senate—Hearing: Thursday, March 15, 2012, 10:30 AM Room 548-S
 03/19/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 1793
 03/21/2012 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1954
 03/21/2012 Senate—Emergency Final Action - Substitute passed as amended; Yea: 39 Nay: 1—SJ 1955
 03/21/2012 House—Received and Introduced—HJ 2266
 03/26/2012 House—Referred to Committee on Appropriations—HJ 2268
 06/01/2012 House—Died in House Committee
- S 434** Bill by Ways and Means
House Substitute for SB 434 by Committee on Appropriations -- State surplus real estate, proceeds 20% to agency and 80% to the KPERS unfunded liability; allowing DOC to sell real estate by the Hutchinson correctional facility in Reno County to Reno County for law enforcement purposes; allowing DOC to purchase real estate, and improvements thereon, in Ellsworth County for a minimum security correctional facility.
 02/20/2012 Senate—Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Ways and Means—SJ 1546
 04/25/2012 Senate—Hearing: Wednesday, April 25, 2012, 11:00 AM Room 548-S
 04/25/2012 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 2290
 04/30/2012 Senate—Committee of the Whole - Be passed—SJ 2307
 04/30/2012 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 2307
 05/01/2012 House—Received and Introduced—HJ 2384
 05/02/2012 House—Referred to Committee on Appropriations—HJ 2391
 05/16/2012 House—Hearing: Thursday, May 17, 2012, 9:00 AM Room 346-S
 05/17/2012 House—Committee Report recommending substitute bill be passed by Committee on Appropriations—HJ 2900
 05/18/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2903
 05/19/2012 House—Final Action - Substitute passed; Yea: 91 Nay: 23—HJ 2923
 05/20/2012 Senate—Concurred with amendments; Yea: 35 Nay: 0—SJ 3518
 05/25/2012 Senate—Enrolled and presented to Governor on Friday, May 25, 2012—SJ 3531
- 06/01/2012 Senate—Approved by Governor on Thursday, 31 May 2012—SJ 3531
- S 435** Bill by Ways and Means
Establishing a conservation reserve enhancement program (CREP).
 02/20/2012 Senate—Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Ways and Means—SJ 1546
 02/21/2012 Senate—Hearing: Tuesday, February 21, 2012, 10:30 AM Room 548-S

- 06/01/2012 Senate—Died in Committee
S 436 Bill by Ways and Means
Creating the Kansas newborn screening fund.
 02/20/2012 Senate—Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Ways and Means—SJ 1546
 02/22/2012 Senate—Hearing: Wednesday, February 29, 2012, 10:30 AM Room
 548-S
 03/06/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Ways and Means—SJ 1630
 03/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1714
 03/15/2012 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 2
 —SJ 1718
 03/16/2012 House—Received and Introduced—HJ 2147
 03/19/2012 House—Referred to Committee on Appropriations—HJ 2149
 03/19/2012 House—Hearing: Wednesday, March 21, 2012, 8:30 AM Room 346-S
 03/21/2012 House—Committee Report recommending bill be passed by Committee
 on Appropriations—HJ 2252
 04/30/2012 House—Withdrawn from Calendar; Referred to Committee on Health
 and Human Services—HJ 2382
- 06/01/2012 House—Died in House Committee
S 437 Bill by Federal and State Affairs
Relating to inspection of pet animal facilities.
 02/20/2012 Senate—Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1546
 06/01/2012 Senate—Died in Committee
- S 438** Bill by Federal and State Affairs
Information submitted to department of labor for state directory of new hires.
 02/21/2012 Senate—Introduced—SJ 1546
 02/22/2012 Senate—Referred to Committee on Commerce—SJ 1569
 02/23/2012 Senate—Hearing: Thursday, March 01, 2012, 8:30 AM Room 548-S
 03/01/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Commerce—SJ 1616
 03/07/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1638
 03/07/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0
 —SJ 1639
 03/09/2012 House—Received and Introduced—HJ 2010
 03/12/2012 House—Referred to Committee on Commerce and Economic
 Development—HJ 2029
 03/12/2012 House—Hearing: Wednesday, March 14, 2012, 1:30 PM Room 785-
 DSOB
 03/14/2012 House—Hearing: Wednesday, March 14, 2012, 1:30 PM Room 785
 Docking
 03/19/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Commerce and Economic Development—HJ 2162
 03/21/2012 House—Committee of the Whole - Referred to Committee on Federal
 and State Affairs—HJ 2248
 03/21/2012 House—Hearing: Monday, March 26, 2012, 1:30 PM Room 346-S
 03/27/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—HJ 2285
 06/01/2012 House—Died on House Calendar

- S 439** Bill by Ways and Means
Abstracters' license fees.
 02/21/2012 Senate—Introduced—SJ 1546
 02/22/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1569
 03/02/2012 Senate—Withdrawn from Committee on Financial Institutions and Insurance; Referred to Committee on Ways and Means—SJ 1619
 06/01/2012 Senate—Died in Committee
- S 440** Bill by Ways and Means
Creating the creative arts industries commission; abolishing the arts commission and the film commission.
 02/21/2012 Senate—Introduced—SJ 1546
 02/22/2012 Senate—Referred to Committee on Ways and Means—SJ 1569
 02/29/2012 Senate—Hearing: Thursday, March 08, 2012, 10:30 AM Room 548-S
 06/01/2012 Senate—Died in Committee
- S 441** Bill by Ways and Means
Vehicle-theft recovery title for certain vehicles.
 02/21/2012 Senate—Introduced—SJ 1546
 02/22/2012 Senate—Referred to Committee on Transportation—SJ 1569
 06/01/2012 Senate—Died in Committee
- S 442** Bill by Ways and Means
Providing a property tax exemption for health clubs.
 02/21/2012 Senate—Introduced—SJ 1546
 02/22/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1569
 03/09/2012 Senate—Hearing: Tuesday, March 13, 2012, 10:30 AM Room 152-S
 03/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1704
 06/01/2012 Senate—Died on General Orders
- S 443** Bill by Federal and State Affairs
Addiction counselors.
 02/22/2012 Senate—Introduced—SJ 1568
 02/23/2012 Senate—Referred to Committee on Judiciary—SJ 1577
 06/01/2012 Senate—Died in Committee
- S 444** Bill by Ways and Means
Relating to employment of disabled individuals and competitive bids for state contracts.
 02/22/2012 Senate—Introduced—SJ 1568
 02/23/2012 Senate—Referred to Committee on Ways and Means—SJ 1577
 02/29/2012 Senate—Hearing: Friday, March 09, 2012, 10:30 AM Room 548-S
 05/18/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 3231
 06/01/2012 Senate—Died on General Orders
- S 445** Bill by Ways and Means
Earned income tax credit and homestead property tax refunds.
 02/23/2012 Senate—Introduced—SJ 1576
 02/29/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1609
 03/07/2012 Senate—Hearing: Wednesday, March 14, 2012, 10:30 AM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 446** Bill by Ways and Means
Removing sunset on tax credits for restoration, preservation or operation of

certain historic sites.

- 02/29/2012 Senate—Introduced—SJ 1609
 03/01/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1614
 06/01/2012 Senate—Died in Committee
- S 447** Bill by Ways and Means
Wildlife, Parks and Tourism: Fees
 03/01/2012 Senate—Introduced—SJ 1614
 03/02/2012 Senate—Referred to Committee on Natural Resources—SJ 1619
 03/06/2012 Senate—Hearing: Friday, March 09, 2012, 8:30 AM Room 159-S
 03/12/2012 Senate—Committee Report recommending bill be passed by Committee on Natural Resources—SJ 1654
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 28 Nay: 12—SJ 1691
 03/16/2012 House—Received and Introduced—HJ 2105
 03/19/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 2149
 06/01/2012 House—Died in House Committee
- S 448** Bill by Ways and Means
Authorizing the payment for paraprofessional services by school districts to the state school for the deaf and the state school for the blind.
 03/01/2012 Senate—Introduced—SJ 1614
 03/02/2012 Senate—Referred to Committee on Education—SJ 1619
 06/01/2012 Senate—Died in Committee
- S 449** Bill by Ways and Means
Substitute SB 449 by Committee on Ways and Means -- Appropriations for FY 2012, FY 2013, FY 2014, and FY 2015 for various state agencies; capital improvement projects; claims against the state.
 03/01/2012 Senate—Introduced—SJ 1614
 03/02/2012 Senate—Referred to Committee on Ways and Means—SJ 1619
 03/07/2012 Senate—Hearing: Thursday, March 15, 2012, 10:30 AM Room 548-S
 04/27/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 2302
 05/02/2012 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 2546
 05/02/2012 Senate—Emergency Final Action - Substitute passed as amended; Yea: 34 Nay: 5—SJ 2550
 05/03/2012 House—Received and Introduced—HJ 2403
 05/04/2012 House—Referred to Committee on Appropriations—HJ 2419
 06/01/2012 House—Died in House Committee
- S 450** Bill by Ways and Means
School finance; amendment to base state aid per pupil; increasing state prescribed percentage for local option budget for fiscal years 2013 and 2014.
 03/01/2012 Senate—Introduced—SJ 1614
 03/02/2012 Senate—Referred to Committee on Education—SJ 1619
 03/02/2012 Senate—Hearing: Wednesday, March 07, 2012, 1:30 PM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 451** Bill by Federal and State Affairs
Window tinting exemption for certain medical reasons.
 03/05/2012 Senate—Introduced—SJ 1620

- 03/06/2012 Senate—Referred to Committee on Transportation—SJ 1628
 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 8:30 AM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 452** Bill by Federal and State Affairs
Alcoholic beverages; permitting tastings on the licensed premises for clubs and drinking establishments.
 03/05/2012 Senate—Introduced—SJ 1621
 03/06/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1628
 03/07/2012 Senate—Hearing: Thursday, March 08, 2012, 10:30 AM Room 144-S
 06/01/2012 Senate—Died in Committee
- S 453** Bill by Federal and State Affairs
Driving under the influence.
 03/05/2012 Senate—Introduced—SJ 1621
 03/06/2012 Senate—Referred to Committee on Judiciary—SJ 1628
 03/06/2012 Senate—Hearing: Friday, March 09, 2012, 9:30 AM Room 548-S
 03/20/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1837
 03/27/2012 Senate—Committee of the Whole - Be passed as amended—SJ 2078
 03/27/2012 Senate—Emergency Final Action - Passed as amended; Yea: 37 Nay: 3—SJ 2079
 03/28/2012 House—Received and Introduced—HJ 2292
 03/29/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 2307
- S 454** 06/01/2012 House—Died in House Committee
 Bill by Federal and State Affairs
Firearms; personal and family protection act; criminal possession of a firearm; expungement.
 03/06/2012 Senate—Introduced—SJ 1627
 03/07/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1633
 06/01/2012 Senate—Died in Committee
- S 455** Bill by Federal and State Affairs
State legislative redistricting; Senate districts.
 03/06/2012 Senate—Introduced—SJ 1627
 03/07/2012 Senate—Referred to Committee on Reapportionment—SJ 1633
 06/01/2012 Senate—Died in Committee
- S 456** Bill by Ways and Means
Creating the municipality infrastructure improvement program.
 03/07/2012 Senate—Introduced—SJ 1632
 03/08/2012 Senate—Referred to Committee on Ways and Means—SJ 1643
 06/01/2012 Senate—Died in Committee
- S 457** Bill by Ways and Means
Apportionment of business income for certain taxpayers under Kansas income tax act.
 03/09/2012 Senate—Introduced—SJ 1647
 03/12/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1653
 06/01/2012 Senate—Died in Committee
- S 458** Bill by Ways and Means
Income tax credit for certain bioscience companies relocating in Kansas.
 03/09/2012 Senate—Introduced—SJ 1648
 03/12/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1653

- 06/01/2012 Senate—Died in Committee
S 459 Bill by Ways and Means
Substitute for SB 459 by Committee on Ways and Means -- Creating the joint committee on KanCare oversight; repealing the joint committee on home and community based services oversight and the joint committee on health policy oversight.
 03/12/2012 Senate—Introduced—SJ 1653
 03/13/2012 Senate—Referred to Committee on Ways and Means—SJ 1656
 03/19/2012 Senate—Hearing: Tuesday, March 20, 2012, 12:00 PM Room 548-S
 03/21/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 2058
 03/27/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 2078
 03/27/2012 Senate—Emergency Final Action - Substitute passed; Yea: 39 Nay: 1—SJ 2079
 03/28/2012 House—Received and Introduced—HJ 2292
 03/29/2012 House—Referred to Committee on Health and Human Services—HJ 2307
- 06/01/2012 House—Died in House Committee
S 460 Bill by Ways and Means
Elections; voter education program by secretary of state.
 03/13/2012 Senate—Introduced—SJ 1656
 03/14/2012 Senate—Referred to Committee on Ethics and Elections—SJ 1664
 06/01/2012 Senate—Died in Committee
- S 461** Bill by Ways and Means
Election workers and voter registration personnel; education training; secretary of state, county election officer duties.
 03/13/2012 Senate—Introduced—SJ 1656
 03/14/2012 Senate—Referred to Committee on Ethics and Elections—SJ 1664
 06/01/2012 Senate—Died in Committee
- S 462** Bill by Federal and State Affairs
Amendments to the Kansas cigarette and tobacco products act.
 03/13/2012 Senate—Introduced—SJ 1656
 03/14/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1664
 03/14/2012 Senate—Hearing: Thursday, March 15, 2012, 10:30 AM Room 144-S
 06/01/2012 Senate—Died in Committee
- S 463** Bill by Ways and Means
Extension of the STAR bonds financing act sunset provision regarding STAR bond projects.
 03/13/2012 Senate—Introduced—SJ 1656
 03/14/2012 Senate—Referred to Committee on Ways and Means—SJ 1664
 03/14/2012 Senate—Hearing: Friday, March 16, 2012, 10:30 AM Room 548-S
 06/01/2012 Senate—Died in Committee
- S 464** Bill by Ways and Means
Developmental disabilities waiver; exemption from the managed care system until July 1, 2013.
 03/13/2012 Senate—Introduced—SJ 1656
 03/14/2012 Senate—Referred to Committee on Ways and Means—SJ 1664
 06/01/2012 Senate—Died in Committee
- S 465** Bill by Ways and Means
Right-of-way violations; increased penalties.

- 03/14/2012 Senate—Introduced—SJ 1664
 03/15/2012 Senate—Referred to Committee on Transportation—SJ 1690
 03/15/2012 Senate—Hearing: Friday, March 16, 2012, 8:30 AM Room 152-S
 06/01/2012 Senate—Died in Committee
- S 466** Bill by Ways and Means
Prior service credit for certain service under KPERS.
 03/14/2012 Senate—Introduced—SJ 1664
 03/15/2012 Senate—Referred to Committee on KPERS Select—SJ 1690
 06/01/2012 Senate—Died in Committee
- S 467** Bill by Ways and Means
Allowing members of a unitary group to share certain income tax credits.
 03/14/2012 Senate—Introduced—SJ 1664
 03/15/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1690
 06/01/2012 Senate—Died in Committee
- S 468** Bill by Ways and Means
Extending the renewable electric cogeneration facility income tax credit.
 03/14/2012 Senate—Introduced—SJ 1664
 03/15/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1690
 06/01/2012 Senate—Died in Committee
- S 469** Bill by Ways and Means
Confidentiality of health information.
 04/25/2012 Senate—Introduced—SJ 2163
 04/26/2012 Senate—Referred to Committee on Ways and Means—SJ 2290
 04/30/2012 Senate—Hearing: Tuesday, May 01, 2012, 9:15 AM Room 548-S
 06/01/2012 Senate—Died in Committee
- S 470** Bill by Ways and Means
Congressional redistricting.
 04/25/2012 Senate—Introduced—SJ 2163
 04/26/2012 Senate—Referred to Committee on Reapportionment—SJ 2290
 04/26/2012 Senate—Hearing: Friday, April 27, 2012, 8:30 AM Room 159-S
 05/01/2012 Senate—Hearing: Wednesday, May 02, 2012, 9:00 AM Room 159-S
 06/01/2012 Senate—Died in Committee
- S 471** Bill by Ways and Means
Redistricting of state board of education member districts.
 04/25/2012 Senate—Introduced—SJ 2163
 04/26/2012 Senate—Referred to Committee on Reapportionment—SJ 2290
 04/26/2012 Senate—Hearing: Friday, April 27, 2012, 8:30 AM Room 159-S
 06/01/2012 Senate—Died in Committee
- S 472** Bill by Federal and State Affairs
Amendments to the Kansas expanded lottery act.
 04/26/2012 Senate—Introduced—SJ 2293
 04/27/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 2296
 06/01/2012 Senate—Died in Committee
- S 473** Bill by Ways and Means
Requiring fiscal notes for concurrent resolutions.
 05/07/2012 Senate—Introduced—SJ 2585
 05/08/2012 Senate—Referred to Committee on Ways and Means
 06/01/2012 Senate—Died in Committee

TITLE AND HISTORY OF SENATE CONCURRENT RESOLUTIONS

- S 1601** Concurrent Resolution by Senator Kelsey
Rescinding the action of the legislature of the state of Kansas petitioning congress to call a convention for the purpose of proposing amendments to the constitution of the United States.
 01/13/2011 Senate—Introduced—SJ 27
 01/14/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 30
 06/01/2012 Senate—Died in Committee
- S 1603** Concurrent Resolution by Judiciary
Abolishing the supreme court nominating commission; supreme court justices appointed by the governor subject to consent by the house of representatives and the senate.
 02/07/2011 Senate—Introduced—SJ 108
 02/08/2011 Senate—Referred to Committee on Judiciary—SJ 123
 06/01/2012 Senate—Died in Committee
- S 1604** Concurrent Resolution by Senators Pilcher-Cook, Abrams, Bruce, Love, Lynn, Masterson, Merrick, Olson, Ostmeyer, Petersen, Pyle, Steineger, Taddiken
Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
 02/09/2011 Senate—Introduced—SJ 140
 02/10/2011 Senate—Referred to Committee on Judiciary—SJ 150
 06/01/2012 Senate—Died in Committee
- S 1606** Concurrent Resolution by Special Natural Gas Storage Fields and Facilities
Urging the United States Department of Transportation to adopt regulations permitting the State Corporation Commission to regulate natural gas storage fields in Kansas.
 03/03/2011 Senate—Introduced—SJ 278
 03/04/2011 Senate—Referred to Committee on Utilities—SJ 288
 03/16/2011 Senate—Committee Report recommending resolution be adopted by Committee on Utilities—SJ 367
 03/21/2011 Senate—Committee of the Whole - Be adopted—SJ 392
 03/21/2011 Senate—Emergency Final Action - Adopted; Yea: 39 Nay: 0—SJ 427
 03/22/2011 House—Received and Introduced—HJ 672
 03/23/2011 House—Referred to Committee on Energy and Utilities—HJ 674
 06/01/2012 House—Died in House Committee
- S 1607** Concurrent Resolution by Federal and State Affairs
Outlining the principles of the State of Kansas regarding immigration reform policies.
 03/28/2011 Senate—Introduced—SJ 511
 03/29/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 522
 06/01/2012 Senate—Died in Committee
- S 1608** Concurrent Resolution by Senators V. Schmidt, Brungardt, Emler, Faust-Goudeau, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Marshall, McGinn, Morris, Ostmeyer, Owens, Reitz, A. Schmidt, Schodorf, Teichman, Umbarger, Vratil
Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.

- 03/31/2011 Senate—Introduced—SJ 584
 03/31/2011 Senate—Adopted without roll call—SJ 585
 03/31/2011 House—Received and Introduced—HJ 854
 04/01/2011 House—Referred to Committee on Social Services Budget—HJ 860
 06/01/2012 House—Died in House Committee
- S 1610** Concurrent Resolution by Senators Morris, Emler, Hensley
Committee to inform governor that legislative is organized, 2012.
 01/09/2012 Senate—Introduced—SJ 1324
 01/09/2012 Senate—Adopted without roll call—SJ 1324
 01/09/2012 House—Received and Introduced—HJ 1676
 01/09/2012 House—Adopted without roll call—HJ 1676
 01/18/2012 Senate—Enrolled and presented to Secretary of State on Wednesday, January 18, 2012—SJ 1367
- S 1611** Concurrent Resolution by Senators V. Schmidt, Vratil, Kelly, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelsey, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, Schodorf, Taddiken, Teichman, Umbarger
Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
 01/20/2012 Senate—Introduced—SJ 1370
 01/23/2012 Senate—Referred to Committee on Ways and Means—SJ 1375
 02/06/2012 Senate—Hearing: Tuesday, February 07, 2012, 10:25 AM Room 548-S
 02/21/2012 Senate—Committee Report recommending resolution be adopted by Committee on Ways and Means—SJ 1566
 06/01/2012 Senate—Died on General Orders
- S 1612** Concurrent Resolution by Assessment and Taxation
Constitutional amendment providing authority to the legislature to limit valuation increases for certain residential property owned by a person 65 years of age or older for property tax purposes.
 02/08/2012 Senate—Introduced—SJ 1462
 02/09/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1481
 03/01/2012 Senate—Hearing: Tuesday, March 06, 2012, 10:30 AM Room 152-S
 03/15/2012 Senate—Committee Report recommending resolution be adopted by Committee on Assessment and Taxation—SJ 1703
 06/01/2012 Senate—Died on General Orders
- S 1613** Concurrent Resolution by Federal and State Affairs
Outlining the State of Kansas' principles regarding immigration reform policy.
 02/22/2012 Senate—Introduced—SJ 1568
 02/23/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1577
 06/01/2012 Senate—Died in Committee
- S 1614** Concurrent Resolution by Senators Pilcher-Cook, Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Huntington, Kelsey, King, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pyle, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle
Honoring pregnancy maintenance resource centers.
 02/23/2012 Senate—Introduced—SJ 1592
 02/29/2012 Senate—Referred to Committee on Ways and Means—SJ 1609
 06/01/2012 Senate—Died in Committee

- S 1615** Concurrent Resolution by Senators Pilcher-Cook, Abrams, Apple, Bruce, Donovan, Kelsey, King, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Olson, Ostmeier, Petersen, Pyle, A. Schmidt, Taddiken, Umbarger, Wagle
Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
 03/05/2012 Senate—Introduced—SJ 1621
 03/06/2012 Senate—Referred to Committee on Judiciary—SJ 1628
 06/01/2012 Senate—Died in Committee
- S 1616** Concurrent Resolution by Senators Brungardt, Abrams, Apple, Bruce, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, Kultala, Longbine, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeier, Owens, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle
Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
 03/06/2012 Senate—Introduced—SJ 1627
 03/07/2012 Senate—Referred to Committee of the Whole—SJ 1633
 03/14/2012 Senate—Committee of the Whole - Be adopted—SJ 1688
 03/15/2012 Senate—Final Action - Adopted; Yea: 40 Nay: 0—SJ 1691
 03/16/2012 House—Received and Introduced—HJ 2105
 03/19/2012 House—Referred to Committee of the Whole
 03/21/2012 House—Committee of the Whole - Be adopted—HJ 2233
 03/21/2012 House—Emergency Final Action - Adopted; Yea: 122 Nay: 0—HJ 2255
 03/30/2012 Senate—Enrolled and presented to Secretary of State on Friday, March 30, 2012—SJ 2161
- S 1617** Concurrent Resolution by Senators Holland, Faust-Goudeau, Francisco, Haley, Hensley, Steineger
Urging congress to amend the U.S. constitution to abolish corporate personhood.
 03/08/2012 Senate—Introduced—SJ 1642
 03/09/2012 Senate—Referred to Committee on Ethics and Elections—SJ 1648
 03/13/2012 Senate—Hearing: Wednesday, March 14, 2012, 9:30 AM Room 159-S
 06/01/2012 Senate—Died in Committee
- S 1618** Concurrent Resolution by Senators Morris, Emler, Hensley
Adjournment for a time during the 2012 legislature.
 03/21/2012 Senate—Introduced—SJ 1944
 03/21/2012 Senate—Adopted without roll call—SJ 1944
 03/21/2012 House—Received and Introduced—HJ 2266
 03/21/2012 House—Adopted without roll call—HJ 2266
 03/30/2012 Senate—Enrolled and presented to Secretary of State on Friday, March 30, 2012—SJ 2161
- S 1619** Concurrent Resolution by Federal and State Affairs
Revising article 10 of the Kansas constitution; redistricting procedure.
 05/15/2012 Senate—Introduced—SJ 2862
 05/16/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 2868
 06/01/2012 Senate—Died in Committee
- S 1620** Concurrent Resolution by Senators Morris, Emler, Hensley
Adjournment for a time during the 2012 legislature.

05/20/2012 Senate—Introduced—SJ 3529
05/20/2012 Senate—Adopted without roll call—SJ 3530
05/20/2012 House—Received and Introduced—HJ 3220
05/20/2012 House—Adopted without roll call—HJ 3220
05/25/2012 Senate—Enrolled and presented to Secretary of State on Friday, May
25, 2012—SJ 3531

TITLE AND HISTORY OF SENATE RESOLUTIONS

- S 1801** Resolution by Senators Morris, Emler, Hensley
Organization of the Senate, 2012.
 01/09/2012 Senate—Introduced—SJ 1322
 01/09/2012 Senate—Adopted without roll call—SJ 1322
 01/18/2012 Senate—Enrolled on Wednesday, January 18, 2012—SJ 1367
- S 1802** Resolution by Senators Schodorf, Vratil
Congratulating and commending the members of the 2012 Kansas Teacher of the Year team.
 01/17/2012 Senate—Introduced—SJ 1359
 01/17/2012 Senate—Adopted without roll call—SJ 1359
 01/18/2012 Senate—Enrolled on Wednesday, January 18, 2012—SJ 1367
- S 1803** Resolution by Transportation
Urging congress to allow outdoor highway advertising signs.
 01/18/2012 Senate—Introduced—SJ 1362
 01/19/2012 Senate—Referred to Committee on Transportation—SJ 1367
 01/19/2012 Senate—Hearing: Wednesday, January 25, 2012, 8:30 AM Room 152-S
 01/26/2012 Senate—Committee Report recommending resolution be adopted by Committee on Transportation—SJ 1392
 02/01/2012 Senate—Committee of the Whole - Be adopted—SJ 1425
 02/02/2012 Senate—Final Action - Adopted; Yea: 39 Nay: 0—SJ 1434
 02/07/2012 Senate—Enrolled on Tuesday, February 07, 2012—SJ 1459
- S 1804** Resolution by Transportation
Requesting a long-term transportation funding plan.
 01/18/2012 Senate—Introduced—SJ 1363
 01/19/2012 Senate—Referred to Committee on Transportation—SJ 1367
 01/19/2012 Senate—Hearing: Wednesday, January 25, 2012, 8:30 AM Room 152-S
 01/26/2012 Senate—Committee Report recommending resolution be adopted by Committee on Transportation—SJ 1392
 02/01/2012 Senate—Committee of the Whole - Be adopted—SJ 1425
 02/02/2012 Senate—Final Action - Adopted; Yea: 34 Nay: 5—SJ 1434
 02/07/2012 Senate—Enrolled on Tuesday, February 07, 2012—SJ 1459
- S 1805** Resolution by Transportation
Roads and highways; livable streets.
 01/24/2012 Senate—Introduced—SJ 1379
 01/25/2012 Senate—Referred to Committee on Transportation—SJ 1384
 01/26/2012 Senate—Hearing: Tuesday, January 31, 2012, 8:30 AM Room 152-S
 02/07/2012 Senate—Committee Report recommending resolution be adopted as amended by Committee on Transportation—SJ 1460
 02/22/2012 Senate—Committee of the Whole - Be adopted as amended—SJ 1574
 02/23/2012 Senate—Final Action - Adopted as amended; Yea: 34 Nay: 6—SJ 1584
 02/24/2012 Senate—Enrolled on Friday, February 24, 2012—SJ 1612
- S 1806** Resolution by Transportation
Urging congress to repeal freeze on truck weight limits.
 01/26/2012 Senate—Introduced—SJ 1389
 01/27/2012 Senate—Referred to Committee on Transportation—SJ 1395
 01/27/2012 Senate—Hearing: Thursday, February 02, 2012, 8:30 AM Room 152-S
 02/22/2012 Senate—Committee Report recommending resolution be adopted as

- amended by Committee on Transportation—SJ 1572
 02/23/2012 Senate—Committee of the Whole - Be adopted as amended—SJ 1597
 02/23/2012 Senate—Emergency Final Action - Adopted as amended; Yea: 40 Nay: 0—SJ 1605
 02/29/2012 Senate—Enrolled on Wednesday, February 29, 2012—SJ 1615
- S 1807** Resolution by Senator Ostmeyer
Congratulating and commending the Western Plains High School journalism team on winning the 2011 class 1A Kansas Scholastic Press Association State Competition.
 01/27/2012 Senate—Introduced—SJ 1395
 01/27/2012 Senate—Adopted without roll call—SJ 1396
 01/30/2012 Senate—Enrolled on Monday, January 30, 2012—SJ 1399
- S 1808** Resolution by Senator Huntington
Congratulating Shawnee Mission North High School's Naval Junior Reserve Officer Training Corps Program.
 02/01/2012 Senate—Introduced—SJ 1404
 02/01/2012 Senate—Adopted without roll call—SJ 1405
 02/03/2012 Senate—Enrolled on Friday, February 03, 2012—SJ 1440
- S 1809** Resolution by Senators Apple, King, Marshall
Congratulating Ottawa City Manager Richard Nienstedt.
 02/01/2012 Senate—Introduced—SJ 1405
 02/01/2012 Senate—Adopted without roll call—SJ 1406
 02/03/2012 Senate—Enrolled on Friday, February 03, 2012—SJ 1440
- S 1810** Resolution by Senators A. Schmidt, Abrams, Apple, Bruce, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Reitz, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil
Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
 02/02/2012 Senate—Introduced—SJ 1435
 02/02/2012 Senate—Adopted without roll call—SJ 1437
 02/03/2012 Senate—Enrolled on Friday, February 03, 2012—SJ 1440
- S 1811** Resolution by Senator Emler
Congratulating the economic development efforts of the McPherson, Kansas community.
 02/02/2012 Senate—Introduced—SJ 1437
 02/02/2012 Senate—Adopted without roll call—SJ 1438
 02/03/2012 Senate—Enrolled on Friday, February 03, 2012—SJ 1440
- S 1812** Resolution by Senator Holland
Congratulating Ted Zuzzio on being named the 2011 national coach of the year for girls outdoor track and field.
 02/08/2012 Senate—Introduced—SJ 1467
 02/08/2012 Senate—Adopted without roll call—SJ 1467
 02/10/2012 Senate—Enrolled on Friday, February 10, 2012—SJ 1489
- S 1813** Resolution by Senators Morris, Emler, Hensley, Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle,

Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman,
Umbarger, Vratil, Wagle

**Congratulating and commending Alan D. Conroy for his service to the
Legislature and the State of Kansas and for his appointment as
Executive Director of KPERs.**

02/09/2012 Senate—Introduced—SJ 1482

02/09/2012 Senate—Adopted without roll call—SJ 1483

02/10/2012 Senate—Enrolled on Friday, February 10, 2012—SJ 1489

- S 1814** Resolution by Senator Huntington
**Congratulating the Shawnee Mission East girls' tennis team on winning the
class 6A state tournament.**

02/13/2012 Senate—Introduced—SJ 1491

02/13/2012 Senate—Adopted without roll call—SJ 1492

02/15/2012 Senate—Enrolled on Wednesday, February 15, 2012—SJ 1507

- S 1815** Resolution by Senator Schodorf
Congratulating the 2011 Kansas National Board Certified Teachers.

02/14/2012 Senate—Introduced—SJ 1498

02/14/2012 Senate—Adopted without roll call—SJ 1499

02/15/2012 Senate—Enrolled on Wednesday, February 15, 2012—SJ 1507

- S 1816** Resolution by Senator Schodorf
**Congratulating and commending the Kansas recipient of the 2011 Milken
Family Foundation Educator Award.**

02/14/2012 Senate—Introduced—SJ 1499

02/14/2012 Senate—Adopted without roll call—SJ 1499

02/15/2012 Senate—Enrolled on Wednesday, February 15, 2012—SJ 1507

- S 1817** Resolution by Senator Schodorf
**Congratulating the 2012 The Kansas Cable Telecommunications Horizon
Award Program Educators.**

02/14/2012 Senate—Introduced—SJ 1500

02/14/2012 Senate—Adopted without roll call—SJ 1501

02/15/2012 Senate—Enrolled on Wednesday, February 15, 2012—SJ 1507

- S 1818** Resolution by Senator Marshall
**Congratulating and commending the Pittsburg State University football team
for winning the 2011 NCAA Division II National Championship.**

02/15/2012 Senate—Introduced—SJ 1503

02/15/2012 Senate—Adopted without roll call—SJ 1504

02/16/2012 Senate—Enrolled on Thursday, February 16, 2012—SJ 1536

- S 1819** Resolution by Senator Marshall
**Congratulating and commending Pittsburg State University's Coach Tim Beck
for being named the 2011 Liberty Mutual NCAA Division II Football
Coach of the Year.**

02/15/2012 Senate—Introduced—SJ 1505

02/15/2012 Senate—Adopted without roll call—SJ 1505

02/16/2012 Senate—Enrolled on Thursday, February 16, 2012—SJ 1536

- S 1820** Resolution by Senator McGinn
Bethel College; 125th anniversary.
02/15/2012 Senate—Introduced—SJ 1506
02/15/2012 Senate—Adopted without roll call—SJ 1506
02/16/2012 Senate—Enrolled on Thursday, February 16, 2012—SJ 1536

- S 1821** Resolution by Senator Huntington
Recognizing and honoring Gayle Addington for 19 years of service to the Kansas Senate.
 02/15/2012 Senate—Introduced—SJ 1507
 02/15/2012 Senate—Adopted without roll call—SJ 1507
 02/16/2012 Senate—Enrolled on Thursday, February 16, 2012—SJ 1536
- S 1822** Resolution by Senators Marshall, A. Schmidt
Recognizing the historical significance of Higley Cabin as the birthplace of "Home on the Range."
 02/20/2012 Senate—Introduced—SJ 1541
 02/20/2012 Senate—Adopted without roll call—SJ 1542
 02/23/2012 Senate—Enrolled on Thursday, February 23, 2012—SJ 1612
- S 1823** Resolution by Senator King
Honoring Henry Williams and the Uppercut Boxing Club.
 02/21/2012 Senate—Introduced—SJ 1547
 02/21/2012 Senate—Adopted without roll call—SJ 1547
 02/23/2012 Senate—Enrolled on Thursday, February 23, 2012—SJ 1612
- S 1824** Resolution by Senators Lynn, Merrick, Olson
Congratulating the Olathe South High School football team for winning the 2011 class 6A state championship.
 02/22/2012 Senate—Introduced—SJ 1570
 02/22/2012 Senate—Adopted without roll call—SJ 1570
 02/23/2012 Senate—Enrolled on Thursday, February 23, 2012—SJ 1612
- S 1825** Resolution by Senator Kelly
Recognizing 125 years of dedicated forestry services.
 02/23/2012 Senate—Introduced—SJ 1596
 02/23/2012 Senate—Adopted without roll call—SJ 1597
 02/24/2012 Senate—Enrolled on Friday, February 24, 2012—SJ 1612
- S 1826** Resolution by Senator V. Schmidt
Encouraging the creation of a Kansas plan for comprehensive treatment of chronic obstructive pulmonary disease.
 02/29/2012 Senate—Introduced—SJ 1610
 02/29/2012 Senate—Adopted without roll call—SJ 1611
 02/29/2012 Senate—Enrolled on Wednesday, February 29, 2012—SJ 1615
- S 1827** Resolution by Senator McGinn
Congratulating and commending Mr. Patrick Duffy.
 03/05/2012 Senate—Introduced—SJ 1623
 03/05/2012 Senate—Adopted without roll call—SJ 1624
 03/07/2012 Senate—Enrolled on Wednesday, March 07, 2012—SJ 1637
- S 1828** Resolution by Senator McGinn
Congratulating and commending Mr. Larry Thompson, Jr.
 03/05/2012 Senate—Introduced—SJ 1624
 03/05/2012 Senate—Adopted without roll call—SJ 1625
 03/07/2012 Senate—Enrolled on Wednesday, March 07, 2012—SJ 1637
- S 1829** Resolution by Senator King
Congratulating the Sedan High School Blue Devils for winning the 2011 Class 2A-1A state baseball tournament.
 03/06/2012 Senate—Introduced—SJ 1629
 03/06/2012 Senate—Adopted without roll call—SJ 1629
 03/07/2012 Senate—Enrolled on Wednesday, March 07, 2012—SJ 1637

- S 1830** Resolution by Senator McGinn
Recognizing the need to protect animals and children from the danger of antifreeze poisoning.
 03/07/2012 Senate—Introduced—SJ 1634
 03/07/2012 Senate—Adopted without roll call—SJ 1635
 03/09/2012 Senate—Enrolled on Friday, March 09, 2012—SJ 1648
- S 1831** Resolution by Senators Brungardt, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Kelly, Kelsey, Kultala, Longbine, Marshall, McGinn, Morris, Owens, Reitz, A. Schmidt, V. Schmidt, Schodorf, Teichman, Umbarger, Vratil
Requesting the Governor to delay the implementation of KanCare.
 03/07/2012 Senate—Introduced—SJ 1635
 03/08/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1643
 03/08/2012 Senate—Hearing: Thursday, March 15, 2012, 1:30 PM Room 546-S
 06/01/2012 Senate—Died in Committee
- S 1832** Resolution by Senators A. Schmidt, Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle
Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
 03/08/2012 Senate—Introduced—SJ 1643
 03/08/2012 Senate—Adopted without roll call—SJ 1644
 03/09/2012 Senate—Enrolled on Friday, March 09, 2012—SJ 1648
- S 1833** Resolution by Senators Holland, Apple, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Merrick, Morris, Olson, Ostmeyer, Owens, Pilcher-Cook, Pyle, A. Schmidt, V. Schmidt, Steineger, Umbarger, Vratil
Recognizing the KSBDC businesses of the year.
 03/13/2012 Senate—Introduced—SJ 1657
 03/13/2012 Senate—Adopted without roll call—SJ 1658
 03/16/2012 Senate—Enrolled on Friday, March 16, 2012—SJ 1725
- S 1834** Resolution by Senators Umbarger, Marshall, Apple, King
Honoring the Sisters of mercy health systems hospitals in Kansas.
 03/15/2012 Senate—Introduced—SJ 1697
 03/15/2012 Senate—Adopted without roll call—SJ 1698
 03/16/2012 Senate—Enrolled on Friday, March 16, 2012—SJ 1725
- S 1835** Resolution by Senators Longbine, Brungardt, Francisco, Love, Masterson, Merrick, Reitz
Congratulating and commending the 2012 Kansas Master Teachers.
 03/15/2012 Senate—Introduced—SJ 1698
 03/15/2012 Senate—Adopted without roll call—SJ 1699
 03/16/2012 Senate—Enrolled on Friday, March 16, 2012—SJ 1725
- S 1836** Resolution by Senators Morris, Abrams, Apple, Brungardt, Donovan, Emler, Hensley, Holland, Huntington, Kelsey, Kultala, Longbine, Love, Lynn, Ostmeyer, Owens, Petersen, Pilcher-Cook, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Umbarger, Vratil, Wagle

Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.

03/15/2012 Senate—Introduced—SJ 1700

03/15/2012 Senate—Adopted without roll call—SJ 1701

03/16/2012 Senate—Enrolled on Friday, March 16, 2012—SJ 1725

- S 1837** Resolution by Senators Emler, Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle

Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.

03/16/2012 Senate—Introduced—SJ 1724

03/16/2012 Senate—Adopted without roll call—SJ 1724

03/20/2012 Senate—Enrolled on Tuesday, March 20, 2012—SJ 1811

- S 1838** Resolution by Senators V. Schmidt, Hensley, Kelly

Congratulating Molly Rockefeller for receiving the prestigious 2012 Prudential Spirit of Community Award.

03/19/2012 Senate—Introduced—SJ 1790

03/19/2012 Senate—Adopted without roll call—SJ 1791

03/20/2012 Senate—Enrolled on Tuesday, March 20, 2012—SJ 1811

- S 1839** Resolution by Senator King

Congratulating and commending Independence Public Library

03/19/2012 Senate—Introduced—SJ 1791

03/19/2012 Senate—Adopted without roll call—SJ 1792

03/20/2012 Senate—Enrolled on Tuesday, March 20, 2012—SJ 1811

- S 1840** Resolution by Senator Vratil

Congratulating and commending Grace Schram for being named one of the top two youth volunteers in Kansas for 2012 by the prudential spirit of community awards.

03/20/2012 Senate—Introduced—SJ 1814

03/20/2012 Senate—Adopted without roll call—SJ 1815

03/26/2012 Senate—Enrolled on Friday, March 23, 2012—SJ 2065

- S 1841** Resolution by Senator Merrick

Commemorating the 75th anniversary of the wildlife and sport fish restoration program.

03/20/2012 Senate—Introduced—SJ 1815

03/20/2012 Senate—Adopted without roll call—SJ 1816

03/26/2012 Senate—Enrolled on Friday, March 23, 2012—SJ 2065

- S 1842** Resolution by Senator Haley

Recognizing the misuse and abuse of prescription drugs.

03/20/2012 Senate—Introduced—SJ 1816

03/20/2012 Senate—Adopted without roll call—SJ 1817

03/26/2012 Senate—Enrolled on Friday, March 23, 2012—SJ 2065

- S 1843** Resolution by Senator Faust-Goudeau

Encouraging cities in this state to organize local chapters of the African American Council of Elders.

03/21/2012 Senate—Introduced—SJ 1985

03/21/2012 Senate—Adopted without roll call—SJ 1986

- 03/26/2012 Senate—Enrolled on Friday, March 23, 2012—SJ 2065
- S 1844** Resolution by Senator Love
Congratulating and commending Joe Hastings and Michael Wilhoite.
 03/26/2012 Senate—Introduced—SJ 2064
 03/26/2012 Senate—Adopted without roll call—SJ 2065
 03/28/2012 Senate—Enrolled on Wednesday, March 28, 2012—SJ 2087
- S 1845** Resolution by Senators V. Schmidt, Kultala, Masterson
Recognizing March 27th as American Diabetes Association Alert Day.
 03/27/2012 Senate—Introduced—SJ 2075
 03/27/2012 Senate—Adopted without roll call—SJ 2076
 03/28/2012 Senate—Enrolled on Wednesday, March 28, 2012—SJ 2087
- S 1846** Resolution by Senator Emler
Congratulating the Sterling High School boys' basketball team on winning the 2012 Class 2A state championship.
 03/27/2012 Senate—Introduced—SJ 2076
 03/27/2012 Senate—Adopted without roll call—SJ 2077
 03/28/2012 Senate—Enrolled on Wednesday, March 28, 2012—SJ 2087
- S 1847** Resolution by Senator Kultala
Congratulating and commending Leavenworth county treasurer Janice Young.
 03/28/2012 Senate—Introduced—SJ 2087
 03/28/2012 Senate—Adopted without roll call—SJ 2088
 03/30/2012 Senate—Enrolled on Friday, March 30, 2012—SJ 2161
- S 1848** Resolution by Senator Umbarger
Congratulating the 2012 NJCAA national champion Labette community college wrestling team.
 03/28/2012 Senate—Introduced—SJ 2088
 03/28/2012 Senate—Adopted without roll call—SJ 2089
 03/30/2012 Senate—Enrolled on Friday, March 30, 2012—SJ 2161
- S 1849** Resolution by Senator Ostmeyer
Congratulating Gilbert and Barbara Knipp on being named the longest married couple in Kansas.
 03/28/2012 Senate—Introduced—SJ 2092
 03/28/2012 Senate—Adopted without roll call—SJ 2093
 03/30/2012 Senate—Enrolled on Friday, March 30, 2012—SJ 2161
- S 1850** Resolution by Senator Ostmeyer
Congratulating the Scott Community High School wrestling team on winning the 2012 Class 3-2-1A state title.
 03/28/2012 Senate—Introduced—SJ 2093
 03/28/2012 Senate—Adopted without roll call—SJ 2093
 03/30/2012 Senate—Enrolled on Friday, March 30, 2012—SJ 2161
- S 1851** Resolution by Senator Longbine
Designating every Sunday as "Cooking With Kids Day."
 03/29/2012 Senate—Introduced—SJ 2095
 03/29/2012 Senate—Adopted without roll call—SJ 2096
 03/30/2012 Senate—Enrolled on Friday, March 30, 2012—SJ 2161
- S 1852** Resolution by Senator V. Schmidt
Encouraging participation in National Public Health Week.
 03/29/2012 Senate—Introduced—SJ 2096
 03/29/2012 Senate—Adopted without roll call—SJ 2096
 03/30/2012 Senate—Enrolled on Friday, March 30, 2012—SJ 2161

- S 1853** Resolution by Senator Holland
Recognizing and designating June 18-24, 2012, as Amateur Radio Week.
 03/29/2012 Senate—Introduced—SJ 2097
 03/29/2012 Senate—Adopted without roll call—SJ 2097
 03/30/2012 Senate—Enrolled on Friday, March 30, 2012—SJ 2161
- S 1854** Resolution by Senators Kelly, Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle
Designating March 30 as "Welcome Home Vietnam Veterans Day."
 03/30/2012 Senate—Introduced—SJ 2127
 03/30/2012 Senate—Adopted without roll call—SJ 2129
 04/03/2012 Senate—Enrolled on Tuesday, April 03, 2012—SJ 2290
- S 1855** Resolution by Senator Hensley
In memory of Don Dunn.
 03/30/2012 Senate—Introduced—SJ 2132
 03/30/2012 Senate—Adopted without roll call—SJ 2132
 04/03/2012 Senate—Enrolled on Tuesday, April 03, 2012—SJ 2290
- S 1856** Resolution by Senator V. Schmidt
Recognizing and honoring the meningitis week.
 03/30/2012 Senate—Introduced—SJ 2133
 03/30/2012 Senate—Adopted without roll call—SJ 2133
 04/03/2012 Senate—Enrolled on Tuesday, April 03, 2012—SJ 2290
- S 1857** Resolution by Senators Kultala, Holland
Congratulating and commending Sheriff David Zoellner.
 04/25/2012 Senate—Introduced—SJ 2167
 04/25/2012 Senate—Adopted without roll call—SJ 2168
 04/26/2012 Senate—Enrolled on Thursday, April 26, 2012—SJ 2293
- S 1858** Resolution by Senator Holland
Congratulating and commending the Jefferson County North Girls Basketball Team for winning the 2012 Class 2A state championship.
 04/25/2012 Senate—Introduced—SJ 2168
 04/25/2012 Senate—Adopted without roll call—SJ 2168
 04/26/2012 Senate—Enrolled on Thursday, April 26, 2012—SJ 2293
- S 1859** Resolution by Senator Holland
Congratulating and commending the Basehor-Linwood Boys Basketball Team for winning the 2012 Class 4A State Championship.
 04/25/2012 Senate—Introduced—SJ 2169
 04/25/2012 Senate—Adopted without roll call—SJ 2169
 04/26/2012 Senate—Enrolled on Thursday, April 26, 2012—SJ 2293
- S 1860** Resolution by Senator Emler
Congratulating the McPherson High School girls basketball team for winning the 2012 Class 4A State Basketball Championship.
 04/25/2012 Senate—Introduced—SJ 2169
 04/25/2012 Senate—Adopted without roll call—SJ 2170
 04/26/2012 Senate—Enrolled on Thursday, April 26, 2012—SJ 2293
- S 1861** Resolution by Senator V. Schmidt
Congratulating and commending Angela L. (Angie) Barnes.

- 04/25/2012 Senate—Introduced—SJ 2170
 04/25/2012 Senate—Adopted without roll call—SJ 2171
 04/26/2012 Senate—Enrolled on Thursday, April 26, 2012—SJ 2293
- S 1862** Resolution by Senators Morris, Vratil, Emler, Hensley, V. Schmidt, Schodorf, Kelly, Holland, Francisco
Congratulating and commending Pat Saville for her impending retirement from service to the members of the Kansas Senate and the people of Kansas.
 04/26/2012 Senate—Introduced—SJ 2291
 04/26/2012 Senate—Adopted without roll call—SJ 2293
 04/30/2012 Senate—Enrolled on Monday, April 30, 2012—SJ 2306
- S 1863** Resolution by Senator Francisco
Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
 04/27/2012 Senate—Introduced—SJ 2296
 04/27/2012 Senate—Adopted without roll call—SJ 2297
 04/30/2012 Senate—Enrolled on Monday, April 30, 2012—SJ 2306
- S 1864** Resolution by Senators Kelly, Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil, Wagle
Recognizing April as the Month of the Military Child.
 04/27/2012 Senate—Introduced—SJ 2297
 04/27/2012 Senate—Adopted without roll call—SJ 2297
 04/30/2012 Senate—Enrolled on Monday, April 30, 2012—SJ 2306
- S 1865** Resolution by Senators Morris, Vratil, Emler, Hensley, V. Schmidt, Schodorf, Kelly, Holland, Francisco
Congratulating and commending Reverend Fred Hollomon for his service as Chaplain of the Kansas Senate.
 04/30/2012 Senate—Introduced—SJ 2305
 04/30/2012 Senate—Adopted without roll call—SJ 2306
 05/01/2012 Senate—Enrolled on Tuesday, May 01, 2012—SJ 2537
- S 1866** Resolution by Senators Teichman, Bruce
Sylvia, Kansas; commemorating the 125th Anniversary of its founding.
 05/02/2012 Senate—Introduced—SJ 2538
 05/02/2012 Senate—Adopted without roll call—SJ 2540
 05/03/2012 Senate—Enrolled on Thursday, May 03, 2012—SJ 2560
- S 1867** Resolution by Senator Ostmeyer
Congratulating and commending the Hoxie High School girls' basketball team on winning the 2012 Class 1A Division I state championship.
 05/02/2012 Senate—Introduced—SJ 2540
 05/02/2012 Senate—Adopted without roll call—SJ 2540
 05/03/2012 Senate—Enrolled on Thursday, May 03, 2012—SJ 2560
- S 1868** Resolution by Senator Ostmeyer
Congratulating the Wallace County High School girls' basketball team on winning the Class 1A Division II state championship.
 05/02/2012 Senate—Introduced—SJ 2540
 05/02/2012 Senate—Adopted without roll call—SJ 2541

- 05/03/2012 Senate—Enrolled on Thursday, May 03, 2012—SJ 2560
- S 1869** Resolution by Senator Ostmeyer
Congratulating the Scott Community High School boys' basketball team on winning the Class 3A state championship.
 05/02/2012 Senate—Introduced—SJ 2541
 05/02/2012 Senate—Adopted without roll call—SJ 2541
 05/03/2012 Senate—Enrolled on Thursday, May 03, 2012—SJ 2560
- S 1870** Resolution by Senators Faust-Goudeau, Abrams, Brungardt, Emler, Francisco, Haley, Hensley, Holland, Kelly, Kelsey, Kultala, Longbine, Love, Masterson, McGinn, Merrick, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, A. Schmidt, V. Schmidt, Taddiken, Teichman, Umbarger, Vratil, Wagle
Congratulating the Kansas Highway Patrol on its 75 years of service.
 05/03/2012 Senate—Introduced—SJ 2553
 05/03/2012 Senate—Adopted without roll call—SJ 2554
 05/07/2012 Senate—Enrolled on Monday, May 07, 2012
- S 1871** Resolution by Senator Holland
Congratulating and commending Baldwin High School design team for being named national champions in the Real World Design Challenge.
 05/04/2012 Senate—Introduced—SJ 2581
 05/04/2012 Senate—Adopted without roll call—SJ 2582
 05/07/2012 Senate—Enrolled on Monday, May 07, 2012
- S 1872** Resolution by Senator Emler
Honoring Sterling College for their 125th year.
 05/07/2012 Senate—Introduced—SJ 2584
 05/07/2012 Senate—Adopted without roll call—SJ 2585
 05/09/2012 Senate—Enrolled on Wednesday, May 09, 2012—SJ 2630
- S 1873** Resolution by Senator Kelly
Congratulating and commending the Rochester Elementary students who placed first in the state-wide Music Memory Major Work Competition.
 05/08/2012 Senate—Introduced—SJ 2588
 05/08/2012 Senate—Adopted without roll call—SJ 2588
 05/09/2012 Senate—Enrolled on Wednesday, May 09, 2012—SJ 2630
- S 1874** Resolution by Senator Kelly
Honoring Mike Mathes as the 2012 Superintendent of the year.
 05/08/2012 Senate—Introduced—SJ 2588
 05/08/2012 Senate—Adopted without roll call—SJ 2589
 05/09/2012 Senate—Enrolled on Wednesday, May 09, 2012—SJ 2630
- S 1875** Resolution by Senator Lynn
Congratulating the Olathe Culinary Arts Program at Olathe North High School on winning the National ProStart Invitational culinary competition.
 05/08/2012 Senate—Introduced—SJ 2589
 05/08/2012 Senate—Adopted without roll call—SJ 2590
 05/09/2012 Senate—Enrolled on Wednesday, May 09, 2012—SJ 2630
- S 1876** Resolution by Senators Morris, Reitz, Abrams, Brungardt, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelly, Kultala, Longbine, Love, Marshall, Owens, V. Schmidt, Teichman, Umbarger, Vratil, Wagle
Congratulating and commending Coach Bill Snyder for being named the 2011

- Associated Press Big 12 Coach of the Year.**
- 05/09/2012 Senate—Introduced—SJ 2602
 05/09/2012 Senate—Adopted without roll call—SJ 2603
 05/10/2012 Senate—Enrolled on Thursday, May 10, 2012—SJ 2689
- S 1877** Resolution by Senators Kultala, Holland
Congratulating the Leavenworth High School Girls' Powerlifting Team.
 05/09/2012 Senate—Introduced—SJ 2603
 05/09/2012 Senate—Adopted without roll call—SJ 2605
 05/10/2012 Senate—Enrolled on Thursday, May 10, 2012—SJ 2689
- S 1878** Resolution by Senator V. Schmidt
Recognizing the efforts of the LUNgevity Foundation and John and Sara Ratzenberger.
 05/10/2012 Senate—Introduced—SJ 2635
 05/10/2012 Senate—Adopted without roll call—SJ 2636
 05/14/2012 Senate—Enrolled on Monday, May 14, 2012—SJ 2765
- S 1879** Resolution by Senator Apple
Congratulating Emma Smith as a recipient of the prestigious Harry S. Truman Scholarship.
 05/11/2012 Senate—Introduced—SJ 2693
 05/11/2012 Senate—Adopted without roll call—SJ 2694
 05/14/2012 Senate—Enrolled on Monday, May 14, 2012—SJ 2765
- S 1880** Resolution by Senator V. Schmidt
Congratulating and commending Hillary Boyle for being named Miss Capital City 2012.
 05/11/2012 Senate—Introduced—SJ 2694
 05/11/2012 Senate—Adopted without roll call—SJ 2695
 05/14/2012 Senate—Enrolled on Monday, May 14, 2012—SJ 2765
- S 1881** Resolution by Senator V. Schmidt
Congratulating and commending Belinda Post for being named Miss Topeka 2012.
 05/11/2012 Senate—Introduced—SJ 2695
 05/11/2012 Senate—Adopted without roll call—SJ 2696
 05/14/2012 Senate—Enrolled on Monday, May 14, 2012—SJ 2765
- S 1882** Resolution by Senators Kelly, V. Schmidt, Hensley
Recognizing and honoring Maynard Oliverius for his retirement as President and CEO of Stormont-Vail HealthCare.
 05/11/2012 Senate—Introduced—SJ 2696
 05/11/2012 Senate—Adopted without roll call—SJ 2697
 05/14/2012 Senate—Enrolled on Monday, May 14, 2012—SJ 2765
- S 1883** Resolution by Senators Hensley, Morris, Emler
Congratulating and commending Dave Larson for his years of service to the Kansas Legislature.
 05/11/2012 Senate—Introduced—SJ 2697
 05/11/2012 Senate—Adopted without roll call—SJ 2698
 05/14/2012 Senate—Enrolled on Monday, May 14, 2012—SJ 2765
- S 1884** Resolution by Senator Hensley
In memory of John "Jack" Francis Steineger, Jr.
 05/16/2012 Senate—Introduced—SJ 3110
 05/16/2012 Senate—Adopted without roll call—SJ 3111
 05/18/2012 Senate—Enrolled on Friday, May 18, 2012—SJ 3233

- S 1885** Resolution by Senators Hensley, Morris
Honoring First Assistant Revisor James Arthur Wilson III
06/01/2012 Senate—Introduced
06/01/2012 Senate—Introduced—SJ 3532
06/01/2012 Senate—Adopted without roll call—SJ 3532
06/01/2012 Senate—Enrolled on Friday, June 01, 2012

TITLE AND HISTORY OF EXECUTIVE REORGANIZATION ORDERS

- ERO 41** Executive Reorganization Order No. 41 by Governor Brownback
Consolidating the financing arm of Medicaid in the Kansas Department of Health and Environment Division of Health Care Finance; renaming the former Department on Aging as the Department for Aging and Disability Services and consolidating all disability waiver and mental health services from the Department of Social and Rehabilitation Services into the new agency; and renaming the Department of Social and Rehabilitation Services as the Department for Children and Families.
- 02/07/2012 Senate—Received
02/07/2012 Senate—Introduced and read by title—SJ 1443
02/07/2012 Senate—Referred to Committee on Ways and Means—SJ 1459
02/08/2012 Senate—Hearing: Wednesday, February 15, 2012, 10:30 AM Room 548-S
06/01/2012 Senate—Time limit for action expired; ERO becomes effective July 1, 2012.

FINAL
SENATE CALENDAR

No. 76

JANUARY 9, 2012 THROUGH ADJOURNMENT JUNE 1, 2012

**NUMERICAL SCHEDULE OF SENATE BILLS
CARRIED OVER FROM 2011 SESSION**

H Sub	H Sub for	69 Died, H Com
1 Died, Com	Sub	70 Died, Com
2 Died, Com	39 Died, Conf Com	Sub
3 Died, Com	H Sub	71 Died, H Com
4 Died, Com	40 Signed, St Bk	73 Died, Com
5 Died, H Com	41 Died, H Com	H Sub
Sub	42 Died, Com	74 Signed, St Bk
7 Died, Com	43 Died, Com	75 Died, Com
8 Died, H Com	44 Died, Com	78 Died, Com
11 Signed, St Bk	H Sub	H Sub
13 Died, H Com	45 Died, H Com	79 Signed, St Bk
14 Signed, St Bk	H Sub	Sub
16 Died, Com	46 Died, H Gen Ord	81 Died, H Com
H Sub	47 Died, Com	82 Died, Com
17 Died, Com	48 Died, Com	83 Signed, St Bk
18 Died, Com	49 Died, Com	84 Died, Com
19 Died, Com	51 Died, H Com	86 Died, Com
20 Died, Com	52 Died, H Com	87 Died, Com
22 Died, Com	53 Died, Com	88 Died, Com
H Sub	54 Died, Com	89 Died, Com
25 Died, Com	56 Died, Com	90 Died, H Com
26 Died, Com	57 Died, Com	91 Died, Com
27 Died, Com	58 Died, H Com	Sub
H Sub	H Sub	92 Died, H Com
28 Died, Conf Com	59 Died, Com	94 Died, Com
29 Died, Com	H Sub	Sub
30 Died, Com	60 Signed, St Bk	95 Died, Com
31 Died, Com	H Sub	96 Died, Com
32 Died, Com	62 Signed, St Bk	98 Died, Com
H Sub	Sub	99 Died, Com
34 Stricken, H Cal	64 Died, H Com	100 Died, H Com
H Sub	66 Died, Com	H Sub
35 Died, H Com	68 Died, Com	102 Died, Com

H Sub	Sub	187 Died, Com
104 Died, H Gen Ord	147 Died, Com	189 Died, Com
105 Died, Com	H Sub for	190 Died, Com
106 Died, Com	Sub	H Sub
107 Died, Com	148 Signed, St Bk	191 Signed, Pub
108 Died, H Com	149 Died, Com	3/8/2012
109 Died, Com	151 Died, Gen Ord	192 Died, Com
110 Died, Com	153 Died, Com	194 Died, Com
113 Died, Com	155 Signed, St Bk	195 Died, Com
H Sub	156 Died, Com	197 Died, Com
114 Killed, Fin Act	157 Died, Com	199 Died, Com
116 Died, H Com	158 Died, Com	200 Died, Com
117 Died, Com	H Sub for	201 Died, H Com
H Sub	Sub	202 Died, Com
118 Signed, Pub	159 Signed, St Bk	203 Died, Com
3/8/2012	H Sub	204 Died, Com
120 Died, H Gen Ord	160 Signed, St Bk	205 Died, Com
121 Died, Com	161 Died, Com	Sub
126 Died, H Com	162 Died, Com	206 Died, Com
128 Died, H Com	163 Died, Com	207 Signed, St Bk
H Sub	164 Died, Com	208 Died, Com
129 Signed, St Bk	165 Died, Com	209 Died, Com
130 Died, Com	166 Died, Com	211 Signed, St Bk
131 Died, Com	167 Died, Com	H Sub
132 Died, Com	168 Died, Com	216 Died, H Gen Ord
133 Died, H Com	169 Died, Com	217 Died, Com
134 Signed, Pub	171 Died, Com	218 Died, Com
5/17/2012	172 Died, Com	219 Died, Com
135 Died, H Com	173 Died, Com	220 Died, Com
137 Died, Com	174 Died, Com	221 Died, Com
Sub	175 Died, Com	222 Died, Com
138 Died, H Com	H Sub for	223 Died, H Com
139 Died, H Com	H Sub	H Sub
140 Died, Com	176 Killed, Fin Act	225 Stricken, H Cal
141 Died, Com	H Sub	226 Died, Com
H Sub	177 Died, Conf Com	228 Died, Com
142 Died, Conf Com	178 Died, Com	230 Died, Com
144 Died, Com	180 Died, Com	231 Died, Com
H Sub for	181 Died, Com	232 Died, Com
H Sub	182 Died, H Com	233 Died, Com
145 Died, Cal	183 Died, Com	Sub
146 Died, Com	184 Died, Com	234 Died, H Com

235 Died, Com	240 Died, Com	244 Died, Com
236 Died, Com	241 Died, Com	245 Died, Com
237 Died, Com	242 Died, Com	246 Died, Com
238 Died, Com	243 Died, Com	248 Died, Com
239 Died, Com		

**NUMERICAL SCHEDULE OF SENATE BILLS
2012 SESSION**

249 Signed, St Bk	Sub	Sub
250 Signed, St Bk	282 Signed, St Bk	307 Signed, St Bk
251 Died, Com	Sub	308 Died, Gen Ord
252 Signed, St Bk	283 Signed, St Bk	309 Died, Gen Ord
253 Died, Com	284 Died, Com	310 Signed, Pub
254 Died, Com	285 Died, Com	4/12/2012
255 Died, Com	286 Died, Com	H Sub
256 Died, Com	H Sub	311 Died, H Gen Ord
257 Died, Conf Com	287 Signed, Pub	312 Died, Com
258 Died, Conf Com	5/31/2012	H Sub
H Sub	288 Died, H Gen Ord	313 Died, Com
259 Died, Conf Com	289 Signed, St Bk	314 Signed, St Bk
260 Stricken, H Cal	290 Signed, St Bk	H Sub
261 Died, H Gen Ord	H Sub	315 Veto Sustained
262 Signed, St Bk	291 Dead, Jt. Rule 4(f)	316 Signed, St Bk
263 Signed, St Bk	292 Died, H Com	317 Died, Com
264 Signed, St Bk	293 Died, H Com	318 Died, Com
265 Signed, St Bk	H Sub	319 Died, Com
266 Signed, St Bk	294 Signed, Line	320 Signed, St Bk
267 Died, H Com	Item Vetoes	321 Died, Com
268 Died, Com	Sustained	322 Signed, Pub
269 Died, H Gen Ord	Pub 6/7/2012	4/12/2012
270 Signed, St Bk	295 Died, Com	323 Died, Com
271 Died, H Com	296 Died, Com	324 Died, H Com
272 Signed, Pub	297 Died, H Com	H Sub
3/15/2012	298 Signed, St Bk	325 Stricken, H Cal
273 Signed, St Bk	299 Died, H Gen Ord	326 Died, H Com
274 Died, H Gen Ord	300 Signed, St Bk	Sub
H Sub	301 Signed, Pub	327 Died, H Com
275 Died, H Gen Ord	4/12/2012	328 Died, Com
276 Died, H Com	302 Died, H Com	329 Died, Com
277 Died, H Gen Ord	303 Signed, St Bk	330 Signed, St Bk
278 Died, Com	304 Signed, Pub	331 Died, H Com
279 Died, H Com	5/31/2012	332 Died, Com
280 Signed, St Bk	305 Died, H Com	Sub
281 Died, H Com	306 Signed, St Bk	333 Died, Gen Ord

334 Signed, St Bk	374 Signed, St Bk	415 Died, H Com
335 Died, H Com	375 Died, H Com	H Sub
336 Died, Com	376 Died, Com	416 Killed, Fin Act
337 Died, Com	377 Died, Com	417 Signed, St Bk
338 Died, Com	378 Died, Com	418 Died, Com
339 Died, Com	379 Died, H Gen Ord	419 Died, H Com
340 Died, Com	380 Died, Com	420 Died, Com
H Sub	381 Died, Com	421 Killed, Fin Act
341 Died, Conf Com	382 Died, Com	422 Signed, St Bk
342 Died, H Com	383 Died, Com	423 Died, Gen Ord
343 Died, Com	384 Signed, St Bk	424 Signed, St Bk
H Sub	385 Died, Com	H Sub
344 Rejected, House	386 Died, H Com	425 Signed, St Bk
345 Law without Gov. signature, St Bk	387 Signed, St Bk	426 Died, Com
346 Died, Com	388 Died, Com	427 Died, H Com
347 Died, Com	389 Died, Com	428 Died, Com
348 Died, H Com	390 Died, H Gen Ord	429 Died, Com
349 Died, Com	391 Died, Com	430 Died, Com
350 Died, Com	392 Died, Com	431 Died, H Com
351 Died, Com	Sub	432 Died, Com
352 Died, Gen Ord	393 Died, Com	Sub
353 Veto Sustained	394 Died, Conf Com	433 Died, H Com
354 Died, Com	395 Died, H Com	H Sub
355 Died, Gen Ord	396 Died, Com	434 Signed, Pub
356 Signed, St Bk	Sub	6/7/2012
357 Died, H Com	397 Signed, St Bk	435 Died, Com
358 Died, H Com	398 Died, Com	436 Died, H Com
Sub	399 Died, Com	437 Died, Com
359 Died, Gen Ord	400 Died, H Com	438 Died, H Gen Ord
360 Died, Com	401 Died, Com	439 Died, Com
361 Died, Com	402 Died, Com	440 Died, Com
362 Died, Com	403 Signed, St Bk	441 Died, Com
363 Died, Com	404 Died, H Com	442 Died, Gen Ord
364 Died, Com	405 Died, Gen Ord	443 Died, Com
365 Died, Com	406 Signed, St Bk	444 Died, Gen Ord
366 Signed, St Bk	407 Died, H Com	445 Died, Com
367 Died, Conf Com	408 Died, Com	446 Died, Com
368 Died, Com	409 Died, Gen Ord	447 Died, H Com
369 Died, H Com	410 Died, Com	448 Died, Com
370 Died, Com	411 Died, Com	Sub
371 Died, H Com	Sub	449 Died, H Com
372 Died, H Com	412 Died, H Com	450 Died, Com
373 Died, Com	413 Died, Com	451 Died, Com
	414 Died, Com	452 Died, Com

453 Died, H Com	460 Died, Com	468 Died, Com
454 Died, Com	461 Died, Com	469 Died, Com
455 Died, Com	462 Died, Com	470 Died, Com
456 Died, Com	463 Died, Com	471 Died, Com
457 Died, Com	464 Died, Com	472 Died, Com
458 Died, Com	465 Died, Com	473 Died, Com
Sub	466 Died, Com	
459 Died, H Com	467 Died, Com	

**NUMERICAL SCHEDULE OF
SENATE CONCURRENT RESOLUTIONS CARRIED OVER
FROM 2011 SESSION**

1601 Died, Com	1604 Died, Com	1607 Died, Com
1603 Died, Com	1606 Died, H Com	1608 Died, H Com

**NUMERICAL SCHEDULE OF
SENATE CONCURRENT RESOLUTIONS 2012 SESSION**

1610 Adopted & Enr	1614 Died, Com	1618 Adopted & Enr
1611 Died, Gen Ord	1615 Died, Com	1619 Died, Com
1612 Died, Gen Ord	1616 Adopted & Enr	1620 Adopted & Enr
1613 Died, Com	1617 Died, Com	

**NUMERICAL SCHEDULE OF SENATE RESOLUTIONS
2012 SESSION**

1801 Adopted & Enr	1822 Adopted & Enr	1843 Adopted & Enr
1802 Adopted & Enr	1823 Adopted & Enr	1844 Adopted & Enr
1803 Adopted & Enr	1824 Adopted & Enr	1845 Adopted & Enr
1804 Adopted & Enr	1825 Adopted & Enr	1846 Adopted & Enr
1805 Adopted & Enr	1826 Adopted & Enr	1847 Adopted & Enr
1806 Adopted & Enr	1827 Adopted & Enr	1848 Adopted & Enr
1807 Adopted & Enr	1828 Adopted & Enr	1849 Adopted & Enr
1808 Adopted & Enr	1829 Adopted & Enr	1850 Adopted & Enr
1809 Adopted & Enr	1830 Adopted & Enr	1851 Adopted & Enr
1810 Adopted & Enr	1831 Died, Com	1852 Adopted & Enr
1811 Adopted & Enr	1832 Adopted & Enr	1853 Adopted & Enr
1812 Adopted & Enr	1833 Adopted & Enr	1854 Adopted & Enr
1813 Adopted & Enr	1834 Adopted & Enr	1855 Adopted & Enr
1814 Adopted & Enr	1835 Adopted & Enr	1856 Adopted & Enr
1815 Adopted & Enr	1836 Adopted & Enr	1857 Adopted & Enr
1816 Adopted & Enr	1837 Adopted & Enr	1858 Adopted & Enr
1817 Adopted & Enr	1838 Adopted & Enr	1859 Adopted & Enr
1818 Adopted & Enr	1839 Adopted & Enr	1860 Adopted & Enr
1819 Adopted & Enr	1840 Adopted & Enr	1861 Adopted & Enr
1820 Adopted & Enr	1841 Adopted & Enr	1862 Adopted & Enr
1821 Adopted & Enr	1842 Adopted & Enr	1863 Adopted & Enr

1864 Adopted & Enr	1872 Adopted & Enr	1879 Adopted & Enr
1865 Adopted & Enr	1873 Adopted & Enr	1880 Adopted & Enr
1866 Adopted & Enr	1874 Adopted & Enr	1881 Adopted & Enr
1867 Adopted & Enr	1875 Adopted & Enr	1882 Adopted & Enr
1868 Adopted & Enr	1876 Adopted & Enr	1883 Adopted & Enr
1869 Adopted & Enr	1877 Adopted & Enr	1884 Adopted & Enr
1870 Adopted & Enr	1878 Adopted & Enr	1885 Adopted & Enr
1871 Adopted & Enr		

**SENATE ACTION ON
EXECUTIVE REORGANIZATION ORDERS
2012 SESSION**

ERO 41 No action taken to disapprove by the Senate

**SENATE ACTION ON HOUSE BILLS CARRIED OVER
FROM 2011 SESSION**

S Sub for	2128 Died, S Com	Sub
Sub	2130 Died, S Com	2221 Died, S Com
2004 CCR Adopted	2140 Died, S Com	Sub
2017 Died, S Com	2141 Died, S Com	2229 Died, S Com
2018 Died, S Com	S Sub	2230 Died, S Com
2031 Died, S Com	2149 Passed	2231 Died, S Com
2034 Died, S Com	S Sub	S Sub
2042 Died, S Com	2157 CCR Adopted	2241 Pass Am
Sub	S Sub	S Sub for
2055 Passed	2158 Passed	S Sub for
2066 Died, S Com	Sub	2249 Pass Am, H Con
S Sub for	2159 Died, S Com	2253 Died, S Com
Sub	S Sub for	S Sub
2069 Died, S Gen Ord	Sub	2267 Pass Am, H Con
2070 Died, S Com	2161 Died, S Gen Ord	2269 Died, S Com
S Sub	Sub	2273 Passed
2077 CCR Adopted	2166 Passed	2294 Died, S Com
S Sub	2169 Died, S Com	Sub
2087 Pass Am	2175 CCR Adopted	2295 Died, S Com
2088 Died, S Com	Sub	Sub
2101 Died, S Com	2178 Passed	2296 Died, S Com
Sub	Sub	2298 Died, S Com
2106 Died, S Com	2188 Died, S Com	S Sub
2107 Died, S Com	2196 Died, S Com	2313 CCR Adopted
S Sub	S Sub	2314 Died, S Com
2117 Pass Am, H Con	2200 Pass Am	S Sub for
2120 Died, S Com	Sub	Sub
2121 Died, S Com	2207 Passed	2318 CCR Adopted

2324 Pass Am, H Con	2353 Died, S Com	S Sub
S Sub	S Sub	2383 Died, S Com
2329 Died, S Gen Ord	2357 Died, S Com	2386 Died, S Com
S Sub for	S Sub	S Sub
Sub	2371 Pass Am	2390 CCR Adopted
2333 CCR Adopted	2374 Died, S Com	S Sub
2335 Passed	S Sub	2396 Died, S Gen Ord
Sub	2382 Pass Am, H Con	
2340 Died, S Com		

SENATE ACTION ON HOUSE BILLS**2012 SESSION**

2412 Passed	2464 CCR Adopted	S Sub
2413 Pass Am, H Con	2465 Passed	2526 Passed
2414 Passed	2468 Passed	2531 Died, S Com
2416 Pass Am, H Con	2469 Passed	2533 Died, S Com
2417 Killed, S Fin Act	Sub	2534 Pass Am, H Con
2420 Passed	2470 Passed	2535 Passed
2422 Died, S Com	2471 CCR Adopted	2537 Died, S Com
2424 Died, S Com	2472 Passed	2546 Passed
2425 Died, S Com	2473 Passed	2548 Died, S Com
Sub	Sub	2550 Died, S Com
2427 Pass Am, H Con	2477 Passed	Sub
2428 Passed	2481 Died, S Com	2555 Died, S Com
2429 Passed	2484 Passed	2557 Pass Am, H Con
2430 Died, Conf Com	2485 Died, Conf Com	2558 Died, S Com
Sub	2486 Passed	2561 Died, S Gen Ord
2431 Died, S Com	2489 Passed	2562 Pass Am, H Con
2432 CCR Adopted	2490 Passed	2563 Pass Am, H Con
2435 CCR Adopted	2491 Passed	2568 CCR Adopted
2436 Died, S Com	2494 CCR Adopted	2569 Passed
2437 Died, S Com	2496 Passed	2572 Died, Conf Com
2441 Passed	2499 Died, S Com	2588 Passed
2444 Died, S Com	2502 CCR Adopted	2593 Passed
2451 Passed	2503 CCR Adopted	S Sub
2453 Pass Am, H Con	2505 CCR Adopted	2596 CCR Adopted
S Sub	2507 Passed	S Sub
2454 CCR Adopted	2509 Passed	2597 CCR Adopted
Sub	2510 Died, S Gen Ord	2599 Passed
2455 Passed	2515 Pass Am	2600 Passed
2456 Died, S Com	2516 Pass Am, H Con	2604 Pass Am, H Con
2458 Died, S Com	2517 Pass Am, H Con	2605 Passed
2459 Pass Am, H Con	2520 Died, S Com	2606 Died, S Com
2460 Passed	2521 Died, S Com	2609 Died, S Com
2461 Pass Am, H Con	2525 Passed	2612 Passed

2613 CCR Adopted	2666 Passed	Sub
2614 Passed	2668 Passed	2709 Died, S Com
2618 Passed	2669 Passed	2715 Died, S Com
S Sub	2670 Died, S Com	2729 Pass Am, H Con
2619 Passed	2672 Passed	S Sub
2621 Passed	2673 Died, S Gen Ord	2730 CCR Adopted
2624 Passed	2674 Pass Am, H Con	2737 Passed
2626 Passed	2675 Passed	2741 Died, S Com
2627 Died, S Gen Ord	2676 Died, S Com	2743 Passed
2629 Died, S Com	2677 Passed	2745 Died, S Com
2631 CCR Adopted	2682 Died, S Com	2749 Died, S Com
Sub	2683 Passed	2755 Died, S Com
2634 Died, S Com	2684 CCR Adopted	2757 CCR Adopted
2637 Died, S Gen Ord	2685 Pass Am, H Con	2758 Died, S Gen Ord
2638 Died, S Gen Ord	2687 Passed	2761 Died, S Com
2646 Died, S Gen Ord	Sub	2764 Died, S Com
2647 Died, S Gen Ord	2689 CCR Adopted	2766 Died, S Com
2649 Died, Conf Com	2694 Died, S Com	Sub
S Sub	2697 Passed	2768 Died, S Com
2650 Died, S Gen Ord	2703 Passed	2769 Passed
2655 CCR Adopted	2704 CCR Adopted	2773 Died, S Com
Sub	2705 Died, S Com	2777 Passed
2659 Pass Am, H Con	2706 Pass Am, H Con	2792 Pass Am, H Con
2660 Pass Am, H Con	2708 Died, S Com	2793 Died, S Com

**SENATE ACTION ON HOUSE CONCURRENT RESOLUTIONS
CARRIED OVER FROM 2011 SESSION**

5007 Died, S Fin Act	5017 Adopted	5022 Died, S Com
5016 Adopted	5020 Died, S Com	5023 Died, S Com

**SENATE ACTION ON HOUSE CONCURRENT RESOLUTIONS
2012 SESSION**

5028 Adopted	5032 Adopted	5034 Adopted
5031 Died, S Com	5033 Adopted	

SUMMARY OF ACTIONS ON SENATE BILLS AND SENATE RESOLUTIONS

Senate Bills

Senate bills introduced in the 2012 session.....	225	
Senate bills carried over from 2011 session.....	<u>190</u>	
TOTAL.....		415

Senate bills signed by Governor.....	63	
(H Sub SB 294 contains line item vetoes)		
Senate bills becoming law without Governor's signature (SB 345).....	1	
Senate bills vetoed by the Governor (H Sub 315, SB 353)	2	
Senate bills killed in Senate	4	
Senate bills that died on Senate Calendar.....	13	
Senate bills that died in Senate Committees.....	234	
Senate bills killed in House.....	6	
Senate bills that died on House Calendar.....	15	
Senate bills that died in House Committees.....	67	
Senate bills that died in Conference Committees.....	<u>10</u>	
(H Sub 28, H Sub for Sub 39, H Sub 142, H Sub 177, 257, 258, H Sub 259, H Sub 341, 367, 394)		
TOTAL.....		415

Senate Concurrent Resolutions

Senate concurrent resolutions introduced in 2012 session.....	11	
Senate concurrent resolutions carried over from 2011.....	<u>6</u>	
TOTAL.....		17

Senate concurrent resolutions adopted by both houses.....	4	
Senate concurrent resolutions killed in Senate.....	0	
Senate concurrent resolutions that died on Senate Calendar.....	2	
Senate concurrent resolutions that died in Senate Committees.....	9	
Senate concurrent resolutions killed in House.....	0	
Senate concurrent resolutions that died on House Calendar.....	0	
Senate concurrent resolutions that died in House Committees.....	2	
Senate concurrent resolutions that died in Conference Committees.....	<u>0</u>	
TOTAL.....		17

Senate Resolutions

Senate resolutions introduced in 2012 Session.....	84	
Senate resolutions adopted.....	83	
Senate resolutions killed in Senate.....	0	
Senate resolutions that died on Senate Calendar.....	0	
Senate resolutions that died in Senate Committees.....	<u>1</u>	
TOTAL.....		84

STATUS OF BILLS AND RESOLUTIONS

Senate bills signed by the Governor: Nos. 11, 14, H Sub 40, H Sub 60, H Sub 62, H Sub 74, H Sub 79, 83, H Sub 118, H Sub 129, 134, H Sub for Sub 148, 155, H Sub for Sub 159, H Sub 160, H Sub 191, 207, 211, 249, 250, 252, 262, 263, 264, 265, 266, 270, 272, 273, 280, Sub 282, Sub 283, H Sub 287, 289, 290, H Sub 294, 298, 300, 301, 303, 304, 306, Sub 307, 310, 314, 316, 320, 322, 330, 334, 356, 366, 374, 384, 387, Sub 397, 403, 406, 417, 422, 424, H Sub 425, H Sub 434

Senate bills becoming law without Governor's signature: No. 345

Senate bills vetoed by Governor: Nos. H Sub 315, 353

Senate bills line item vetoed by Governor: No. H Sub 294

Senate bills signed by the Governor and published in Kansas register: Nos. H Sub 118, 134, H Sub 191, 272, H Sub 287, H Sub 294, 301, 304, 310, 322, H Sub 434

Senate resolutions adopted: Nos. 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885

Senate concurrent resolutions adopted by both Houses: Nos. 1610, 1616, 1618, 1620

**APPOINTMENTS, COMMUNICATIONS, CONFIRMATIONS, MESSAGES
FROM THE GOVERNOR, SPECIAL EVENTS AND GUESTS
2012 SENATE JOURNAL**

APPOINTMENTS

Reverend Fred S. Hollomon, Topeka, to serve as Chaplain of the Senate, page 1321.

SR 1801, relating to the organization of the Senate and appointments of the president, vice president, majority leader, minority leader, secretary and sergeant at arms, page 1322.

COMMUNICATIONS FROM STATE OFFICERS

Attorney General Derek Schmidt appointed Kirk Thompson as Director of the Kansas Bureau of Investigation, page 1328.

Department of Revenue, Nick Jordan, Secretary, appointed David Harper as Director of Property Valuation, page 1328.

Department of Revenue, Nick Jordan, Secretary, appointed Doug Jorgensen, Director of Alcoholic Beverage Control, page 1329.

Pooled Money Investment Board, Scott W. Miller, Director of Investments, submitted its Annual Report for Fiscal Year 2011, page 1329.

Attorney General Derek Schmidt submitted the 2011 Annual Report of the Abuse, Neglect and Exploitation Unit, page 1329.

Ray Roberts, Secretary of Corrections, submitted the annual report of the Kansas Community Corrections Statewide Risk Reduction Initiative, page 1329.

State Treasurer Ron Estes submitted the 2011 Annual Report for the Treasurer's Office, page 1329.

On behalf of Co-chairpersons, Senator Jeff King and Representative Mitch Holmes, pursuant to Chapter 98, 2011 Sessions Laws of Kansas, Julian Efrid, Principal Analyst, Legislative Research, submitted the final report of the Kansas Public Employees Retirement System (KPERs) Study Commission, page 1329.

Secretary of the Senate, Pat Saville, submitted the following communications received during the interim: Executive Directives Nos. 11-419, 11-420, 11-421, 11-422, 11-423, 11-424, 11-425 and 11-426, page 1330.

Also, Executive Order No. 11-12, acknowledging a state of emergency resulting from a tornado, large hail and extreme weather affecting the city of Joplin in Jasper County, Missouri, exists and it is necessary to assist and expedite all disaster recovery efforts by ordering conditional and temporary relief from Motor Carrier Rules and Regulations, and shall continue in effect until June 22, 2011, unless extended or rescinded earliest by subsequent executive order issued June 8, 2011, page 1330.

Executive Order No. 11-13, declaring that Executive Orders, 11-09, 11-10, and 11-12 shall be extended and shall remain in full force and effect, with no break in application, until August 1, 2011, issued June 22, 2011, page 1330.

Executive Order No. 11-14, declaring a state of local emergency for Dickinson County, as a result of a train derailment in the Union Pacific Railroad Yard in Herrington, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued June 22, 2011, page 1330.

Executive Order No. 11-15, declaring a state of local emergency for Chase County, as a result of a train derailment on the Burlington Northern Santa Fe Railroad line near Cottonwood Falls, Gladstone Station Siding, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued June 22, 2011, page 1330.

Executive Order No. 11-16, declaring a state of local emergency for Shawnee County, as a result of a train derailment in the Union Pacific Railroad Yard at NW 17th Street and Button Road in Topeka, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued June 29, 2011, page 1330.

Executive Order No. 11-17, declaring a state of local emergency for Wyandotte County, as a result of a train derailment in the Burlington Northern Santa Fe Railroad Argentine Yard in Kansas City, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued June 29, 2011, page 1330.

Executive Order No. 11-18, declaring a Drought Watch, Drought Warning or Drought Emergency replacing Executive Order 11-06 and authorizing and directing all agencies under the jurisdiction of the Governor to implement the appropriate Watch, Warning or Emergency level drought response actions assigned to them in the Operations Plan of the Governor's Drought Response Team, issued July 1, 2011, page 1330.

Executive Order No. 11-19, declaring a state of regional emergency for Atchison, Doniphan, Leavenworth and Wyandotte counties as a result of flooding, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued July 1, 2011, page 1330.

Executive Order No. 11-20, offering a reward of five thousand dollars (\$5,000) for information leading to the arrest and conviction of the individual or individuals who committed the homicide of Pedro Morales in rural Ford County, issued July 11, 2011, page 1330.

Executive Order No. 11-21, offering a reward of five thousand dollars (\$5,000) for information leading to the arrest and conviction of the individual or individuals who committed the homicide of Jennifer Heckel in Hutchinson, issued July 11, 2011, page 1331.

Executive Order No. 11-22, creating the National Bio and Agro Defense Facility in Kansas Steering Committee, issued July 18, 2011, page 1331.

Executive Order No. 11-23, establishing the Governor's Economic Advisors Council, issued July 28, 2011, page 1331.

Executive Order No. 11-24, declaring a state of emergency exists in the state of Missouri, and declaring it necessary to assist and expedite all disaster recovery efforts and the extension of prior conditional and temporary relief as stated in Executive Order 11-10, issued July 28, 2011, page 1331.

Executive Order No. 11-25, declaring a state of emergency in the state, and as a result, it is necessary to expedite all efforts to transport hay to livestock in drought stricken areas, issued July 28, 2011, page 1331.

Executive Order No. 11-26, declaring a state of regional emergency existing in Atchison, Doniphan, Leavenworth and Wyandotte counties as a result of flooding, and as a result, it is necessary to expedite all efforts of restoration of services and relief and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued August 2, 2011, page 1331.

Executive Order No. 11-27, declaring a Drought Watch, Drought Warning or Drought Emergency replacing Executive Order 11-18 and authorizing and directing all agencies under the jurisdiction of the Governor to implement the appropriate Watch, Warning or Emergency level drought response actions assigned to them in the Operations Plan of the Governor's Drought Response Team, issued August 4, 2011, page 1331.

Executive Order No. 11-28, acknowledging a state of emergency exists in the states of Nebraska, Oklahoma, and Texas, and declaring it necessary to assist and expedite all disaster recovery efforts by providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 2, 2011, page 1331.

Executive Order No. 11-29, declaring a Drought Watch, Drought Warning or Drought Emergency replacing Executive Order 11-18 and authorizing and directing all agencies under the jurisdiction of the Governor to implement the appropriate Watch, Warning or Emergency level drought response actions assigned to them in the Operations Plan of the Governor's Drought Response Team, issued September 6, 2011, page 1331.

Executive Order No. 11-30, declaring a state of local emergency for Saline County, as a result of a train derailment near the Union Pacific Railroad Yard at 5th and Decatur Streets in Salina, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 12, 2011, page 1331.

Executive Order No. 11-31, declaring a state of local emergency for Butler County, as a result of a train derailment on the Burlington Northern Santa Fe Railroad line near Cassoday, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 12, 2011, page 1331.

Executive Order No. 11-32, declaring a state of local emergency for Coffey County, as a result of a train car maintenance issue on the Burlington Northern Santa Fe Railroad line near Lebo, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 12, 2011, page 1331.

Executive Order No. 11-33, declaring a state of local emergency for Pottawatomie County, as a result of a train derailment on the Union Pacific Railroad line near Emmett, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 12, 2011, page 1332.

Executive Order No. 11-34, declaring a state of local emergency for Wyandotte County, as a result of a train derailment near the 18th Street Terminal on the Union Pacific Railroad line in Kansas City, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 21, 2011, page 1332.

Executive Order No. 11-35, declaring a state of local emergency for Wyandotte County, as a result of a train derailment in the Argentine Rail Yard on the Burlington Northern Santa Fe Railroad line in Kansas City, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 22, 2011, page 1332.

Executive Order No. 11-36, declaring a state of local emergency for Shawnee County, as a result of a train derailment near the Union Pacific Rail Yard at 9th and Norris Streets in Topeka, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued September 30, 2011, page 1332.

Executive Order No. 11-37, declaring a Drought Watch, Drought Warning or Drought Emergency replacing Executive Order 11-18 and authorizing and directing all agencies under the jurisdiction of the Governor to implement the appropriate Watch, Warning or Emergency level drought response actions assigned to them in the Operations Plan of the Governor's Drought Response Team, issued October 5, 2011, page 1332.

Executive Order No. 11-38, acknowledging a state of emergency exists in the states of Nebraska, Oklahoma, and Texas, and declaring it necessary to assist and expedite all disaster recovery efforts by providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued October 5, 2011, page 1332.

Executive Order No. 11-39, declaring a state of local emergency for Shawnee County, as a result of a train derailment at the Union Pacific Railroad Armourdale Rail Yard at 901 NW North Street in Topeka, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued October 6, 2011, page 1332.

Executive Order No. 11-40, naming and designating the cemetery on the Kansas Juvenile Correctional Complex grounds as "The Bennie Lee Graham Memorial Cemetery" in memory of Bennie Lee Graham, issued October 18, 2011, page 1332.

Executive Order No. 11-41, declaring a state of local emergency for Woodson County, as a result of a train derailment on the Union Pacific Railroad line near Yates Center, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued October 18, 2011, page 1332.

Executive Order No. 11-42, declaring a state of local emergency for Wyandotte County, as a result of a train derailment in the Argentine Rail Yard in Kansas City, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued October 18, 2011, page 1332.

Executive Order No. 11-43, declaring a state of local emergency for Woodson and Wyandotte Counties, as a result of a train derailment on the Union Pacific Railroad and Burlington Northern Santa Fe Railroad lines, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued October 31, 2011, page 1332.

Executive Order No. 11-44, declaring a state of local emergency for Wyandotte County, as a result of a train derailment on the Union Pacific Railroad line in the Armourdale Rail Yard, and a train derailment on the Burlington Northern Santa Fe Railroad line in the Argentine Rail Yard, both in Kansas City, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued October 31, 2011, page 1332.

Executive Order No. 11-45, declaring a state of local emergency for Saline County, as a result of a train derailment on the Union Pacific Railroad line along Santa Fe Street in Salina, and providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued October 31, 2011, page 1333.

Executive Order No. 11-46, directing and ordering all non-regents executive branch agency information technology directors and all staff performing information technology functions in all executive branch state agencies, departments, or other entities under my jurisdiction shall report directly to the Executive CITO, issued November 7, 2011, page 1333.

Executive Order No. 11-47, acknowledging a state of emergency exists in the states of Nebraska, Oklahoma, and Texas, and declaring it necessary to assist and expedite all disaster recovery efforts by providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued November 15, 2011, page 1333.

Executive Order No. 11-48, declaring a Drought Watch, Drought Warning or Drought Emergency replacing Executive Order 11-37 and authorizing and directing all agencies under the jurisdiction of the Governor to implement the appropriate Watch, Warning or Emergency level drought response actions assigned to them in the Operations Plan of the Governor's Drought Response Team, issued November 21, 2011, page 1333.

Executive Order No. 11-49, declaring a state of emergency exists in Kansas and declaring it necessary to assist and expedite all disaster recovery efforts by providing conditional and temporary relief from Motor Carrier Rules and Regulations, issued December 28, 2011, page 1333.

Secretary of the Senate, Pat Saville, has received the following communications during the interim since adjournment of the 2011 Regular Session of the Legislature: Dennis Taylor, Secretary of Administration, submitted a list of state owned property for possible sale as identified by state agencies; Kansas Department of Labor submitted the 2010 Annual Report; the Johnson County Education Research Triangle Authority, Ed Eilert, Chairman, submitted the Annual Report concerning the financial activities of the authority; the Attorney General submitted the 2011 Kansas State Child Death Review Board Annual Report; the Kansas Public Employees Retirement System submitted the 2011 Comprehensive Annual Financial Report, page 1334.

Kansas Attorney General Derek Schmidt appointed Sheriff Tom Williams as a member of the Crime Victims Compensation Board, page 1339.

Kansas Corporation Commission, Doug Louis, Director, submitted the Abandoned Oil and Gas Well/Remediation Site Status Report, page 1339.

Kansas Board of Pharmacy, Debra L. Billingsley, Executive Secretary, submitted the Annual Report on controlled substances, page 1339.

Kansas Department of Wildlife, Parks and Tourism, Robin L. Jennison, Secretary, submitted the report regarding land acquisition and renewals, page 1339.

Senate President, Stephen R. Morris, appointed the Tax Working Group to study the various tax proposals and provide to the Senate Committee on Assessment and Taxation a report on its findings and recommendations, page 1344.

Department of Corrections, Ray Roberts, Secretary, submitted a report regarding Crimes Committed by Sex Offenders While in Custody, page 1345.

Kansas Bureau of Investigation, Kirk D. Thompson, Director, submitted the report regarding the status of the KBI State Forfeiture Fund, page 1364.

Kansas Corporation Commission, Patti Petersen-Klein, Executive Director, submitted the Annual Report regarding broadband service and providers, page 1364.

Speaker of the Kansas House of Representatives, Mike O'Neal, reappointed Earl McVicker to the Kansas Bioscience Authority Board, page 1367.

Senate President, Stephen R. Morris, appointed Ken Buchele to the Kansas Bioscience Authority, page 1367.

Kansas Employment First Oversight Commission, submitted the Annual Report to the Governor and members of the Kansas Legislature, page 1384.

Kansas Board of Regents, Gary Alexander, Vice President of Academic Affairs, submitted the report on the Implementation of Qualified Admissions, page 1390.

Kansas Department of Health and Environment, Mike Michael, Director, State Employee Health Benefit Plans, submitted the Kansas State Employees Health Care Commission 2011 Annual Report, page 1395.

The following members were appointed to the Senate Select Committee on KPERS by Senate President, Steve Morris: Steve Morris, Chair, Jeff King, Vice Chair, Terrie Huntington, Jeff Longbine, Bob Marshall, Ty Masterson, Ruth Teichman, John Vratil, Laura Kelly, Ranking Minority, Anthony Hensley, page 1398.

Kansas Corporation Commission, Patti Petersen-Klein, Executive Director, submitted the Annual Price Deregulation Report to the 2012 Legislature, page 1428.

Kansas Corporation Commission, Patti Petersen-Klein, Executive Director and Jesse Borjon, Director of Public Affairs and Consumer Protection, submitted the 2012 Utilities and Common Carriers Annual Report to the Legislature, page 1428.

Department of Commerce, Pat George, Secretary, submitted the 2011 Star Bond Annual Report, page 1465.

Kansas Affordable Airfares Program Fiscal Year 2012 Financial Status Report was submitted by the Regional Economic Area Partnership, page 1481.

Kansas Insurance Department, Sandy Praeger, Commissioner of Insurance, submitted the 2011 Annual Report, page 1491.

Kansas Department of Health and Environment, Mike Michael, Director, submitted the Kansas State Employees Health Care Commission Report on Insurance Coverage for the Autism Spectrum Disorder Pilot, page 1610.

Kansas Department of Health and Environment, Bob Jurgens, Chief Assessment and Restoration Section, Bureau of Environmental Remediation, on behalf of the Treece Relocation Assistance (TRA) Trust provided the Treece Relocation Assistance Project Monthly Expenditure/Income Report for the January 2012 Reporting Period, page 1628.

Kansas Department of Revenue, David N. Harper, Director, Division of Property Valuation, submitted the 2011 Preliminary Real Estate Appraisal/Sales Ratio Study, page 1664.

Kansas Department of Administration, Martin Eckhardt, Director, Office of Management Analysis and Standards, submitted a CD containing the 58th Annual Financial Report of the State of Kansas for the fiscal year ended June 30, 2011, page 2166.

Attorney General Derek Schmidt submitted the appointment of Suzanne Valdez as a member of the Crime Victims Compensation Board, page 2166.

Secretary of State, State of Arizona, Ken Bennett, submitted a copy of House Concurrent Memorial 2007, a Concurrent Memorial requesting the Congress of the United States to propose, and to submit for ratification, a balanced budget amendment to the United States Constitution, page 2166.

Secretary of State, State of Louisiana, Tom Schedler, submitted a copy of Louisiana House Concurrent Resolution 87, regarding applying for an amendments convention to be called for the purpose of proposing an amendment to the Constitution of the United States which provides that an increase in federal debt requires approval from a majority of the legislatures of the separate states, page 2167.

Kansas Department of Labor, Karin Brownlee, Secretary, submitted the 2011 Annual Report for the Kansas Department of Labor, page 2542.

Kansas Human rights Commission, William V. Minner, Executive Director, submitted the Annual Report for the Fiscal Year 2011, July 1, 2010 - June 30, 2011, page 2601.

Kansas Department of Corrections, Ray Roberts, Secretary of Corrections, submitted the report for the Kansas Department of Corrections State Forfeiture Fund for the period of December 1, 2010 through December 1, 2011, page 3114.

CONFIRMATION OF APPOINTMENTS

Consideration of confirmation of appointments, pages 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1384, 1385, 1465, 1633, 1634, 2150, 2543, 2544, 2599, 2600 and 2689.

MESSAGES FROM THE GOVERNOR

Submitting for confirmation, Carroll Macke, State Civil Service Board, Kansas City, page 1324.

Submitting for confirmation, Tom Roberts, Lottery Commission, Kansas City; Carl Gerlach, Lottery Commission, Overland Park; Dennis Wilson, Lottery Commission, Executive Director, Overland Park; Mark McGivern, Public Employees Relations Board, Topeka; Eric Carter, Public Employees Relations Board, Overland Park; Gary Harshberger, Kansas Water Authority, Chairman, Dodge City; Earnest Lehman, Kansas Electric Transmission, Hays; Carolyn Dunn, State Banking Board, Jeff Whitham, State Banking Board, page 1325.

Submitting for confirmation, Robert Honse, University of Kansas Hospital Authority, Lawrence; Chris Long, Kansas Public Employees Retirement Board of Trustees, Mission Hills; John Mitchell, Central Interstate Low-Level Radioactive Waste Commission, Alternate Member, Lawrence; Melvin Neufeld, Kansas Human Rights Commission, Ingalls; Josh Ney, Kansas Human Rights Commission, Lawrence; Kamyar Nikoo-Manesh, Agricultural Remediation Board, Olathe; Thomas Pitner, State Banking Board, Hays; Brian Norton, Agricultural Remediation, Girard, page 1326.

Submitting for confirmation, Suresh Kumar, Kansas Development Finance Authority, Overland Park; Catherine Moyer, Lottery Commission, Ulysses; Laura Pearl, Agricultural Remediation Board, St. Mary's; Kenny Wilk, Board of Regents, Leavenworth; Fred Logan, Board of Regents, Leawood; Robba Moran, Board of Regents, Hays; Kenneth Gorman, Public Employees Relations Board, Topeka; John Bowes, Public Employees Relations Board, Topeka, page 1327.

Submitting for confirmation, Kirk Benson, University of Kansas Hospital Authority, Overland Park; Penny Moylan, Indigent Board of Defense Services, Topeka, page 1328.

Executive Directive No. 11-427, Authorizing Expenditure of Federal Funds, page 1328.

Submitting for confirmation, Neal Bernauer, State Banking Board; Terry Crowder, Kansas Human Rights Commission; Gary Starr, Kansas Agricultural Remediation Board, page 1338.

Submitting for confirmation, Pat Hill, Kansas Human Rights Commission, page 1339.

Executive Directive No. 12-428, authorizing expenditure of federal funds, page 1380.

Executive Order No. 12-01, regarding regional emergencies, page 1398.

Executive Reorganization Order No. 41, the Department on Aging is hereby renamed the Kansas Department for Aging and Disability Services, page 1442.

Submitting for confirmation, Phyllis Gilmore, Secretary, Social and Rehabilitation Services, Overland Park; and Greg Graves, University of Kansas Hospital Authority, Stilwell, page 1497.

Submitting for confirmation, Sharon Lindenbaum, University of Kansas Hospital Authority, Leawood; and Alex Ammar, University of Kansas Hospital Authority, Wichita, page 1498.

Executive Order No. 12-02, regarding regional emergencies/conditional and temporary relief from Motor Carrier Rules and Regulations, page 1609.

Executive Order No. 12-03, which provides that the Governor may issue orders and proclamations which shall have the force and effect of law during the period of a state disaster, page 1623.

Submitting for confirmation, Samuel H. Sheldon, State Court of Tax Appeals, Ottawa; James (Jay) D. Cooper, State Court of Tax Appeals, Wichita; and Barbara J. Hickert, Long-term Care Ombudsman, Atchison, page 1657.

Executive Order No. 12-04, for regional emergencies regarding conditional and temporary relief from Motor Carrier Rules and Regulations, page 2087.

Submitting for confirmation Leon Harold Borck, Kansas Bioscience Authority, Manhattan; Andrew D. Wimmer, Board of Indigent Defense Services, Overland Park; Dale A. Rodman, Kansas Bioscience Authority, Topeka; Robert Chestnut, Pooled Money Investment Board, Lawrence; and Michael Steven King, Department of Transportation, Secretary, Hesston, page 2164.

Executive Order No. 12-05, concerning regional emergencies and conditional and temporary relief from Motor Carrier Rules and Regulations, page 2291.

Executive Order No. 12-06, concerning regional emergencies regarding conditional and temporary relief from Motor Carrier Rules and Regulations, page 2309.

Executive Directive No. 12-429, authorizing expenditure of federal funds, page 2310.

Executive Order No. 12-07, regarding drought warnings for certain counties, replacing Executive Order 11-48 and authorizing and directing all agencies under the jurisdiction of the Governor to implement the appropriate watch or warning level drought response actions, page 2591.

Veto message regarding **SB 353**, Board of Barbering, page 2164. Veto sustained, page 2582.

Veto message regarding **H Sub for SB 315**, powers of the State Bank Commissioner, page 2166. Veto sustained, page 2763.

Veto message regarding **House Substitute for SB 294**, for the Fiscal Years 2012, 2013, 2014, 2015 and 2016 budget, approved by the governor; except line item vetoes: Portion Sec. 12(a) and (b), 84c, 42(a), 88(a), 114(c), 35(l), 36(a), 156(d)(1), and all of Secs. 75(h) and (i), 114(d), 113(c), 35(b), 122, and 119, page 3533. Veto sustained, page 3537.

SPECIAL EVENTS AND GUESTS

Reverend Fred S. Hollomon, Topeka, to serve as Chaplain of the Senate, page 1321.

President Morris introduced the reader, Matthew Gleason, a second year law student at Washburn University, page 1321.

President Morris introduced Dr. Deborah S. Clements, President of the Kansas Academy of Family Physicians. Dr. Clements is the Program Director for the University of Kansas Family Medicine Residency Program and a Professor of Family Medicine at KU, page, 1322.

President Morris introduced Diane Minear, Deputy Secretary of the Senate and Second Lieutenant Don Cackler, who again will be representing the Kansas Highway Patrol in the Senate, page 1322.

Senator A. Schmidt rose on a Point of Personal Privilege to introduce Jenny Koops, Morgan Schremmer and Lexi Wingerson as youth leaders for citizenship day, page 1342.

Senator Lynn rose on a Point of Personal Privilege to introduce Congressman Kevin Yoder, page 1342.

Senator Haley rose on a Point of Personal Privilege in commemoration of the Dr. Martin Luther King Holiday, page 1345.

Senator Schodorf congratulated Tiffany A. Richard, 2012 Kansas Teacher of the Year from Olathe USD 233. Also acknowledged were the 2012 Kansas Regional Teachers of the Year as follows: Amelia S. Adams, Liberal USD 480; Christopher D. Christian, Maize USD 266; Emily K. Fleming, Kansas City USD 500; Carla Goertzen, Buhler USD 313; Sherry L. Helus, Wamego USD 320; Michael C. Pickman, Prairie View USD 362 and Elizabeth A. Roberts, Wichita USD 259, page 1359.

Senator Haley rose on a Point of Personal Privilege to introduce Micheal Irvin, who was shadowing Senator Haley for the day as a part of the Kansas Agricultural Rural Leadership, page 1366.

Senator Wagle rose on a Point of Personal Privilege to introduce her daughter, Julia Scott, grandchildren, Ben and Olivia Scott and daughter-in-law Michelle Wagle, page 1374.

Senator Love rose on a Point of Personal Privilege to introduce his parents, Greg and Sue Love and wife, Caley. Also introduced were cousins serving as pages, page 1374.

Senator Hensley rose on a Point of Personal Privilege to introduce Elon Torrence, his wife, Polly, son and daughter-in-law, Chuck and Carol Torrence, daughter, Mary Torrence and brother-in-law and wife, Joe and Darlene Pollom. Elon was celebrating his 95th birthday, page 1377.

Senator Schodorf rose on a Point of Personal Privilege to introduce Kelly Arnold, Sedgwick County Clerk, page 1378.

Senator Longbine rose on a Point of Personal Privilege to introduce Dr. Michael Shonrock, President of Emporia State University, page 1383.

Senator Ostmeyer rose on a Point of Personal Privilege to introduce his daughter and son-in-law, Chris and Dan Niblock and grandson, Kyler, page 1383.

Senator Emler rose on a Point of Personal Privilege to introduce his daughter, Katherine and his granddaughter, Kashlei, page 1388.

Senator Apple rose on a Point of Personal Privilege to introduce the Franklin County Leadership Class, page 1388.

Senator Reitz asked everyone to stand and join him in singing “Home on the Range” in observance of Kansas Day, page 1395.

Senator Huntington introduced Dr. Gene Johnson, Richard Kramer, Dennis Grayless and Christopher Neven and congratulated the Shawnee Mission North High School’s Naval Junior Reserve Officers Training Corps program, page 1404.

Senator Apple introduced and congratulated Richard Nienstedt, Ottawa City Manager for being the 2011 recipient of the Buford Watson, Jr. Award for Excellence in Public Management, page 1405.

Senator A. Schmidt introduced Dr. Edward Hammond, President, Fort Hays State University, and Todd Powell, Legal Counsel for the University, page 1435.

Senator Emler introduced Marvin, “Pete” Peters, Brett Reber, Kyle Hawk, Colin Hansen, Rick Wilborn, and Tom Brown and congratulated them for the success of the economic development efforts of the McPherson, Kansas, community, page 1437.

Senator Holland congratulated Ted Zuzzio on being named the 2011 National Coach of the Year for Girls Outdoor Track and Field. Also introduced: wife Karen Zuzzio, grandson Brylar Zuzzio, Joyce Grundon and Sarah Lober. The following team members in attendance were: Kaitlyn Barnes, Hannah Hutton, Katie Jones, Jessie Katzer, Katie Kehl, Morgan Lober, Elizabeth Sigvaldson, Elena Watson and Carol Whaley along with Coach Mike Spielman and Assistant Coach Angie Spielman, page 1467.

Senate President Morris introduced guest chaplain, Pastor Herman Hicks, Greater Pentecostal COGIC; President, Greater Wichita Ministerial League, Wichita, Kansas, page 1480.

Senator Hensley congratulated and commended Alan D. Conroy for his years of service. His wife Mary, and the following family and friends were in attendance: Nicole Conroy, Jessie Conroy, Joseph Conroy, Johanna Barnes, Anna Keller, Joel Keller, Emma Keller, Riley Keller, Rowen Keller, Russ Conroy, Cyndy Novacek, Jon Novacek, Stephanie Novacek, Morgan Novacek, Connor Novacek, Raegan Novacek, Elizabeth Novacek, Jennifer Head, Torrey Head, Father Jon Hulinger and Lois Mason, page 1482.

Senator Huntington congratulated the Shawnee Mission East Girls Tennis Team on winning the Kansas Class 6A state tournament. The following team members in attendance were: Head Coach Sue Chipman, Assistant Coach Debbie Ogden, Mollie Cooper, Mimi Fotopoulos, Elizabeth Wilcox, Elizabeth Barnickel, Meredith Shackelford and Stephanie Wilcox. Also in attendance were Ted Barnickel, Tracy Cooper, Angie Fotopoulos, Sam Fotopoulos, Martha Shackelford, Kathy Wilcox and Kelly Barnickel, page 1491.

Senate President Morris introduced guest chaplain Reverend Joe Hishmeh, Lead Pastor, Fellowship Bible Church, Topeka, Kansas, page 1502.

Senator Marshall congratulated the Pittsburg State University Football Team for winning the 2011 NCAA Division II National Championship. The following team members were introduced: John Brown, Jake Catloth, Andrew Castaneda, Zac Dickey, Nate Dreiling, Will Grissom, Ty Henry, Cody Holland, J. R. Jones, Aaron Kolich, Levi Kuntzsch, Chase McCoy, Cody Moore, Elijah Olabode, Jason Peete, Nick Pugh, Luke Rappy, Bryant Sanchez, Aaron Sawyer, Kell Smalley, Chas Smith, Jason Spradling, Luke Stringer, Jon Thomas, Gus Toca, Joe Uzzel, Solomon Watkins, Briceton Wilson,

Joe Windscheffel, Spencer Worthington, Shawn Naccarato, Jim Johnson, Chris Kelly, Joan Cleland, Malcolm Turner, Jacob Anselmi and Paul Beck, along with Pittsburg State University President Dr. Steve Scott, Coach Tim Beck, Coach Steve Rampy, Coach Dave Wiemers and Coach John Pierce, page 1503.

Senator Marshall congratulated Pittsburg State University's Coach Tim Beck for being named the 2011 Liberty Mutual NCAA Division II Football Coach of the Year, page 1505.

Senator McGinn introduced Bethel College President Perry White, his wife Darlene, former Bethel College President LaVerne Epp and his wife Marilyn, in recognition of the 125th anniversary of the founding of Bethel College, Newton, Kansas, page 1506.

Senator Huntington recognized Gayle Addington for nineteen years of service to the Kansas Senate. Also in attendance were Senator Audrey Langworthy, Senator David Corbin and Senator David Wysong, page 1507.

Senate Vice President Vratil introduced guest chaplain Reverend Jon Sapp, Director of Evangelism & Collegiate Ministries, Topeka, page 1529.

Senator Marshall introduced El Dean Holtus, his wife Kathy, Gary Hawk, his wife Beverly, Gerald Caspers, his wife Betty and Glen Caspers in recognizing the historical significance of Higley Cabin as the birthplace of our Kansas state song, "Home on the Range." Also present were Susan Hawk, Debbie Smail, Alex Smail, Mark Obermueller, Lora Obermueller, Brecken Obermueller, Mike Franklin, T. C. Dolphin, Michael Smail, Keith Hooper, Mark Hooper, Pat Hooper, Michael Hooper, Esther Willis, Marcelline Vaughan, Danna Higley Conner and former Senator Janis Lee, page 1542.

Senator King introduced and congratulated Henry Williams for being the winner of the 2011 Sargent Shriver Annual Achievement Award and the establishment of the Uppercut Boxing Club, page 1547.

Senator Lynn congratulated the Olathe South High School Football Team on winning the 2011 Class 6A State Championship. The following team members were present: Head Coach Jeff Gourley, Scott Gourley, Jared Douglas, Greg Fry, Taylor Sheffield, Remington Whitley, Matt Elliott, Frankie Seurer and Zack Sheffield, page 1570.

Senator Faust-Goudeau rose on a Point of Personal Privilege to introduce David Sanford, Chief Executive officer and Venus Lee, Chief Operations Officer of Grace Med, a Health Ministry of the United Methodist Church Kansas West Conference, page 1609.

Senate Vice President Vratil introduced guest chaplain, Military Chaplain Major Michael Shellman, Fort Leavenworth, Kansas, page 1613.

Senator McGinn introduced and congratulated Patrick Duffy for being named the 2010 National Distinguished Principal of the Year for Kansas and the 2009 Kansas Distinguished Principal of the Year by the National and Kansas Associations of Elementary School Principals. His wife, Pam, retired Hesston Superintendent Darrel Kellerman and his wife, Mary Anna and Representative Don Schroeder were also introduced, page 1623.

Senator McGinn introduced and congratulated Larry Thompson for being named the 2011 MetLife Principal of the Year by the Kansas Association of Secondary School Principals. Also in attendance were his wife, Angela, retired Hesston Superintendent Darrel Kellerman and his wife, Mary Anna and Representative Don Schroeder, page 1624.

Senator Faust-Goudeau rose on a Point of Personal Privilege to introduce and welcome Dr. Mildred Edwards, Wilma Moore-Black, Dr. Alan D'souza, Kaye Monk-Morgan, Dr. Deltha Q. Colvin and Frances Ervin who are members of the Trio Program in Wichita, page 1627.

Senator King introduced and congratulated the Sedan High School Boys Baseball Team for winning the 2011 class 2A-1A State Baseball Tournament. Team members present were: Brady McCoy, Kolby Gorby, Andrew Bell, Casey Holt, Shon Pinard, Sam Powell and Trae Smith. Also in attendance were Rich Chrisman, Mick Holt, Coaches; Corey Miller, Zach Chrisman, managers and Kyle Williams, statistician, page 1629.

Senator McGinn introduced Senate Page Aaron Coash, who was recognized for his proposal of Nikko's law, in honor of his dog, page 1635.

Senator Kultala rose on a Point of Personal Privilege to introduce the guest chaplain, Major Lawrence Dabeck and his wife, Cathy and son John from Fort Leavenworth, Kansas. Senator Kultala presented Major Dabeck a plaque in recognition of serving as guest chaplain and for his military service, page 1641.

Senator Morris introduced Carly and Kendall Smith, who were serving as pages for Senator Reitz. They are granddaughters of the Secretary of the Senate, Pat Saville, page 1641.

Senator A. Schmidt introduced Dennis and Betty Wright, Gold Star Parents of Private Shawn Wright; Diana Pitts and Kathie Echols, Gold Star mother and grandmother of Corporal David Unger; Sun Rodgers, Gold Star mother of Sergeant Ricky Rodgers; Amber Mena, wife of Sergeant Ralph Mena; Anita Dixon, Gold Star mother of Sergeant Evan Parker; and Belinda Paauwe, Gold Star mother of Sergeant Michael Paauwe, page 1643.

Senator Love rose on a Point of Personal Privilege to introduce the following guests representing Dorothy Gale, Land of Oz from Liberal Kansas: Giovanna Bacca, Tabitha Barnett, Kyana Carter, Sarah Davis, Erika Fraire, Katie Franz, Shelby Hay, Nalley Hernandez, Mariana Pena, Connie Smallridge, Taylor Young, Deborah Willard, Heather Watt and JoAnne Mansell, page 1653.

Senator Haley rose on a Point of Personal Privilege to recognize the ladies of Delta Sigma Theta Sorority, Inc., including his mother, Doris Haley, sister, Anne Haley-Brown and his children's mother, Dr. Michelle Haley, page 1655.

Senator Faust-Goudeau introduced several Kansas Chapter Presidents of Delta Sigma Theta Sorority, page 1655.

Senator Faust-Goudeau rose on a Point of Personal Privilege to congratulate the Wichita Heights High School Basketball Team for winning the fourth consecutive 6A Championship Title. The following team members were introduced: Jordan Lattimore, Jet Moreland, Blake Chadwick, Terrence Moore, Gabe Lynch, Chris Reed, Ealy Bell, Xavier Williams, Jordan Wilbeck, Preston Kobeck, Lorin Smith, Gavin Thurman, Perry Ellis, Braie Ellis, Head Coaches Joe Auer and Gary Thomason; Assistant Coaches Bryan Chadwick and Beh Wahlers. Also in attendance were Alonte Lipscomb, Shane Garrison, Richarde Vix, Kade Wahlers, Kyan Wahlers and Frankie Milley, page 1656.

Senator Holland introduced the Kansas Small Business Leaders, page 1657.

Senate Vice President Vratil introduced guest chaplain Reverend Thom Belote, Shawnee Mission Unitarian Universalist Church, Overland Park, Kansas, page 1663.

Senator Kultala rose on a Point of Personal Privilege to introduce the Southern Leavenworth Leadership Development Group, page 1663.

Senator Emler rose on a Point of Personal Privilege to introduce Ruzanna Boyakhchyan, a junior at Bethany College in Lindsborg, Kansas, studying Political Science. Also introduced was Charlotte Anderson, who is a Student Life and International Students Advisor at Bethany College in Lindsborg, Kansas, page 1663.

Senator Ostmeyer rose on a Point of Personal Privilege to introduce students from Palco High School in Rooks County, page 1663.

Senator Love rose on a Point of Personal Privilege to introduce Mark Dabeck who has been accepted to the West Point Military Academy, page 1663.

Senator Apple rose on a Point of Personal Privilege to introduce the Miami County Leadership Class, page 1663

Senator Lynn rose on a Point of Personal Privilege to introduce two shadows, August Burg and Amy Lee, page 1664.

Senator Morris rose on a Point of Personal Privilege to introduce his granddaughter, Savannah Tasset, and her friend Clara Bartlett, who were serving as pages, page 1689.

Senator Emler recognized the Leadership group from Lincoln County, page 1690.

Senator Umbarger honored the Sisters of Mercy Hospitals in Kansas. The following guests were acknowledged for their support of the Hospitals: Sister Annrene Brau, Eric Ammons, Sister Margaret Andrew, Reta Baker, Cindy Neely, Sharon Campbell, Joanne Cox, Patty Doncouse, Terri Floyd, Dale Cation, Brenda Stokes, Mary Wynn, William James Shafer, Julie Eichenberger, Karen Endicott-Coyan and Dena Splitter, page 1698.

Senator Longbine congratulated and commended the 2012 Kansas Master Teachers. The 2012 Kansas Master Teachers in attendance were: Shelley Aistrup, Cindy Ehrstein, Sandra Gonsher, Kendra Metz, Katrina Paradis, Jodi Testa, Marc Woolfer, Tyler Curtis and Lori Mann, page 1699.

Senator A. Schmidt congratulated and commended the 2013 graduating class of the Kansas Academy of Mathematics and Science. The graduates and guests of the 2013 class were: Eric Crook, Joseph Dougherty, Deborah Denny, Jessica Hayes, Luke Wright, Steven Powell, Emily Cress, Quentin Aker, Amber Curtis, Andrew Foust, Matthew Gaylor, Katharine Goebel, Alex Hatfield, Dallas Hyder, Jinho (Peter) Jung, Tengzhi (Oliver) Lieu, Rex Miller, Alex Weaver, Trisha Penning, Cera Smart, Morgen Smith, Hayley Disney, Lexia Aurand, Samantha Elledge, Joshua Hoover, Laura Rokey, Bliss Betzen, Brandon Tomas, Dr. Edward Hammond, Diane Gasper, Raymond Hillegas, Ron Keller and Debra Prideaux, page 1700.

Senator Emler congratulated and commended the Kansas State Firefighter's Association on their 125th anniversary. The following firefighters introduced were: John Paulson, his wife Lisa, Steve Hirsch, J. L. Ellis, Shane Pearson, Justin Couse, Ron Ewing and Doug Janssen, page 1724.

Senator Taddiken rose on a Point of Personal Privilege to introduce his son, Shawn Taddiken, daughter-in-law, Nicolette and his first grandchild, Marcella Elizabeth, page 1790.

Senator King rose on a Point of Personal Privilege to introduce his wife, Kim, daughter, Amelie and son, Alec, page 1790.

Senator V. Schmidt congratulated Molly Rockefeller for receiving the 2012 Prudential Spirit of Community Award. Senator V. Schmidt introduced Molly's family John D. Rockefeller, father, Mare Czyzeski-Rockefeller, mother, Nick Rockefeller, brother and Cassie Shaw, a family friend, page 1790.

Senator King congratulated and commended the Independence Public Library for winning the Library Journal's Best Small Library in America Award. Senator King introduced head librarian, Julie Hildebrand and her staff: Kriztina Smith, Nancy Kishpaugh, Blinn Sheffield, Allison Merritt and Becky Passauer, page 1791.

Senator Love rose on a Point of Personal Privilege to congratulate and introduce Emily Evans for being selected 2012 Miss Wheelchair Kansas from Bucklin, Kansas, page 1799.

Senator Kelsey delivered the innovation, page 1799.

Senator Teichman rose on a Point of Personal Privilege to introduce her son, Craig Fincham, grandchildren Caroline and Jack and friends, Julina, Sabrina, Samuel and Charlotte Conkright, page 1813.

Senator Vratil introduced and congratulated Grace Schram for being named one of the top two youth volunteers in Kansas for the 2012 Prudential Spirit of Community Awards. Also in attendance were: Jon and Jill Schram, parents, Cooper, brother, Lucy, sister, and grandparents, Jim and Carol Washington, page 1815.

Senate President Morris introduced guest chaplain Reverend Aaron Roberts, Colonial Church, Prairie Village, Kansas, page 1944.

Senator Petersen rose on a Point of Personal Privilege to introduce his son, Zack, who was paging in the Senate, page 1944.

Senator Schodorf rose on a Point of Personal Privilege to introduce the members of the Junior League of Wichita, page 1944.

Senator Vratil rose on a Point of Personal Privilege to introduce his son K.C. Hobbs and grandson Joshua Hobbs, page 1957.

Senator Marshall rose on a Point of Personal Privilege to introduce Jacob and Stefanie Smirl who were paging in the Senate, page 1957.

Senator Schodorf rose on a Point of Personal Privilege to introduce her daughter Kelly, page 1957.

Senator Faust-Goudeau welcomed and recognized the following members of the African American Council of Elders: Elder Geneva Hollway, Elder Beverly Mason, Elder Mark Criner, Elder Dea Sears, Elder Frances Jackson Calloway, Elder Janet Diggs, Elder Frances Jackson, Elder Eula Ward, Elder Edith Knox, Elder Wakeelah Mutazammil-Martinez, Elder Askia Muhammad Toure, Elder Dr. Elvies Cranford, Scribe Tasleem Muqtasid. Other guests were: Dr. Jessie Williams, Dr. Mildred Edwards and Maren Turner, page 1985.

Senator Love congratulated and commended Joe Hastings, a senior wide receiver, and Michael Wilhoite, a senior linebacker, for earning All-MIAA honors while playing football at Washburn University. Family members present were: John and Stephanie Hastings, parents, Joe Cotton, grandfather and Erin Hastings, sister, Gregory Wilhoite, father, Jan Buchheim, mother, Orville and Shirley Buchheim and Naomi Dodson, grandparents and Christina Hollis, girlfriend. Other guests were: Dr. Jerry Farley, President of Washburn University, Loren Ferre, Athletic Director, Craig Schurig, Head Coach, Bill Sneed, Washburn University Board of Regents, Mark Elliott, Pam Berry, Raymond Berry, Gene Cassell, Jake Lebahn, and Bruce Steinbrock, page 2064.

Senator V. Schmidt rose on a Point of Personal Privilege to introduce Anthony Bellucci, Duncan Clatfelter, Jordyn McCaskey and Morgan Oliver, granddaughter of Senate Secretary Pat Saville, who were serving as pages in the Senate, page 2073.

Senator Kultala rose on a Point of Personal Privilege to introduce the Donnelly College American Government Class and their sponsors, Susan Keim and Carol Marinovich, page 2073.

Senator A. Schmidt rose on a Point of Personal Privilege to recognize the Senior Government classes of Smith Center High School from Smith Center, Kansas, and Thunderidge High School, from Kensington, Kansas, page 2073.

Senator V. Schmidt introduced and recognized Aaron Wright in recognition of American Diabetes Association Alert Day. Also introduced were Aaron's parents: Chuck Pennewell and Shannon Wright. Other guests introduced were: Linda Crider, Kayla Jordan Wright, Gwen Lehleitner and Alan Carter, page 2075.

Senator Kultala introduced her husband, Dan Kultala, and shared the story of Dan's battle with diabetes, page 2075.

Senator Emler introduced and congratulated the Sterling High School Boys Basketball Team for winning the 2012 Class 2A State Championship. The following are members of the basketball team: Jake Jaderston, Riley Galyon, Kirk Engelland, Matt DeWerff, Seth Humphreys, Bryant Patterson, Keaton Prather, Austin Maxwell, Nathan Proffitt, Chad Bennett, Trey Bagby, Jordan Proffitt, Scott Dellinger, and Cole Slupski, and Coby Comley, Team Managers, Derek Schneider, Head Coach, Tyson Bauerle and Wes Laudermilk, Assistant Coaches and Bill Anderson, Sterling High School Principal, page 2076.

Senator A. Schmidt rose on a Point of Personal Privilege to introduce the following schools in the 36th and 40th Senate Districts: the Ellis Railroaders, the Stockton Tigers and the Kennedy Fighting Irish. Jeff Richmeier, sponsor, was also introduced, page 2086.

Senator Hensley rose on a Point of Personal Privilege to introduce two U.S. Government Classes from Highland Park High School and their teacher, Heather Haworth, page 2086.

Senator Kultala introduced and congratulated Janice Young, the Leavenworth County Treasurer, upon her retirement of thirty years of service. Also introduced were: her husband, Ray Young, daughters, Michelle Baker and Tanya Lockhart, granddaughters, Amber Baker, Bethany Lockhart, Ashley Young, and grandson, Robert Young. Members of her staff were: Janet Klasinski, County Clerk, Stacy Driscoll, Register of Deeds, Cindy Henry and Lisa Crook, Deputy Treasurers, and Diane Collins, Human Resource Director, page 2087.

Senator Umbarger introduced and congratulated the Labette Community College Wrestling Team for winning the 2012 NJCAA Wrestling Championship and Head Coach Joe Renfro for winning the NJCAA Wrestling Coach of the Year. The following members of the team were: Garrett Jones, Eric Hughes, Jordan Basks, Jeromy Davenport, Devin Aguirre, Ethan Orr, Ray Hall, John Hambleton, Zach Anderson, Trey Page, Assistant Coaches, Dennis Siegmann and William Weber, and Athletic Trainer, Ben McKenzie, page 2088.

Senator V. Schmidt introduced Brenda Nickel, KPHA Administration Section Chair, Elaine Schwartz, KPHA Executive Director, Mary Jayne Hellebust, KPHA Member for Tobacco Free Kansas Coalition, Allison Alejos, KPHA Member for Shawnee County Health Agency, Michelle Ponce, KPHA Member for Kansas Association of Local Health Departments, Jane Shirley and Joseph Kostch, KPHA Members for Kansas Department of Health & Environment, in recognition of the Kansas Public Health Association National Public Health Week, page 2096.

Senator V. Schmidt rose on a Point of Personal Privilege to recognize Senator Brungardt and Senator Reitz in recognition of National Doctor Day, page 2127.

Senator Morris rose on a Point of Personal Privilege to introduce his daughter, Susan Mikolajczak and grandson, Alec Mikolajczak, who were visiting the Capitol, page 2127.

Senator Kelly rose on a Point of Personal Privilege to recognize her Executive Assistant, Judy Pfeifer, for the preparation for today's tribute to honor Vietnam Veterans, page 2127.

Senator Owens rose on a Point of Personal Privilege to recognize Adjutant General Lee Tafanelli, page 2127.

Senator Kelly and members of the Senate introduced and welcomed the following veterans in recognition of "Welcome Home Vietnam Veterans Day": Senator Pyle – Brad Stauffer, Dale Sheidegger and Gary McCloud; Senator Kultala – Lynn Rolf, Jr. and Gonzalo Reyes; Senator Holland – Fred Box, Harry Kirkham, Gene Pierson, Bill

Golden, Gary DeRigne and Tom Steele; Senator Huntington – Earl Boutell and Ray Calore; Senator Owens – Ted Wright; Senator Lynn – Jerry Bartlett and Glen Leonard; Senator Pilcher-Cook – Jim Lund, Richard Hardy, Dean Howlett and Ron Peterson; Senator Vratil – Alan Olsen; Senator Apple-- Jim Roy; Senator Umbarger – Dale Allen; Senator Longbine – Ron Whitney and Matthew Krause; Senator Kelly – Bill Pfeifer, James Clowers, Carl Frett, Chris Brian, Gary Jackson, Leroy Bailey, Russell Estes, Theodore Bongardt, Larry Plumlee, Laro Hill, David Moran, Ken Smith, Rodger Beach, Roland Mayhew, Jim Gartner, James Brian and Ed Porubsky; Senator Hensley – Jim McNeese, Floyd Wims, Hollis Peoples, Richard Rowser, Barry Greis, Jay Wheeler and Modesto Vasquez; Senator V. Schmidt – Jeff Russell, Bruce Cubie, Thomas Allen, Michael Martinez, Robert Arnold, Terry Crowder, Ted Hischke, Ray Rhodd, Richard Nickum and Gary Saville; Senator Taddiken – Bob Roeder; Senator Brungardt – Jerry Holtz; Senator Kelsey – Terry Tole; Senator Petersen – Larry Gunkel; page 2128.

Senator McGinn – Larry Rowlinson, Senator Marshall, Senator Merrick, Senator Morris, Senator Owens, Representative Fawcett, Representative Gonzalez, Representative Grange, Representative Montgomery, Representative Osterman, Representative Proehl and Representative Worley; Senator Abrams – Michael Holland and Rodger Dwyer; Senator Teichman – Clifford Sohm; Senator Emler – Clyde Lindsey, Jack Lucas and Patrick Briggs; Senator A. Schmidt – Stan Dreiling and Lambert Staab; Senator Morris – Francis Forbes, page 2129.

Senator Hensley and members of the Senate welcomed and recognized family and friends of Don Dunn, who passed away March 16, 2012. Mr. Dunn worked for the Kansas Historical Society as a tour guide at the Capitol. The following family members introduced were: his wife Mrs. Betty Dunn, his son, Donald Dunn, sister Billie Dunn, and goddaughter, Tenille Alexander. Also introduced were friends: Don Northcraft, President of Local Union #307 and his wife, Jan, Andrea Burton, Abby Dillard, Betty Phillips, Katherine Jones, Tillie Alexander, Dale Cushinberry and Robert Cushinberry, page 2132.

Senator Morris rose on a Point of Personal Privilege to introduce his daughter, Stephanie Heger, grandson, Gavin Heger and his friend, Samuel Fabela who were serving as pages, page 2163.

Senator Donovan rose on a Point of Personal Privilege to introduce Bekah Henderson, her mother, Cathy Henderson, Matthew Weems, his mother, Leanne Weems, Beau Renyer and Justin White who were all in attendance in support of the Special Olympians, page 2163.

Senator Kultala introduced and congratulated Sheriff David Zellner upon his retirement of 45 years from the Leavenworth County Sheriff's office. Also in attendance were his wife, Janice Zellner, daughter, Kimberly Russell and grandson, Alex Russell, page 2168.

Senator Holland congratulated and commended the Jefferson County North Girls Basketball Team for winning the 2012 Class 2A state championship. The Jefferson County North Girls Basketball Team were introduced as follows: Katie Brickell, Emma Bassette, Mary Kern, Megan Domann, Jordan Kramer, Brandy Craill, Megan Gilliland, Kymee Noll, Morgan Wentz, Heather Polson, Randi Noll, Jacee Kramer, Mallory Kramer, Kylie Manville, Jamie Navinsky, Briana Page, Lindsey Vittitow, Jacinta Priest, and Rylie Farrar. Also in attendance were Denise Jennings, Superintendent, Gary Bedigrew, Principal, Steve Noll, Head Coach and Tonya Kramer, Assistant Coach, page 2168.

Senator Holland congratulated and commended the Basehor-Linwood Boys Basketball Team for winning the 2012 Class 4A state championship. The Basehor-

Linwood Boys Basketball Team were introduced as follows: Brad Waterman, Ryan Shaffer, Colin Murphy, Ryan Murphy, Ben Johnson, Tanner Garver, Caleb Hiss, Matt Ogilvie, Chase Younger, Tim Sanders, Zachary McNabb, and JP Downing. Also in attendance were: David Howard, Superintendent, Sherry Reeves Oberndorfer, Assistant Coach and Bronson Schaake, Assistant Coach, page 2169.

Senator Emler congratulated the McPherson High School Girls Basketball Team for winning the 2012 Class 4A State Basketball Championship. The McPherson Girls Basketball Team were introduced as follows: Ashton Bruner, Tanner Hein, Madison Lackey, Katelyn Loecker, Hailey Ruder, Janae Barnes, Brooke Bate, Alisa Becker, Reagan Beckwith, Abby Pedersen, Moira Pyle, Hannah Willems, Brianna Cooks, and Madison Hoffman. Also in attendance were: Head Coach, Chris Strathman, Assistant Coaches, Mike Reith, Shelly Prescott, Tim Ellet and Representative Clark Shultz, page 2170.

Senator Morris congratulated Pat Saville, Secretary of the Senate, upon her impending retirement of the Kansas Senate. Senator Morris introduced Pat Saville's family: Husband Gary, daughter Kelley Smith, son-in-law Rick and granddaughters Carly and Kendall from Manhattan, daughter Nicole Oliver, son-in-law Joel and grandchildren Morgan, Ainslee and Jonah from Topeka, sister Betty Yonkey and brother-in-law Art from Hickman, Nebraska, brother Don Kramer and sister-in-law Dorothy from Marysville, sister-in-law and brother-in-law Mary and Errol Saville from Topeka, sister-in-law and brother-in-law Gail and Dennis Lange from Marysville. Also in attendance were Sheila Frahm, Betty Quarnstrom, Gayle Shaw and Jude Simnitt, page 2291.

Senator Francisco introduced and congratulated the 2011-2012 University of Kansas Men's and Women's Basketball Teams. The following team members in attendance were introduced as follows: Tania Jackson, Cece Harper, Angel Goodrich, Carolyn Davis, Conner Teahan, Travis Releford, Jeff Withey and Jordan Juenemann. Also in attendance were Sheahon Zenger, Athletic Director and Nicole Cocoran, Director of Operations, page 2297.

Senator Kelly and members of the Senate introduced and welcomed the following children of military families in recognizing April as the month of the military child. Senator Kelly – General Lee Tafaneli, Sergeant Jessica Barnett, Sharon Watson, Major Robert Stinson, Specialist Stephanie Hodges, Lieutenant Colonel Bill Stebbins and Command Sergeant Major Scott Haworth; Senator Lynn – Cassidy Seaba; Senator Kelsey – Naomi Henry, page 2297.

Senator Holland – Jacob Brown and Jared Brown; Senator Petersen – Sophia Olsen; Senator McGinn – Alison White; Senator Reitz – Reed Wheeler; Senator Pyle – Jessica Herlinger and Tyler Prine; Senator Brungardt – Makayla Wassenberg and Allyson Henry; Senator Merrick – Ty Shafer; Senator Hensley – Haleigh Peterson; Senator Apple – Shealee Crosby; Senator V. Schmidt – Sawyer Green; Senator Francisco – Taylor Gold, page 2298.

Senate Vice President Vratil introduced guest chaplain Tony D. Venturella, Director of Communications in the Senate President's office, page 2304.

Senator Morris congratulated Reverend Hollomon for his service of thirty-one years as Chaplain of the Kansas Senate. Senator Morris introduced Fred's wife, Pat, page 2305.

Senator Faust-Goudeau congratulated the Kansas Highway Patrol on its 75 years of service to the citizens of Kansas. The Patrolmen and women in attendance were introduced as follows: Colonel Ernest Garcia, Lieutenant Colonel Alan Stoecklein, Major Mark Bruce, Captain Dennis Gassman, Captain Jimmie Atkinson, Captain Scott

Harrington, Lieutenant Joe Vajgrt-Been, Lieutenant David Bogina, Lieutenant Harold Tillman, Lieutenant Allan Lytton, Lieutenant Josh Kellerman, Lieutenant Eric Hatcher, Sergeant Terry Golightley, Motor Carrier Inspector Sergeant Tony Stewart, Master Trooper Wayne Faulkner, Technical Trooper Robyn Goss, Technical Trooper Adam Winters, Trooper Sean Hankins, Public Service Administrator April McCollum, Media Production Supervisor & Highway Employee Will Downing and Don Cackler, Retired Lieutenant, now the Senate security officer, page 2553.

Senator Holland introduced and congratulated the Baldwin High School Design Team for being named national champions in the Real World Design Challenge. The following members are: Quint Heinecke, Abby Clem, Austin Kraus, Kaitlyn Barnes, MacKenzie Johnson and Carrie Deitz. Also in attendance were Pam Davis, team Coach, Sandy Barnes, team member, Paul Dorothy, Superintendent, Rob McKim, Principal and R. J. Dake, Technical Education Consultant from Kansas State University, page 2581.

Senator Emler recognized Sterling College's 125th Anniversary. The following guests representing Sterling College were: Dr. Paul J. Maurer, President, Dr. Marvin Dewey, Vice President of Advancement, Susan Sanky, Director of Annual Giving, Amy Thompson, Director of Alumni Relations, Doug Penner, President of Kansas Independent College Association, Matt Lindsey, Doug Penner's successor, Karin Swihart, Director of Marketing and Presidential Communication, and students Josh Boos and Mike Redondo, page 2584.

Senator Kelly introduced and congratulated the Rochester Elementary students who placed first in the state-wide Music Memory Major Work Competition. The following guests were introduced: Kyle Hicks, Principal of Rochester Elementary School, Anna Reb, Music teacher of Rochester Elementary School. With Anna was her mother Kathy Reb and her brother Michael Reb; with Damon Carrier, student, was his mother Misty Carrier and his grandfather Ted Watrous; with Natalie Ford, student, was her mother, Mechele Ford and her grandmother Scarlet Ford; with Cole King, student, were his parents Kyra and Russ King; with Emily Swanson, student, were her parents Annie and Steve Swanson; and with Alex Taylor, student, was her mother Stacy Taylor and her grandmother Nancy Taylor, page 2588.

Senator Kelly introduced and congratulated Mike Mathes, 2012 Kansas School Superintendents Association Superintendent of the Year. Also introduced were: Rob Balsters, Deputy Superintendent and Director of Business, Frank Henderson, President of the School Board, Susan Fowler-Hentzler, Vice President of the School Board, Fred Patton, Member of the School Board, his daughter Emily and Jeff Zehnder, Public Relations for the district, page 2589.

Senator Reitz introduced and congratulated Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year. Also in attendance was Coach Bill Snyder's wife, Sharon, page 2602.

Senator Kultala introduced and congratulated the Leavenworth High School Girls' Powerlifting Team for being named the Natural Athlete Strength Association High School Powerlifting 2012 National Championship. Members are: Hannah Overbey, Maggie Lee, Lauren Patelli, Tabitha Larkin, Janay Johnson, Lacie Thornton, Hunter Anne Postier and Emily Ruble. Also in attendance were Daniel Capps, Coach and Shawn Terry, Athletic Director, page 2603.

Senator V. Schmidt introduced and recognized the efforts of John and Sara Ratzemberger and the LUNgevity Foundation for increasing awareness about lung cancer. Also introduced were Sara's parents, Ron and Mary Youngers, friend Todd Thompson, Cotton O'Neil Cancer Center Clinical Manager Robin Holthaus, and friend Linda Reynolds and from the American Cancer Society Chris Masoner, page 2635.

Senator Apple introduced and congratulated Emma Smith for receiving the Harry S. Truman Scholarship. Also introduced were Emma's parents Elaine and Jeffery Smith, sisters Victoria and Sophia Smith and brothers Samuel and Timothy Smith, page 2693.

Senator V. Schmidt introduced and congratulated Belinda Post for being named Miss Topeka, 2012. Also introduced were: Belinda's mother, Beverly Bernardi-Post, Evelyn Rivera, pageant organizer and her husband, Hector, page 2695.

Senator Hensley introduced and congratulated Dave Larson for his years of service to the Kansas Legislature. Dave retired as Chief Information Technology Officer and Director of Legislative Computer Services for the Kansas Legislature, page 2697.

Senator Morris rose on a Point of Personal Privilege to congratulate Helen Moreland, who is celebrating her 30th year as a Senate Journal Clerk, page 3249.

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- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1610 Committee to inform governor that legislative is organized, 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SCR 1617 Urging congress to amend the U.S. constitution to abolish corporate personhood.
- SCR 1618 Adjournment for a time during the 2012 legislature.
- SCR 1620 Adjournment for a time during the 2012 legislature.
- SR 1801 Organization of the Senate, 2012.

- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1831 Requesting the Governor to delay the implementation of KanCare.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1838 Congratulating Molly Rockefeller for receiving the prestigious 2012 Prudential Spirit of Community Award.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1855 In memory of Don Dunn.
- SR 1862 Congratulating and commending Pat Saville for her impending retirement from service to the members of the Kansas Senate and the people of Kansas.
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1865 Congratulating and commending Reverend Fred Hollomon for his service as Chaplain of the Kansas Senate.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.
- SR 1882 Recognizing and honoring Maynard Oliverius for his retirement as President and CEO of Stormont-Vail HealthCare.
- SR 1883 Congratulating and commending Dave Larson for his years of service to the Kansas Legislature.
- SR 1884 In memory of John "Jack" Francis Steineger, Jr.
- SR 1885 Honoring First Assistant Revisor James Arthur Wilson III.

Holland, Tom

- SB 168 Campaign finance; reporting requirements for electioneering communications.
- SB 171 Reinstatement of prevailing wage for state construction projects.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SB 401 Granting in-state tuition to military veterans.
- SB 408 Employment security law; reversing waiting week and trailing spouse benefit amendments in 2011 SB 77.
- SB 409 Authorizing transfer of moneys to local ad valorem tax reduction fund.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".

- SCR 1617 Urging congress to amend the U.S. constitution to abolish corporate personhood.
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1812 Congratulating Ted Zuzzio on being named the 2011 national coach of the year for girls outdoor track and field.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERs.
- SR 1831 Requesting the Governor to delay the implementation of KanCare.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1853 Recognizing and designating June 18-24, 2012, as Amateur Radio Week.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1857 Congratulating and commending Sheriff David Zoellner.
- SR 1858 Congratulating and commending the Jefferson County North Girls Basketball Team for winning the 2012 Class 2A state championship.
- SR 1859 Congratulating and commending the Basehor-Linwood Boys Basketball Team for winning the 2012 Class 4A State Championship.
- SR 1862 Congratulating and commending Pat Saville for her impending retirement from service to the members of the Kansas Senate and the people of Kansas.
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1865 Congratulating and commending Reverend Fred Hollomon for his service as Chaplain of the Kansas Senate.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.
- SR 1871 Congratulating and commending Baldwin High School design team for being named national champions in the Real World Design Challenge.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.
- SR 1877 Congratulating the Leavenworth High School Girls' Powerlifting Team.

Huntington, Terrie

- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1808 Congratulating Shawnee Mission North High School's Naval Junior Reserve Officer Training Corps Program.

- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERs.
- SR 1814 Congratulating the Shawnee Mission East girls' tennis team on winning the class 6A state tournament.
- SR 1821 Recognizing and honoring Gayle Addington for 19 years of service to the Kansas Senate.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Kelly, Laura

- SB 166 Prohibiting outside employment of certain state officials.
- SB 168 Campaign finance; reporting requirements for electioneering communications.
- SB 169 County election officer, appointment by county commission.
- SB 172 Governmental ethics; two years restriction certain state officers and employees becoming lobbyists.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SB 401 Granting in-state tuition to military veterans.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERs.
- SR 1825 Recognizing 125 years of dedicated forestry services.
- SR 1831 Requesting the Governor to delay the implementation of KanCare.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.

- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1838 Congratulating Molly Rockefeller for receiving the prestigious 2012 Prudential Spirit of Community Award.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1862 Congratulating and commending Pat Saville for her impending retirement from service to the members of the Kansas Senate and the people of Kansas.
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1865 Congratulating and commending Reverend Fred Hollomon for his service as Chaplain of the Kansas Senate.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.
- SR 1873 Congratulating and commending the Rochester Elementary students who placed first in the state-wide Music Memory Major Work Competition.
- SR 1874 Honoring Mike Mathes as the 2012 Superintendent of the year.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.
- SR 1882 Recognizing and honoring Maynard Oliverius for his retirement as President and CEO of Stormont-Vail HealthCare.

Kelsey, Dick

- SB 4 Board of healing arts; licensure and education of perfusionists.
- SB 5 Board of healing arts; licensure and education of perfusionists.
- SB 146 Amending statutes regulating late-term and partial birth abortion.
- SB 165 Licensing of abortion clinics by department of health and environment.
- SB 250 Firefighters health insurance.
- SB 255 Mortgage registration fees; verification of indebtedness.
- SB 256 Entry of satisfaction of mortgage; duties of last mortgagee or assignee of record of mortgage.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SCR 1601 Rescinding the action of the legislature of the state of Kansas petitioning congress to call a convention for the purpose of proposing amendments to the constitution of the United States.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1831 Requesting the Governor to delay the implementation of KanCare.

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- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.

King, Jeff

- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SR 1809 Congratulating Ottawa City Manager Richard Nienstedt.
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1823 Honoring Henry Williams and the Uppercut Boxing Club.
- SR 1829 Congratulating the Sedan High School Blue Devils for winning the 2011 Class 2A-1A state baseball tournament.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1834 Honoring the Sisters of mercy health systems hospitals in Kansas.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1839 Congratulating and commending Independence Public Library
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.

Kultala, Kelly

- SB 166 Prohibiting outside employment of certain state officials.
- SB 168 Campaign finance; reporting requirements for electioneering communications.
- SB 169 County election officer, appointment by county commission.
- SB 171 Reinstatement of prevailing wage for state construction projects.
- SB 172 Governmental ethics; two years restriction certain state officers and employees becoming lobbyists.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.

- SB 401 Granting in-state tuition to military veterans.
- SB 408 Employment security law; reversing waiting week and trailing spouse benefit amendments in 2011 SB 77.
- SB 409 Authorizing transfer of moneys to local ad valorem tax reduction fund.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1831 Requesting the Governor to delay the implementation of KanCare.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1845 Recognizing March 27th as American Diabetes Association Alert Day.
- SR 1847 Congratulating and commending Leavenworth county treasurer Janice Young.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1857 Congratulating and commending Sheriff David Zoellner.
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.
- SR 1877 Congratulating the Leavenworth High School Girls' Powerlifting Team.

Longbine, Jeff

- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".

- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1831 Requesting the Governor to delay the implementation of KanCare.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1835 Congratulating and commending the 2012 Kansas Master Teachers.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1851 Designating every Sunday as "Cooking With Kids Day."
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Love, Garrett

- SB 146 Amending statutes regulating late-term and partial birth abortion.
- SB 165 Licensing of abortion clinics by department of health and environment.
- SB 167 Enacting the health care freedom act.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SCR 1604 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1835 Congratulating and commending the 2012 Kansas Master Teachers.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1844 Congratulating and commending Joe Hastings and Michael Wilhoite.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.

- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Lynn, Julia

- SB 146 Amending statutes regulating late-term and partial birth abortion.
- SB 160 Child support; collection of child support payments.
- SB 165 Licensing of abortion clinics by department of health and environment.
- SB 167 Enacting the health care freedom act.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SCR 1604 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1824 Congratulating the Olathe South High School football team for winning the 2011 class 6A state championship.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1875 Congratulating the Olathe Culinary Arts Program at Olathe North High School on winning the National ProStart Invitational culinary competition.

Marshall, Bob

- SB 146 Amending statutes regulating late-term and partial birth abortion.
- SB 149 Enacting the Kansas firearms freedom act.
- SB 165 Licensing of abortion clinics by department of health and environment.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SB 401 Granting in-state tuition to military veterans.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.

- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1809 Congratulating Ottawa City Manager Richard Nienstedt.
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1818 Congratulating and commending the Pittsburg State University football team for winning the 2011 NCAA Division II National Championship.
- SR 1819 Congratulating and commending Pittsburg State University's Coach Tim Beck for being named the 2011 Liberty Mutual NCAA Division II Football Coach of the Year.
- SR 1822 Recognizing the historical significance of Higley Cabin as the birthplace of "Home on the Range."
- SR 1831 Requesting the Governor to delay the implementation of KanCare.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1834 Honoring the Sisters of mercy health systems hospitals in Kansas.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Masterson, Ty

- SB 146 Amending statutes regulating late-term and partial birth abortion.
- SB 149 Enacting the Kansas firearms freedom act.
- SB 165 Licensing of abortion clinics by department of health and environment.
- SB 167 Enacting the health care freedom act.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SCR 1604 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.

- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERs.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1835 Congratulating and commending the 2012 Kansas Master Teachers.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1845 Recognizing March 27th as American Diabetes Association Alert Day.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.

McGinn, Carolyn

- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SB 401 Granting in-state tuition to military veterans.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERs.
- SR 1820 Bethel College; 125th anniversary.
- SR 1827 Congratulating and commending Mr. Patrick Duffy.
- SR 1828 Congratulating and commending Mr. Larry Thompson, Jr.
- SR 1830 Recognizing the need to protect animals and children from the danger of antifreeze poisoning.
- SR 1831 Requesting the Governor to delay the implementation of KanCare.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.

Merrick, Ray

- SB 146 Amending statutes regulating late-term and partial birth abortion.

- SB 149 Enacting the Kansas firearms freedom act.
- SB 165 Licensing of abortion clinics by department of health and environment.
- SB 167 Enacting the health care freedom act.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SB 401 Granting in-state tuition to military veterans.
- SCR 1604 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERs.
- SR 1824 Congratulating the Olathe South High School football team for winning the 2011 class 6A state championship.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1835 Congratulating and commending the 2012 Kansas Master Teachers.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1841 Commemorating the 75th anniversary of the wildlife and sport fish restoration program.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.

Morris, Stephen

- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SB 401 Granting in-state tuition to military veterans.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1610 Committee to inform governor that legislative is organized, 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SCR 1618 Adjournment for a time during the 2012 legislature.
- SCR 1620 Adjournment for a time during the 2012 legislature.
- SR 1801 Organization of the Senate, 2012.

- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1831 Requesting the Governor to delay the implementation of KanCare.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1862 Congratulating and commending Pat Saville for her impending retirement from service to the members of the Kansas Senate and the people of Kansas.
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1865 Congratulating and commending Reverend Fred Hollomon for his service as Chaplain of the Kansas Senate.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.
- SR 1883 Congratulating and commending Dave Larson for his years of service to the Kansas Legislature.
- SR 1885 Honoring First Assistant Revisor James Arthur Wilson III.

Olson, Robert "Rob"

- SB 39 Creating the classification of "aggravated sex offender;" creating additional penalties and restrictions for sex offenders.
- SB 146 Amending statutes regulating late-term and partial birth abortion.
- SB 149 Enacting the Kansas firearms freedom act.
- SB 165 Licensing of abortion clinics by department of health and environment.
- SB 167 Enacting the health care freedom act.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SB 391 Oil and gas leases.
- SB 401 Granting in-state tuition to military veterans.
- SCR 1604 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1824 Congratulating the Olathe South High School football team for winning the 2011 class 6A state championship.

- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.

Ostmeyer, Ralph

- SB 146 Amending statutes regulating late-term and partial birth abortion.
- SB 149 Enacting the Kansas firearms freedom act.
- SB 165 Licensing of abortion clinics by department of health and environment.
- SB 167 Enacting the health care freedom act.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SB 405 Existing private wastewater systems.
- SCR 1604 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1807 Congratulating and commending the Western Plains High School journalism team on winning the 2011 class 1A Kansas Scholastic Press Association State Competition.
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1849 Congratulating Gilbert and Barbara Knipp on being named the longest married couple in Kansas.
- SR 1850 Congratulating the Scott Community High School wrestling team on winning the 2012 Class 3-2-1A state title.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1867 Congratulating and commending the Hoxie High School girls' basketball team on winning the 2012 Class 1A Division I state championship.

- SR 1868 Congratulating the Wallace County High School girls' basketball team on winning the Class 1A Division II state championship.
- SR 1869 Congratulating the Scott Community High School boys' basketball team on winning the Class 3A state championship.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.

Owens, Tim

- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SB 401 Granting in-state tuition to military veterans.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1831 Requesting the Governor to delay the implementation of KanCare.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Petersen, Mike

- SB 135 Enacting the Kansas racketeer influenced and corrupt organization act (Kansas RICO act).
- SB 146 Amending statutes regulating late-term and partial birth abortion.
- SB 149 Enacting the Kansas firearms freedom act.
- SB 165 Licensing of abortion clinics by department of health and environment.
- SB 167 Enacting the health care freedom act.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SB 401 Granting in-state tuition to military veterans.
- SCR 1604 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.

- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.

Pilcher-Cook, Mary

- SB 146 Amending statutes regulating late-term and partial birth abortion.
- SB 149 Enacting the Kansas firearms freedom act.
- SB 159 Requiring certain conditions for violent offenders and sex offenders placed on parole or postrelease supervision.
- SB 165 Licensing of abortion clinics by department of health and environment.
- SB 167 Enacting the health care freedom act.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SCR 1604 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
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- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."

- SR 1864 Recognizing April as the Month of the Military Child.
 SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.

Pyle, Dennis

- SB 146 Amending statutes regulating late-term and partial birth abortion.
 SB 165 Licensing of abortion clinics by department of health and environment.
 SB 167 Enacting the health care freedom act.
 SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
 SCR 1604 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
 SCR 1614 Honoring pregnancy maintenance resource centers.
 SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
 SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
 SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
 SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
 SR 1833 Recognizing the KSBDC businesses of the year.
 SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
 SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
 SR 1864 Recognizing April as the Month of the Military Child.

Reitz, Roger

- SB 40 Counties; certain contracts exempt from bidding.
 SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
 SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
 SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
 SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
 SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
 SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
 SR 1831 Requesting the Governor to delay the implementation of KanCare.
 SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
 SR 1835 Congratulating and commending the 2012 Kansas Master Teachers.

- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Schmidt, Allen

- SB 250 Firefighters health insurance.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SB 401 Granting in-state tuition to military veterans.
- SB 408 Employment security law; reversing waiting week and trailing spouse benefit amendments in 2011 SB 77.
- SB 409 Authorizing transfer of moneys to local ad valorem tax reduction fund.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1822 Recognizing the historical significance of Higley Cabin as the birthplace of "Home on the Range."
- SR 1831 Requesting the Governor to delay the implementation of KanCare.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.

Schmidt, Vicki

- SB 139 Members of regional trauma councils and advisory committee on trauma.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.

- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERs.
- SR 1826 Encouraging the creation of a Kansas plan for comprehensive treatment of chronic obstructive pulmonary disease.
- SR 1831 Requesting the Governor to delay the implementation of KanCare.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1838 Congratulating Molly Rockefeller for receiving the prestigious 2012 Prudential Spirit of Community Award.
- SR 1845 Recognizing March 27th as American Diabetes Association Alert Day.
- SR 1852 Encouraging participation in National Public Health Week.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1856 Recognizing and honoring the meningitis week.
- SR 1861 Congratulating and commending Angela L. (Angie) Barnes.
- SR 1862 Congratulating and commending Pat Saville for her impending retirement from service to the members of the Kansas Senate and the people of Kansas.
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1865 Congratulating and commending Reverend Fred Hollomon for his service as Chaplain of the Kansas Senate.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.
- SR 1876 A Resolution congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.
- SR 1878 Recognizing the efforts of the LUNgevity Foundation and John and Sara Ratzemberger.
- SR 1880 Congratulating and commending Hillary Boyle for being named Miss Capital City 2012.
- SR 1881 Congratulating and commending Belinda Post for being named Miss Topeka 2012.
- SR 1882 Recognizing and honoring Maynard Oliverius for his retirement as President and CEO of Stormont-Vail HealthCare.

Schodorf, Jean

- SB 135 Enacting the Kansas racketeer influenced and corrupt organization act (Kansas RICO act).
- SB 253 Cancer screening; dense breast tissue reporting requirement in conjunction with mammograms.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1802 Congratulating and commending the members of the 2012 Kansas Teacher of the Year team.
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERs.
- SR 1815 Congratulating the 2011 Kansas National Board Certified Teachers.
- SR 1816 Congratulating and commending the Kansas recipient of the 2011 Milken Family Foundation Educator Award.
- SR 1817 Congratulating the 2012 The Kansas Cable Telecommunications Horizon Award Program Educators.
- SR 1831 Requesting the Governor to delay the implementation of KanCare.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1862 Congratulating and commending Pat Saville for her impending retirement from service to the members of the Kansas Senate and the people of Kansas.
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1865 Congratulating and commending Reverend Fred Hollomon for his service as Chaplain of the Kansas Senate.

Steiniger, Chris

- SB 113 Selling KU hospital for not less than \$600 million and depositing the proceeds into the Kansas public employees retirement fund.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SB 381 Alcoholic beverages; authorizing sales of cereal malt beverage by a retailer licensed under the Kansas liquor control act.

- SB 385 County commissioners; authority to determine duties of county clerks, treasurers and register of deeds.
- SCR 1604 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SCR 1617 Urging congress to amend the U.S. constitution to abolish corporate personhood.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1833 Recognizing the KSBDC businesses of the year.

Taddiken, Mark

- SB 146 Amending statutes regulating late-term and partial birth abortion.
- SB 165 Licensing of abortion clinics by department of health and environment.
- SB 167 Enacting the health care freedom act.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SCR 1604 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.

Teichman, Ruth

- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.

- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1831 Requesting the Governor to delay the implementation of KanCare.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1866 Sylvia, Kansas; commemorating the 125th Anniversary of its founding.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Umbarger, Dwayne

- SB 146 Amending statutes regulating late-term and partial birth abortion.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SB 401 Granting in-state tuition to military veterans.
- SB 409 Authorizing transfer of moneys to local ad valorem tax reduction fund.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERS.
- SR 1831 Requesting the Governor to delay the implementation of KanCare.

- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1834 Honoring the Sisters of mercy health systems hospitals in Kansas.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1848 Congratulating the 2012 NJCAA national champion Labette community college wrestling team.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1864 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Vratil, John

- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SB 401 Granting in-state tuition to military veterans.
- SCR 1608 Urging the President and Congress not to authorize more than a 7% Community Services Block Grant program budget reduction for federal FY 2011 and 2012.
- SCR 1611 Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain circumstances.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1802 Congratulating and commending the members of the 2012 Kansas Teacher of the Year team.
- SR 1810 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERs.
- SR 1831 Requesting the Governor to delay the implementation of KanCare.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1833 Recognizing the KSBDC businesses of the year.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- SR 1840 Congratulating and commending Grace Schram for being named one of the top two youth volunteers in Kansas for 2012 by the prudential spirit of community awards.
- SR 1854 Designating March 30 as "Welcome Home Vietnam Veterans Day."
- SR 1862 Congratulating and commending Pat Saville for her impending retirement from service to the members of the Kansas Senate and the people of Kansas.

- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1865 Congratulating and commending Reverend Fred Hollomon for his service as Chaplain of the Kansas Senate.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Wagle, Susan

- SB 146 Amending statutes regulating late-term and partial birth abortion.
- SB 165 Licensing of abortion clinics by department of health and environment.
- SB 335 Designating the junction of I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- SCR 1614 Honoring pregnancy maintenance resource centers.
- SCR 1615 Urging President Obama to rescind rule requiring religious groups to provide health insurance coverage for items violating religious tenets.
- SCR 1616 Recognizing the Native Nations Law Symposium and urging the declaration of a "Tribal Law Day".
- SR 1813 Congratulating and commending Alan D. Conroy for his service to the Legislature and the State of Kansas and for his appointment as Executive Director of KPERs.
- SR 1832 Designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice.
- SR 1836 Congratulating and commending the 2013 graduating class of the Kansas Academy of Mathematics and Science.
- SR 1837 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
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- SR 1864 Recognizing April as the Month of the Military Child.
- SR 1870 Congratulating the Kansas Highway Patrol on its 75 years of service.
- SR 1876 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

State Legislature, Senate Committees (Various)*Agriculture*

- SB 147 Changing the allocation of moneys in the interstate water litigation fund
- Sub
- SB 147 Funds related to interstate water litigation.
- SB 148 Amending the veterinarian-client privilege.
- Sub
- SB 148 Application for division of water right; fee.
- SB 194 Allowing homestead rights to continue after annexation until land is sold after annexation.
- SB 272 Water rights; multi-year flex accounts; application for division of water right; fee.
- SB 289 Amending the veterinary practice act.
- SB 302 Amendments to the Kansas Meat and Poultry Inspection Act.
- SB 357 Wind erosion; duties of county commissioners, conservation districts.
- SB 379 Farm winery licenses; delete requirement products being grown in Kansas; other changes.
- SB 390 Allowing farm wineries to sell wine by the bottle at special events and sell wine produced by farm wineries for consumption on licensed premises.
- SB 412 Water permit for sand and gravel pit projects.
- Sub
- SB 412 Water permit for sand and gravel projects.
- SB 414 Agriculture; amendments to animal health statutes.
- S Sub for
- HB 2596 Amendments to animal health statutes.
- S Sub for
- HB 2730 Duties of the secretary of agriculture relating to inspections and licensing.

Assessment and Taxation

- SB 59 Property tax; interest rate charged; delinquent or unpaid tax and overpayment of taxes; clerical errors.
- SB 86 5 year phase out of capital gains tax.
- SB 87 Property exempt from taxation; community service organizations providing humanitarian services.
- SB 95 Five-year phase out of income tax on corporations.
- Sub
- SB 95 Reduction to state income tax rates based on selected actual state general fund receipts computations, and sales tax rates and distribution.
- SB 98 Elimination of certain sales tax exemptions, imposition of sales tax on certain services, provision of sales tax exemption for certain purchases of food, and reduction of sales tax and certain income tax rates.
- SB 108 Record of plats; payment of estimated taxes.
- SB 109 Tax credit for costs of installing electrical charging stations.
- SB 197 Phase out of sales tax on food and food ingredients and food sales tax refund.
- SB 296 Income tax credit for certain tuition and related expenses paid to an educational institution located in Kansas.
- SB 317 Property taxation; defining real and personal property.
- SB 323 Income tax credit for certain apprenticeships.

- SB 339 Reduction of income tax rates for individuals and determination of income, income tax credits, sales tax rate of 6.3%, severance tax exemptions, homestead property tax refunds and food sales tax refunds.
- SB 365 Property tax exemption; health clubs.
- SB 369 Prohibiting certain confined persons from receiving food sales tax refunds and homestead property tax refunds.
- SB 370 Enacting the senior citizen property tax deferral act.
- SB 371 Sales taxation; presumptions relating to nexus.
- SB 386 Elimination of original business and job development income tax credit.
- SB 402 Sales tax exemption for certain sales by live free ministries, inc.
- SB 411 Amendments to benefits under the promoting employment across Kansas act.
- SB 415 Motor vehicles; bidding preferences.
- SB 420 Enacting the Kansas financial incentive protection act.
- SB 421 Computation of amount of personal property tax on motor vehicles; authorizing transfer of moneys to local ad valorem tax reduction fund.
- SCR 1612 Constitutional amendment providing authority to the legislature to limit valuation increases for certain residential property owned by a person 65 years of age or older for property tax purposes.
- S Sub for
 - HB 2117 Reduction of income tax rates for individuals and determination of income tax credits, sales tax rate of 6.3%, severance tax exemptions, homestead property tax refunds and food sales tax refunds.
- S Sub for
 - HB 2157 Single sales factor for business income apportionment for income tax purposes for certain taxpayers who relocate in Kansas.
- S Sub for
 - Sub HB 2161 Earned income tax credit and homestead property tax refunds.

Commerce

- SB 42 Abolishing KTEC: transferring duties to department of commerce and board of regents.
- SB 78 Transferring KTEC appointment authority to Governor.
- SB 110 Transferring KTEC appointment authority to governor.
- SB 140 Kansas small and disadvantaged business development program act.
- SB 157 Enforcement of employee misclassification by the attorney general.
- SB 189 Kansas Bioscience Authority; additional voting members.
- SB 268 Enacting the Kansas small and disadvantages business development act.
- SB 284 Verification of employee status by E-verify required for certain public contracts.
- SB 285 Mis-classification of employees; penalty.
- SB 286 Use of credit report for employment decisions.
- SB 295 Discrimination based on employment status prohibited.
- SB 318 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- SB 349 Securities commissioner; litigation and restitution funds created, appointment of professional staff.
- SB 352 Employment Security Law.
- SB 355 Amendments to labor and employment standards pertaining to accident prevention and the powers and duties of the secretary of labor regarding wage claims, labor disputes and workplace inspection.

- SB 356 Amusement ride regulation; removing exception for home-owned amusement rides.
- SB 378 Kansas bioscience authority; prohibiting board members, officers and employees from receiving financial benefit.
- SB 413 Creating the professional employer organization registration act.
- SB 416 Transfer of state workplace health and safety program from department of administration to department of labor.
- SB 417 Trailer bill for 2011 ERO 37.

Education

- SB 17 Increasing campaign contribution limits for candidates for the state board of education.
- SB 27 School districts; finance; bilingual weighting based on program enrollment.
- SB 68 Creating the Kansas healthy youth act.
- SB 69 Requiring school districts to adopt policies against dating violence.
- SB 75 Dyslexia and other reading problems; requiring certain testing.
- SB 144 Providing bus transportation for school children subjected to hazardous walking conditions.
- SB 278 Amendments to school anti-bullying law.
- SB 361 Creating the excellence in education act.
- SB 364 Changes to the school finance formula.
- SB 377 Excellence in education act; teacher certification; school employee performance and evaluation.
- SB 393 Creating the excellence in career technical education act.
 - Sub
 - SB 393 Amendments regarding career technical education for secondary students.
 - SB 410 School districts; requirements regarding identification of pupils with dyslexia and provision of services for such pupils.
- S Sub for
- Sub HB 2004 Authorizing certain contributions under the low-income family postsecondary savings account incentive program.
- S Sub for
- HB 2200 School finance; amendment to base state aid per pupil; increasing state prescribed percentage for local option budget.
- S Sub for
- HB 2251 Continuation of statewide tax levy for public schools.

Ethics and Elections

- SB 31 Campaign finance; electioneering communications; reporting.
- SB 43 Campaign finance; transfer of campaign money to another candidacy.
- SB 66 Elections; campaign finance; public service advertisements near elections; civil fine.
- SB 102 Concerning governmental ethics.
- SB 126 Elections; campaign finance; public service ads by candidates restricted.
- SB 128 Presidential preference primary election; date delayed.
- SB 129 Elections; vacancies; state senators.
- SB 130 Elections; candidate filing deadlines; other.
- SB 145 Elections; corrupt political advertising; stand by your ads requirement.
- SB 309 Elections; corrupt political advertising; stand by your ads requirement.

- SB 333 Elections; petition circulators; qualifications changed.
Sub
- SB 333 Elections; petition circulators; qualifications changed.
- SB 388 Elections; relating to the education of election workers.
- SB 389 Elections; development of a voter education program by the Secretary of State.

Federal and State Affairs

- SB 25 Authorizing temporary licenses for on-premises sales of cereal malt beverage.
- SB 52 Concerning grandparent's custody of children.
- SB 53 Inclusion of sexual orientation and gender identity in Kansas act against discrimination.
- SB 54 Creating classes of license to sell alcoholic beverages at retail; fees, term and eligibility.
- SB 81 Relating to custody for adoption.
- SB 82 Amendments to laws regarding racial profiling.
- SB 84 Relating to permanency planning.
- SB 94 Notification of parties of a temporary hearing.
- SB 174 Veterans service organizations, electronic gaming machines.
- SB 181 Requiring use of e-verify by employers in the state of Kansas.
- SB 201 Bingo games; prize limits, time, location and conduct of games.
- SB 202 School districts; purpose of state aid to public schools.
- SB 207 Counties; acceptance of credit cards, debit cards; payment of taxes, fees, other exactions..
- SB 219 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- SB 225 Renaming a portion of Interstate 70 as the Eisenhower/Truman Presidential highway.
- SB 226 Insurance; coverage for autism spectrum disorder.
- SB 230 Creating the relevant efficient academic learning education act.
- SB 231 Establishing the new Kansas parole board and the prisoner review board and transferring powers and duties from the Kansas parole board.
- SB 237 Amendments to the Kansas expanded lottery act.
- SB 241 Amendments to the Kansas expanded lottery act.
- SB 242 Interstate compact on the agreement among the states to elect the president by national popular vote act.
- SB 245 Allotments of state expenditures.
- SB 246 Regulation of sexually oriented business location.
- SB 262 Grandparent custody, visitation and residency.
- SB 269 Alcoholic beverages; retailers licenses; tastings by manufacturer licensees.
- SB 270 Confidentiality and disclosure requirements of charitable gambling information.
- SB 274 Alcoholic beverages; authorizing extended temporary permits for special events.
- SB 275 Alcoholic beverages; repealing the laws pertaining to salesperson's permits.
- SB 276 Alcoholic beverages; amendments to law prohibiting licensee from hiring certain employees.
- SB 277 Creating the class of "microdistillery" in the Kansas Liquor Control Act.
- SB 288 Alcoholic beverages; repealing the proportionate pricing requirement for sales of liquor by the drink.

- SB 299 Alcoholic beverages; creating a public venue license.
- SB 301 Board of technical professions; terms of members.
- SB 319 Amendments to the Kansas expanded lottery act relating to racetrack gaming facilities.
- SB 332 Creating classes of licenses to sell alcoholic beverages at retail; fees, term and eligibility.
- SB 344 Congressional redistricting.
- SB 354 Enacting the cannabis compassion and care act.
- SB 358 Alcoholic beverages; authorizing tastings by manufacturer licensees.
- SB 363 Amendments to laws regarding racial profiling.
- SB 382 Patient protection act; prohibited provisions in certain agreements.
- SB 387 Qualifications of the state fire marshal.
- SB 399 Kansas workers and community partnership act, undocumented aliens.
- SB 400 Municipalities; landlord requirement to keep tenants list; changes.
- SB 437 Relating to inspection of pet animal facilities.
- SB 438 Information submitted to department of labor for state directory of new hires.
- SB 443 Addiction counselors.
- SB 451 Window tinting exemption for certain medical reasons.
- SB 452 Alcoholic beverages; permitting tastings on the licensed premises for clubs and drinking establishments.
- SB 453 Driving under the influence.
- SB 454 Firearms; personal and family protection act; criminal possession of a firearm; expungement.
- SB 455 State legislative redistricting; Senate districts.
- SB 462 Amendments to the Kansas cigarette and tobacco products act.
- SB 472 Amendments to the Kansas expanded lottery act.
- SCR 1607 Outlining the principles of the State of Kansas regarding immigration reform policies.
- SCR 1613 Outlining the State of Kansas' principles regarding immigration reform policy.
- SCR 1619 Revising article 10 of the Kansas constitution; redistricting procedure.

Financial Institutions and Insurance

- SB 14 Creating the Kansas newborn screening fund.
- SB 64 Banking; criminal record history information, requiring fingerprints.
 - Sub
 - SB 64 Banking; criminal record history information, fingerprints.
 - SB 71 Increasing continuing education requirements for insurance agents.
 - Sub
 - SB 71 Lines of insurance; reporting requirements; fingerprinting and criminal history checks required for certain insurance agents and public adjusters.
- SB 178 Multi-State surplus lines agreement.
 - Sub
- SB 206 Surplus Lines Insurance; Multi-State Compliance Compact.
- SB 263 Credit Unions; making use of credit committees permissive.
- SB 264 Allowing trust companies as a nominee for life insurance companies.
- SB 265 Credit Unions; Bylaw amendments concerning suspensions.
- SB 266 Insurance; Risk-based capital requirements.
- SB 273 Fees for examination of insurance company.
- SB 287 Credit union insurance.

- SB 315 Bank Commissioner; appointment of and salaries for certain unclassified positions.
- SB 345 Kansas Management Company Registration Act.
- SB 372 Kansas money transmitter act.
- SB 373 Interstate health care compact.
- S Sub for
- HB 2077 Creating the professional employer organization registration act.

Judiciary

- SB 7 Driving under the influence.
- Sub
- SB 7 Driving under the influence.
- SB 34 Driver's licenses; habitual violators; motorized bicycles.
- SB 35 Attorney-client privilege and work-product protection.
- Sub
- SB 39 Creating the classification of "aggravated sex offender" and establishing residency restrictions.
- SB 44 Removing the gifts from a spouse exception from marital property in a divorce.
- SB 45 Removing the trust's taxpayer identification number from the certification of trust.
- SB 46 Amending civil procedure code general provisions relating to electronic filing.
- SB 47 Amendments to the uniform trust code.
- SB 48 Amendments to the probate code.
- SB 56 Amending the crime of criminal sodomy.
- SB 60 Eliminating direct appeals to the supreme court for certain off-grid felonies.
- SB 62 Assessment of court costs under the Kansas standard asset seizure and forfeiture act.
- SB 73 Amending criminal discovery statute to prohibit release of child pornography evidence to the defense.
- SB 74 Conduct and offenses giving rise to forfeiture.
- SB 79 Requiring the debt setoff collection assistance fee to be an additional cost to all debts owed to the court.
- Sub
- SB 81 Children and minors; temporary custody; permanency planning; adoption.
- SB 83 Employment of retired judges and justices; deleting requirement that: They enter into an agreement within five years of retirement; or if they didn't sign up prior to retirement, they enter an agreement within 30 days prior to their anniversary date of retirement.
- SB 96 Business entities; certificate of good standing; resident agents; reinstatement of articles of organization.
- SB 104 Tort claims act; dentistry by charitable health care providers.
- SB 105 Interest on judgments in civil actions.
- SB 106 Amending the consumer protection act.
- SB 107 Medical expenses; persons in custody of law enforcement, cities and counties.
- SB 142 Making expressions of apology, sympathy, commiseration or condolence inadmissible as evidence of an admission of liability or an admission against interest.

- Sub
- SB 159 Conditions of release; searches of parolees; conditions for sex offenders; conditions for probationers.
- SB 164 Record requirements and civil penalties relating to sales of plastic bulk merchandise containers.
- SB 175 Videotaping felony interrogations.
- SB 176 Making lawful presence in the United States a specific consideration in determining conditions of release for a person charged with a crime.
- SB 279 Unlawful sexual relations, foster parents and foster children.
- SB 280 Sexually violent predator cases; evaluations and expert testimony.
- SB 281 Relating to the commission on judicial performance.
- SB 282 Forfeiture, fleeing or eluding law enforcement.
- Sub
- SB 282 Forfeiture, fleeing or eluding law enforcement.
- SB 283 Sheriffs, civil process fees.
- Sub
- SB 283 Sheriffs, civil process fees.
- SB 291 Amendments to the uniform trust code.
- SB 292 Revoking an ex-spouse's inheritance rights upon divorce.
- SB 293 Filing of wills and admission to probate.
- SB 297 Removing the gifts from a spouse exception from marital property in a divorce.
- SB 305 Time for criminal trials; competency decision time not counted against the state.
- SB 306 Intimidation of a witness; including SRS personnel and mandatory abuse reporters as protected witnesses.
- SB 307 Jury instructions on lesser included crimes in felony murder cases.
- Sub
- SB 307 Lesser included crimes; felony murder.
- SB 308 Amendments to the Kansas criminal code.
- SB 320 Juvenile offender cases; probable cause determinations.
- SB 321 Appearance bond conditions; surety and bounty hunter regulation.
- SB 322 Court fees and costs; judicial branch surcharge fund.
- SB 330 Relating to malpractice liability screening panels.
- SB 359 Interest on judgments in civil actions.
- Sub
- SB 359 Interest on judgments in civil actions.
- SB 360 Relating to the state child death review board.
- SB 366 Relating to attachment and garnishment.
- SB 367 Expanding jury pools to include Kansas income tax filers.
- SB 368 Amending provisions regarding supervision of drug offenders.
- SB 394 Relating to transfer or discharge of certain offenders.
- SB 395 Relating to intestate succession.
- SB 396 Lateral support of land and buildings; protections for party walls.
- SB 403 Relating to conversion of a trust into a unitrust.
- SB 404 Relating to spendthrift trusts.
- SB 422 Relating to judges pro tem.
- SB 423 Supreme court authority to allocate judicial resources, including assignment of judges.

- SB 424 Kansas law enforcement training act; Kansas commission on peace officers' standards and training.
- SB 425 Court fees and costs; establishing, operating and maintaining electronic document filing, storage and management for the Kansas court system.
- SCR 1603 Abolishing the supreme court nominating commission; supreme court justices appointed by the governor subject to consent by the house representatives and the senate.
- S Sub for
HB 2313 Creating an out of state juvenile offender registration requirement.
- S Sub for
Sub HB 2318 Amendments to the recodified criminal controlled substances provisions; new drug sentencing grid; supervision of drug offenders.

KPERS Select

- SB 338 Enacting the Kansas public employees retirement system act of 2014.
- S Sub for
Sub HB 2333 Enacting the Kansas public employees retirement system act of 2014 and other modifications to KPERS retirement system.

Local Government

- SB 162 Residential real estate transactions; disclosure of methamphetamine production.
- SB 163 Counties; county administrators; procedure for abolishing office.
- SB 180 Annexation procedures; deannexation; board of county commissioners duties; election required, when; homestead exemption; appeal process.
- SB 346 Sale of property for delinquent taxes; changes.
- SB 347 Court of tax appeals; filing fees; municipalities exemption.
- SB 348 Appraisal of property for taxation purposes; appeals; changes.
- S Sub for
HB 2267 Uniform common interest owners bill of rights act, changes.

Natural Resources

- SB 187 Allowing a water bank charter to become permanent.
- SB 191 Amending the water rights conservation program.
- SB 200 Requiring certain beverage containers to be redeemable.
- SB 310 Establishing local enhanced management areas.
- SB 313 Allowing liquor consumption on department of wildlife, parks and tourism owned or managed lands and waters.
- SB 314 Eliminating the fishing and hunting license exemption for persons 65 years of age and older.
- SB 316 Updating references and corresponding changes relating to Executive Reorganization Order No. 36 and the Kansas department of wildlife, parks and tourism.
- SB 375 Adding a new exemption for solid waste permit.
- SB 380 Allowing all hunters to use a crossbow during big game archery season.
- SB 406 Amending the Kansas storage tank act and the underground storage tank fund.
- S Sub for
HB 2597 Solid waste permit exemption for land spreading waste generated by drilling oil and gas wells.

Public Health and Welfare

- SB 29 Amending the drug schedule by adding additional unlawful substances.
- SB 88 Naturopathic medicine; prescription, recommendation or administration of natural medicines.
- SB 89 Local health departments; funding reduction.
- SB 90 Behavioral sciences regulatory board; licensure.
- SB 91 Public health care; sexual assault survivors right to emergency contraception information.
- SB 92 State board of cosmetology licensing requirements.
 - Sub
 - SB 92 Board of cosmetology licensing requirements.
 - SB 99 Electronic transmission of prescription order.
- SB 100 Addictions counselor licensure act.
- SB 131 Making methamphetamine precursors schedule III prescription drugs.
- SB 132 Dental care; increasing availability and access to dental care.
- SB 133 Health information; technology and exchange of health information.
- SB 134 Creating the licensure role of advanced practice registered nurse.
- SB 138 Pharmacy audit integrity act
 - Sub
 - SB 138 Pharmacy; creating the pharmacy audit integrity act.
- SB 141 School-located influenza vaccination programs.
- SB 195 Relating to the licensure of acupuncturists.
- SB 290 Addictions counselor licensure act.
- SB 303 Disposition of unclaimed cremated remains; veterans' cremated remains.
- SB 324 Board of pharmacy; pharmacist license and pharmacist intern registration.
- SB 325 Controlled substances schedules IV and V.
- SB 326 Dental hygiene; services for school children.
- SB 327 Prescription monitoring program.
 - Sub
 - SB 327 Prescription of drugs; electronic prescription and prescription monitoring program.
- SB 328 Electronic prescription.
- SB 331 Cosmetology; salon and clinic license renewal.
 - Sub
 - SB 397 Terminology change from mental retardation to intellectual disability.
- S Sub for
- S Sub for
- HB 2249 Health information; Kansas health information technology and exchange act.

Reapportionment

- S Sub for
- Sub HB 2069 State legislative redistricting; Senate districts.
 - S Sub for
 - HB 2087 State legislative redistricting; Senate and State Board of Education districts.
 - S Sub for
 - HB 2329 Redistricting; Congressional districts.
 - S Sub for
 - HB 2371 State redistricting.

- S Sub for
 HB 2396 State legislative redistricting; Senate and state board of education member districts.

Transportation

- SB 58 Designating the US-24 and KS-7 highway the Representative Margaret Long interchange.
 SB 298 Penalties for violating size and weight laws.
 SB 300 Extending thirty-day vehicle registration to sixty days.
 SB 329 Historic properties; projects within environs; city opt out of state historic preservation officer review.
 SB 334 Exempting military drivers from CDL testing requirements.
 SB 340 Alcoholic liquor; class A private clubs; veterans organizations.
 SB 341 Cities; dissolution because of environmental buyout.
 SB 342 Establishing a safety corridor program.
 SB 343 Window tinting exemption for private detectives.
 SR 1803 Urging congress to allow outdoor highway advertising signs.
 SR 1804 Requesting a long-term transportation funding plan.
 SR 1805 Roads and highways; livable streets.
 SR 1806 Urging congress to repeal freeze on truck weight limits.

Utilities

- SB 30 Concerning 911 emergency services; prepaid wireless fees, collection and distribution.
 SB 137 Employment security law; benefits for school bus drivers.
 SB 158 Full and fair noneconomic damages act.
 SB 177 Statute of limitations increased for taxpayers claiming certain refunds and credits.
 SB 190 Telecommunications and price regulation.
 SB 374 Concerning utilities; Kansas corporation commission; rules and regulations; penalties; fees.
 SB 383 Increasing the net metering allowance for non-residential customer generators.
 SB 384 Concerning the Kansas 911 act.
 SB 398 Amending the KAN-ED act.
 SB 418 Oil and gas; Kansas corporation commission; unitization; horizontal drilling.
 SB 419 Requiring the KCC to annually determine the cumulative retail rate impact of nonrenewable alternative sources of electricity supply and report to the legislature.
 S Sub for
 HB 2390 Amending the Kan-Ed act.
 S Sub for
 HB 2526 Utilities; relating to energy.

Ways and Means

- SB 11 School finance; special education state aid; transportation of pupils; local option budget calculation; use of unencumbered funds.
 SB 16 Supplemental appropriations for FY 2011 for various state agencies.
 SB 57 School districts; amendments to base state aid per pupil for local option budget purposes.

- SB 70 Limitation on entitlement to capital improvement state aid.
- SB 114 Uniform common interest owners bill of rights act; changes.
- SB 116 Unclaimed property; disclosure of tax information to the state treasurer.
- SB 117 Drug utilization review program; subject to KOMA; rules and regulations.
- SB 118 Changes to fees collected by the board of barbering.
- SB 120 Vessel titling act.
- SB 121 Increasing licensing fees for real estate salespersons and brokers.
- SB 151 Highway advertising; permitting spot zoning
- SB 153 Authorizing contributions to accounts under the Kansas individual data on students program.
- SB 155 Assessed valuation of certain school districts.
- SB 182 EMS board operating fund, fire service training program fund of university of Kansas and fire marshal fee fund share administrative expense reimbursement to general fund.
- SB 183 Concerning motor vehicles; relating to safety belts.
- SB 184 Adult care home minimum nursing care requirements.
- SB 192 Kansas dental board; licensure of dental practitioners.
- SB 199 Inmates in correctional facilities; medicaid eligibility.
- SB 203 Relating to the size of the Kansas legislature.
- SB 204 County consolidation commission established.
- SB 205 Establishing the Kansas employment initiative act and the Kansas employment first oversight commission.
- SB 206 Surplus Lines Insurance Multi-State Compliance Compact.
- SB 208 Long-term capital improvement program and facilities plans by public safety state agencies.
- SB 209 For fiscal years 2012, 2013, 2014 and 2015, five centers of excellence and three centers of innovation receive \$2,000,000 from the increase in the tax base from bioscience development and investment.
- SB 211 Pharmacists; dispensing prescriptions.
- SB 216 Emergency medical services; licensure of attendants.
- SB 217 Civil commitment of sexually violent predators; reimbursement for costs related to habeas corpus actions to the county from the sexually violent predator expense fund.
- SB 218 Kansas Highway Patrol; vehicle inspection fees.
- SB 220 Abolishing the office of the state fire marshal and transferring the duties and functions thereof to the division of facilities management, the Kansas bureau of investigation and the division of emergency management.
- SB 221 Prohibiting local community corrections programs from using state grant moneys to supplant local moneys; allowing the secretary of corrections to make certain payments in the next fiscal year; capping the costs DOC pays to counties for inmates in county jails.
- SB 222 Voter identification requirements.
- SB 223 Public facilities; accessibility standards, disabled persons.
- SB 228 Continuation of statewide tax levy for public schools.
- SB 232 Reduction to state income tax rates based on selected actual state general fund receipts computations, and sales tax rates and distribution.
- SB 233 Appropriations for FY2011, FY2012 & FY2013 for capital improvements for various state agencies.
- SB 234 Appropriations for FY 2011 through FY 2016 for various state agencies.

- Sub
- SB 234 Appropriations for FY 2011 through FY 2016 for various state agencies, capital improvements, special claims.
- SB 235 University engineering initiative act.
- SB 236 Lodging inspection, lodging inspection fees.
- SB 238 Vietnam war era veterans' medallions and certificates.
- SB 239 Abolishing the death penalty; creating the crime of aggravated murder.
- SB 240 Abolishing the joint committee on information technology; creating the committee on technology oversight.
- SB 243 Establishing the joint committee on state authorities oversight.
- SB 244 Municipalities; power to enter into agreements for renewable energy generation facilities.
- SB 248 Legislative compensation and expenses; limited to 90 days.
- SB 311 Supplemental appropriations for FY 2012 and FY 2013 for various state agencies.
- SB 312 Sales and compensating use tax; rate of taxation and distribution of revenues.
- SB 336 Adjutant general; funding for disasters; creating the disaster reimbursement fund; insurance fees and premium taxes; KUSF.
- SB 337 Adjutant general authority to fix, charge and collect fees; vulnerability assessments; hazardous materials; creating the Kansas emergency management and homeland security fund.
- SB 350 Graduated increases in base state aid per pupil.
- SB 351 Transferring moneys to the local ad valorem tax reduction fund.
- SB 353 Board of barbering; powers and duties; fees; licensure.
- SB 362 Relating to certain persons making reports of abuse or neglect of children.
- SB 376 Comprehensive plan for reduction of sales tax rate and income tax rates, elimination of certain sales tax exemptions, imposition of sales tax on certain services and provision of sales tax exemption for certain purchases of food.
- SB 397 Terminology change from mental retardation and similar terms to intellectual disability and similar terms.
- SB 407 Patient to receive certain information about patient's mammography examination.
- SB 426 \$3500 tax credit for certain children 5 years or older or children with special needs.
- SB 427 Kansas housing loan deposit program; expanding the program to include the building or rehabilitation of adult care homes.
- SB 428 Reducing sales and use tax rate on food and food ingredients and providing eventual exemption thereof.
- SB 429 Enacting the Kansas public employees retirement system act of 2014.
- SB 430 Income tax rates, adjustments, procedure and requirements; eliminate refund ability of income tax credits; presumptions relating to nexus for sales tax purposes; and severance tax exemptions.
- SB 431 Credit Union Administrator; appointment of and salaries for certain unclassified positions.
- SB 432 Solid waste; yard waste disposal.
- SB 433 Appropriations for FY2012, FY 2013, and FY2014 for various state agencies.
- Sub
- SB 433 Appropriations for FY 2012, FY 2013, FY 2014, and FY 2015 for various state agencies; capital improvement project.

- SB 434 Granting the secretary of corrections the authority to purchase the Saint Francis boy's home in Ellsworth, Kansas.
- SB 435 Establishing a conservation reserve enhancement program (CREP).
- SB 436 Creating the Kansas newborn screening fund.
- SB 439 Abstracters' license fees.
- SB 440 Creating the creative arts industries commission; abolishing the arts commission and the film commission.
- SB 441 Vehicle-theft recovery title for certain vehicles.
- SB 442 Providing a property tax exemption for health clubs.
- SB 444 Relating to employment of disabled individuals and competitive bids for state contracts.
- SB 445 Earned income tax credit and homestead property tax refunds.
- SB 446 Removing sunset on tax credits for restoration, preservation or operation of certain historic sites.
- SB 447 Wildlife, Parks and Tourism: Fees.
- SB 448 Authorizing the payment for paraprofessional services by school districts to the state school for the deaf and the state school for the blind.
- SB 449 Appropriations for FY2012, FY2013 & FY2014 for capital improvements for various state agencies.
- Sub
- SB 449 Appropriations for FY 2012, FY 2013, FY 2014, and FY 2015 for various state agencies; capital improvement projects; claims against the state.
- SB 450 School finance; amendment to base state aid per pupil; increasing state prescribed percentage for local option budget for fiscal years 2013 and 2014.
- SB 456 Creating the municipality infrastructure improvement program.
- SB 457 Apportionment of business income for certain taxpayers under Kansas income tax act.
- SB 458 Income tax credit for certain bioscience companies relocating in Kansas.
- SB 459 Creating joint committee on KanCare oversight.
- Sub
- SB 459 Creating the joint committee on KanCare oversight; repealing the joint committee on home and community based services oversight and the joint committee on health policy oversight.
- SB 460 Elections; voter education program by secretary of state.
- SB 461 Election workers and voter registration personnel; education training; secretary of state, county election officer duties.
- SB 463 Extension of the STAR bonds financing act sunset provision regarding STAR bond projects.
- SB 464 Developmental disabilities waiver; exemption from the managed care system until July 1, 2013.
- SB 465 Right-of-way violations; increased penalties.
- SB 466 Prior service credit for certain service under KPERS.
- SB 467 Allowing members of a unitary group to share certain income tax credits.
- SB 468 Extending the renewable electric cogeneration facility income tax credit.
- SB 469 Confidentiality of health information.
- SB 470 Congressional redistricting.
- SB 471 Redistricting of state board of education member districts.
- SB 473 Requiring fiscal notes for concurrent resolutions.
- S Sub for
- HB 2149 University engineering initiative act.

- S Sub for
HB 2158 School districts; use of funds from tax levies on motor vehicles and recreational vehicles.
- S Sub for
HB 2241 Authorizing transfer of moneys to local ad valorem tax reduction fund.
- S Sub for
S Sub for
HB 2249 Confidentiality of health information.
- S Sub for
HB 2357 Bioscience authority; replacing the member appointed by KTEC with the secretary of commerce.
- S Sub for
HB 2382 Concerning economic development.
- S Sub for
HB 2383 Appropriations for FY 2011 through FY 2016 for various state agencies, omnibus appropriation act and omnibus reconciliation spending limit bill.
- S Sub for
HB 2454 Creating the creative arts industries commission; abolishing the arts commission and the film commission; creating the arts commission checkoff.
- S Sub for
HB 2619 Joint committee on KanCare oversight.
- S Sub for
HB 2650 Kansas one map act; geographic information systems and services, policy board and officer.

State Legislature, Joint Committees

Joint Committee on Administrative Rules and Regulations

- SB 252 Rules and regulations filing act; change in notice period; agency name changes.
- SB 304 Certified batterer intervention program act.

Joint Committee on Arts and Cultural Resources

- HB 2443 Kansas income tax credit; film production.

Joint Committee on Energy and Environmental Policy

- SB 271 Concerning ownership of pore space.
- HB 2436 Concerning public utilities and issuance of a certificate of public convenience.
- HB 2447 Concerning income tax credits and plugging of abandoned wells.
- HB 2643 Allowing eligible water right holders to create reservoir improvement districts.

Joint Committee on Health Policy Oversight

- SB 251 Joint committee on health policy oversight; duties; sunset.
- HB 2416 Division of health care finance of department of health and environment; updating references and other provisions regarding transfer of powers and duties of Kansas health policy authority.

Joint Committee on Kansas Security

- HCR 5031 Urging department of defense to re-evaluate types of facilities where Tricare covers substance abuse treatment.

For page numbers, see "Title and History of Bills" in Senate and House Journal Books

Joint Committee on Pensions, Investments, and Benefits

- SB 49 Increased employee and employer contribution rates and benefit formula multiplier.
- HB 2086 Increasing KPERS employer contribution rate cap.
- HB 2460 Removing first year employer contribution rate for KPERS affiliated employers and allowing for KPERS employers to affiliate for either prior and future service or future service only.
- HB 2461 Raising the amount of annual alternative investments within the total amount of assets of the KPERS fund.

Joint Committee on Special Claims Against the State

- SB 294 Joint Committee on Claims Against the State; recommended payments.

Joint Committee on State Building Construction

- SB 156 Kansas arts commission, transfer of Hiram Price Dillon House, programming, donations, charitable corporation.

Legislative Educational Planning Committee

- SB 8 Defining information technology project for state universities under the control of the state board of regents.
- SB 13 Career and technical education; amendments.
- SB 19 School districts; finance; KPERS weighting.
- SB 28 Johnson county education research triangle authority; interest earnings on fund.
- SB 41 Private and out of state postsecondary educational institution act; fees.
- SB 257 Amendments to calculation of local option budget using state aid for special education and related services.
- SB 258 Governmental ethics law; permitting certain communications related to contract negotiations involving state university employees.
- SB 259 KPERS; employment after retirement for certain school employees.
- SB 260 Eliminating minimum and maximum calculations of special education state aid.
- SB 261 Kansas private and out-of-state post-secondary educational institution act; fees and removal of expiration date.
- SB 267 Amendments regarding tax credits for contributions to postsecondary educational institutions for deferred maintenance expenses.
- SB 392 Community college; use of internet as official publication of required notices.
- HB 2011 Tax credits for certain contributions to community colleges.
- HB 2012 The duties of the legislative educational planning committee include matters or issues relating to school finance.
- HB 2021 KAN-ED; membership.
- HB 2428 Health care providers; including the university of Kansas medical center for purposes of peer review.
- HB 2429 Removal of expiration date for the state educational institution project delivery construction procurement act.
- HB 2430 Contingency reserve fund; extending the time period authorized for districts.
- HB 2431 Amendments to the educational license plate program.

- HB 2434 Supplemental appropriations for FY 2012 for the department of education.
 HB 2435 Providing career technical workforce grant for certain technical education programs.

Legislative Post Audit Committee

- SB 2 Requiring bidders on state contracts to sign a statement they will not hire former state employees that participated in awarding the contract unless otherwise allowed by law.
 SB 3 Concerning water; establishing the Kansas natural resources subcabinet.
 SB 26 Concerning the state lottery; relating to security audits; background investigation requirements.
 SB 249 Relating to employees; criminal history record check.
 SB 254 Providing for information technology audits
 HB 2413 Disclosure of tax information for defendants claiming indigency.
 HB 2414 Allowing legislative post audit to charge state agencies for their portion of the state wide financial audit.
 HB 2418 Veterans preference; notifying veterans not hired by standard or electronic mail.
 HB 2419 Determining defendant's indigency for purposes of appointing counsel.

State Legislature, Special Committees

Special Committee on Education

- SB 18 School districts; finance; at-risk funds; limits on use.
 SB 20 School districts; at-risk pupils; age limit.
 SB 22 School districts; finance; transportation state aid.
 SB 32 School districts; finance; at-risk weighting calculated on FTE basis.
 HB 2016 School districts; finance; bilingual weighting based on program enrollment.
 HB 2017 School districts; calculating adjusted enrollment if determined that pupils are ineligible for free meals.
 HB 2018 School districts; finance; high density at-risk weighting.
 HB 2019 School districts; interdistrict agreements; termination.

Special Committee on Legislative Streamlining

- HB 2140 Repealing certain expired committees, task forces and reports to the legislature.

Special Committee on Natural Gas Storage Fields and Facilities

- SCR 1606 Urging the United States Department of Transportation to adopt regulations permitting the State Corporation Commission to regulate natural gas storage fields in Kansas.
 HCR 5022 Urging adoption of federal regulations or policies permitting Kansas to regulate the underground storage of natural gas in interstate transportation.

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